

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

A BILL FOR

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

1 Section 1. DEPARTMENT OF JUSTICE.

2 1. There is appropriated from the general fund of the state
3 to the department of justice for the fiscal year beginning July
4 1, 2011, and ending June 30, 2012, the following amounts, or
5 so much thereof as is necessary, to be used for the purposes
6 designated:

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

13	\$	0
14	FTEs	0

15 It is the intent of the general assembly that as a condition
16 of receiving the appropriation provided in this lettered
17 paragraph, the department of justice shall maintain a record
18 of the estimated time incurred representing each agency or
19 department. *AG'S OFFICE IS REQUIRED TO MAINTAIN RECORDS*

20 b. For victim assistance grants: *VICTIM ASSISTANCE GRANTS*
21

22 The funds appropriated in this lettered paragraph shall be
23 used to provide grants to care providers providing services to
24 crime victims of domestic abuse or to crime victims of rape and
25 sexual assault. *REQUIRES GRANTS TO BE MADE TO CARE PROVIDERS*

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

30 The department of justice may transfer moneys from the
31 victim compensation fund established in section 915.94 to the
32 victim assistance grant program. *PERMITS TRANSFER FROM VICTIM COMP FUND TO VICTIM SERVICES*

33 c. For legal services for persons in poverty grants as
34 provided in section 13.34:
35

35	\$	0
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CONTRACT WITH IOWA LEGAL AFD

1 2. a. The department of justice, in submitting budget ^{REQUIRES}
2 estimates for the fiscal year commencing July 1, 2012, pursuant ^{ESTIMATES}
3 to section 8.23, shall include a report of funding from sources ^{OF ALL}
4 other than amounts appropriated directly from the general fund ^{FUNDING}
5 of the state to the department of justice or to the office of ^{SOURCES}
6 consumer advocate. These funding sources shall include but ^{FOR}
7 are not limited to reimbursements from other state agencies, ^{FY 2013}
8 commissions, boards, or similar entities, and reimbursements ^{BUDGET}
9 from special funds or internal accounts within the department
10 of justice. The department of justice shall also report actual
11 reimbursements for the fiscal year commencing July 1, 2010,
12 and actual and expected reimbursements for the fiscal year
13 commencing July 1, 2011.

14 b. The department of justice shall include the report ^{REQUIRED}
15 required under paragraph "a", as well as information regarding ^{REPORTS}
16 any revisions occurring as a result of reimbursements actually ^{ON}
17 received or expected at a later date, in a report to the ^{REIMBURSEMENTS}
18 co-chairpersons and ranking members of the joint appropriations
19 subcommittee on the justice system and the legislative services
20 agency. The department of justice shall submit the report on
21 or before January 15, 2012.

22 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
23 from the department of commerce revolving fund created in ^{CONSUMER}
24 section 546.12 to the office of consumer advocate of the ^{ADVOCATE -}
25 department of justice for the fiscal year beginning July 1, ^{FUNDED}
26 2011, and ending June 30, 2012, the following amount, or so ^{FROM}
27 much thereof as is necessary, to be used for the purposes ^{DEPARTMENT}
28 designated: ^{OF COMMERCE}

29 For salaries, support, maintenance, miscellaneous purposes, ^{FUND}
30 and for not more than the following full-time equivalent
31 positions:

32	\$	0
33	FTEs	0

34 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES. ^{CORRECTIONS}
35 1. There is appropriated from the general fund of the ^{INSTITUTIONS}

1 state to the department of corrections for the fiscal year
2 beginning July 1, 2011, and ending June 30, 2012, the following
3 amounts, or so much thereof as is necessary, to be used for the
4 operation of adult correctional institutions, reimbursement
5 of counties for certain confinement costs, and federal prison
6 reimbursement, to be allocated as follows:

7 a. For the operation of the Fort Madison correctional *FORT*
8 facility, including salaries, support, maintenance, and *MADISON*
9 miscellaneous purposes:

10 \$ 0

11 As a condition of receiving an appropriation in this *80th BENNETT*
12 lettered paragraph, the department of corrections shall operate *FACILITY*
13 the John Bennett facility either as an institution of the
14 department or a community-based correctional facility.

15 b. For the operation of the Anamosa correctional facility, *ANAMOSA*
16 including salaries, support, maintenance, and miscellaneous
17 purposes:

18 \$ 0

19 (1) As a condition of receiving the appropriation in this *LUSTER*
20 lettered paragraph, the department of corrections shall employ *HEIGHTS*
21 two part-time registered nurses at the Luster Heights facility, *MEDICAL*
22 and shall seek volunteer licensed medical personnel to serve at *STAFF-*
23 the facility. *CURRENTLY*
DO NOT HAVE 2 part time
NURSES AT LUSTER HEIGHTS

24 (2) It is the intent of the general assembly that the *CURRENT*
25 department of corrections fully operate the Luster Heights *COUNT AT*
26 facility at the facility's 88-bed capacity. *LUSTER HEIGHTS - 84*

27 (3) As a condition of the moneys appropriated in this *THERAPEUTIC*
28 lettered paragraph, the department of corrections shall *TREATMENT*
29 replace expired federal funding by expending at least *PROGRAM*
30 *???* \$ _____ *???* for continuation of a treatment program *\$238,252*
31 that prepares offenders for ongoing therapeutic treatment
32 programs offered by the department and maintaining at least
33 *???* FTEs *???* for the program. *4.75 FTE*

34 (4) Moneys appropriated in this lettered paragraph shall *REQUIRES*
35 provide for one full-time substance abuse counselor for the *ONE*
SUBSTANCE ABUSE

1 Luster Heights facility for the purpose of certification of a
2 substance abuse program at that facility.

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

6 \$ 0

7 d. For the operation of the Newton correctional facility,
8 including salaries, support, maintenance, and miscellaneous *NEWTON*
9 purposes:

10 \$ 0

11 e. For the operation of the Mt. Pleasant correctional
12 facility, including salaries, support, maintenance, and *MOUNT*
13 miscellaneous purposes: *PLEASANT*

14 \$ 0

15 f. For the operation of the Rockwell City correctional
16 facility, including salaries, support, maintenance, and *ROCKWELL*
17 miscellaneous purposes: *CITY*

18 \$ 0

19 g. For the operation of the Clarinda correctional facility,
20 including salaries, support, maintenance, and miscellaneous
21 purposes: *CLARINDA*

22 \$ 0

23 Moneys received by the department of corrections as *REQUIRED*
24 reimbursement for services provided to the Clarinda youth *REIMBURSEMENT*
25 corporation are appropriated to the department and shall be *FROM*
26 used for the purpose of operating the Clarinda correctional *CLARINDA*
27 facility. *YOUTH CORP.*

FY 11 ESTIMATE - \$1.4 m.ilion

28 h. For the operation of the Mitchellville correctional
29 facility, including salaries, support, maintenance, and *MITCHELLVILLE*
30 miscellaneous purposes:

31 \$ 0

32 i. For the operation of the Fort Dodge correctional
33 facility, including salaries, support, maintenance, and *FORT*
34 miscellaneous purposes: *DODGE*

35 \$ 0

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

COUNTY CONFINEMENT REIMBURSE COUNTIES FOR HOLDING CERTAIN INMATES

5 \$ 0

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

REIMBURSE FEDERAL SYSTEM FOR HOUSES & SNAKES

8 \$

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

FEDERAL COURT ORDER FOR A MUSLIM IMAM

12 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

13 1. There is appropriated from the general fund of the state
14 to the department of corrections for the fiscal year beginning
15 July 1, 2011, and ending June 30, 2012, the following amounts,
16 or so much thereof as is necessary, to be used for the purposes
17 designated:

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

DUC CENTRAL OFFICE

22 \$ 0

23 (1) It is the intent of the general assembly that as a
24 condition of receiving the appropriation provided in this
25 lettered paragraph the department of corrections shall not,
26 except as otherwise provided in subparagraph (3), enter
27 into a new contract, unless the contract is a renewal of an
28 existing contract, for the expenditure of moneys in excess of
29 \$100,000 during the fiscal year beginning July 1, 2011, for the
30 privatization of services performed by the department using
31 state employees as of July 1, 2011, or for the privatization
32 of new services by the department without prior consultation
33 with any applicable state employee organization affected
34 by the proposed new contract and prior notification of the
35 co-chairpersons and ranking members of the joint appropriations

LANGUAGE REGARDING PRIVATIZING SERVICES FOR CONTRACTS IN EXCESS OF \$100,000 - REQUIRES NOTICE

1 subcommittee on the justice system.

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

PRIVATE SECTOR
PROGRAM -
CAN NOT USE
INMATES
FOR
PARTISAN
POLITICAL
PURPOSES

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

PRIVATE
SECTOR
PROGRAM -
RESTRICTIONS
ON
INFORMATION
OF
PRIVATE
CITIZENS

21 b. For educational programs for inmates at state penal
22 institutions:
23 \$ 0

CORRECTIONS
EDUCATION

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

REQUIRES AT
LEAST
\$300,000
FROM
CANTEENS
BE USED FOR
INMATE EDUCATION

30 (2) It is the intent of the general assembly that moneys
31 appropriated in this lettered paragraph shall be used solely
32 for the purpose indicated and that the moneys shall not be
33 transferred for any other purpose. In addition, it is the
34 intent of the general assembly that the department shall
35 consult with the community colleges in the areas in which the

RESTRICTIONS
ON
TRANSFER
USE OF
APPROPRIATION
FOR
INMATE
EDUCATION

1 institutions are located to utilize moneys appropriated in this
2 lettered paragraph to fund the high school completion, high
3 school equivalency diploma, adult literacy, and adult basic
4 education programs in a manner so as to maintain these programs
5 at the institutions.

6 (3) To maximize the funding for educational programs, DOC is
7 the department shall establish guidelines and procedures to ^{REQUIRED}
8 prioritize the availability of educational and vocational ^{TO ESTABLISH}
9 training for inmates based upon the goal of facilitating an ^{GUIDELINES}
10 inmate's successful release from the correctional institution.

11 (4) The director of the department of corrections may ^{PERMITS}
12 transfer moneys from Iowa prison industries for use in ^{TRANSFERS FROM}
13 educational programs for inmates. ^{INDUSTRIES FOR EDUCATION}

14 (5) Notwithstanding section 8.33, moneys appropriated in ^{Education}
15 this lettered paragraph that remain unobligated or unexpended ^{Funds are}
16 at the close of the fiscal year shall not revert but shall ^{permitted}
17 remain available for expenditure only for the purpose ^{to carry}
18 designated in this lettered paragraph until the close of the ^{forward to next}
19 succeeding fiscal year. ^{year}

20 c. For the development of the Iowa corrections offender ^{ICON}
21 network (ICON) data system:

22 \$ 0

23 d. For offender mental health and substance abuse ^{TRAINING}
24 treatment: ^{MATERIALS}

25 \$ 0

26 e. For viral hepatitis prevention and treatment: ^{HEP TREATMENT -}
27 \$ ^{PART OF} ^{PHARMACY} 0 ^{BUDGET}

28 2. It is the intent of the general assembly that the ^{LANGUAGE}
29 department of corrections shall continue to operate the ^{FOR}
30 correctional farms under the control of the department at the ^{PRISON}
31 same or greater level of participation and involvement as ^{FARMS}
32 existed as of ??? _____ ???; shall not enter into any ^{June 30, 2011}
33 rental agreement or contract concerning any farmland under ^(current law)
34 the control of the department that is not subject to a rental ^{January}
35 agreement or contract as of ??? _____ ???, without prior ^{1, 2010}
^(current law)

1 legislative approval; and shall further attempt to provide
2 job opportunities at the farms for inmates. The department
3 shall attempt to provide job opportunities at the farms for
4 inmates by encouraging labor-intensive farming or gardening
5 where appropriate; using inmates to grow produce and meat for
6 institutional consumption; researching the possibility of
7 instituting food canning and cook-and-chill operations; and
8 exploring opportunities for organic farming and gardening,
9 livestock ventures, horticulture, and specialized crops.

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

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

30 5. The chief security officer position within the *VETED BY*
31 department of corrections shall be eliminated by the effective *GOVERNOR*
32 date of this subsection.

33 6. The department shall place inmates at the Luster Heights
34 facility who have been approved by the board of parole for *LUSTER*
35 work release but who are expected to be waiting in prison *HEIGHTS*
WORK
RELEASE

1 for at least four months for a bed to become available at a
2 community-based correctional facility, unless the placement
3 would dislodge an inmate receiving substance abuse treatment.

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

6 1. There is appropriated from the general fund of the state
7 to the department of corrections for the fiscal year beginning
8 July 1, 2011, and ending June 30, 2012, for salaries, support,
9 maintenance, and miscellaneous purposes, the following amounts,
10 or so much thereof as is necessary, to be allocated as follows:

11 a. For the first judicial district department of *FIRST*
12 correctional services: *CBC*
13 \$ 0

14 As a condition of the moneys appropriated in this lettered *DUAL*
15 paragraph, the department of corrections shall replace expired *DIAGNOSES*
16 federal funding by expending at least ??? \$ _____ ??? for *149,000*
17 the dual diagnosis program and maintaining ??? *FTEs* ??? *1.25 FTE*
18 for the program.

19 b. For the second judicial district department of *SECOND*
20 correctional services: *CBC*
21 \$ 0

22 c. For the third judicial district department of *THIRD*
23 correctional services: *CBC*
24 \$ 0

25 d. For the fourth judicial district department of *FOURTH*
26 correctional services: *CBC*
27 \$ 0

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

32 As a condition of receiving the appropriation in this *FORT*
33 lettered paragraph, the fifth judicial district department of *DES*
34 correctional services shall reinstate 67 beds in buildings 65 *MOINES*
35 and 66 at the Fort Des Moines facility and resume operating the *LANGUAGE*

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

5 f. For the sixth judicial district department of *SIXTH CBC*
6 correctional services:
7 \$ 0

8 g. For the seventh judicial district department of *SEVENTH CBC*
9 correctional services:
10 \$ 0

11 h. For the eighth judicial district department of *EIGHTH CBC*
12 correctional services:
13 \$ 0

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

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

27 4. The governor's office of drug control policy shall *ODCP*
28 consider federal grants made to the department of corrections *CONSIDERS*
29 for the benefit of each of the eight judicial district *CBC GRANTS*
30 departments of correctional services as local government *AS LOCAL*
31 grants, as defined pursuant to federal regulations. *RATHER THAN STATE*

32 5. The department of corrections shall continue to contract *5TH*
33 with a judicial district department of correctional services to *DISTRICT*
34 provide for the rental of electronic monitoring equipment which *ELECTRONIC*
35 shall be available statewide. *MONITORING*

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

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

21 Sec. 7. INTENT — REPORTS.

22 1. The department of corrections in cooperation with *PERMITS*
23 townships, the Iowa cemetery associations, and other nonprofit *INMATE*
24 or governmental entities may use inmate labor during the *LABOR*
25 fiscal year beginning July 1, 2011, to restore or preserve *RESTORATION*
26 rural cemeteries and historical landmarks. The department in *OR*
27 cooperation with the counties may also use inmate labor to *PRESERVATION*
28 clean up roads, major water sources, and other water sources *OF*
29 around the state. *CEMETARIES,*
ROADS, WATER
WAYS

30 2. Each month the department shall provide a status report *monthly*
31 regarding private-sector employment to the legislative services *private*
32 agency beginning on July 1, 2011. The report shall include *sector*
33 the number of offenders employed in the private sector, the *report*
34 combined number of hours worked by the offenders, the total *to LSA.*
35 amount of allowances, and the distribution of allowances *Federal law*

requires quarterly reports

1 pursuant to section 904.702, including any moneys deposited in
2 the general fund of the state.

3 Sec. 8. ELECTRONIC MONITORING REPORT. The department of ^{REPORT}
4 corrections shall submit a report on electronic monitoring to ^{ON}
5 the general assembly, to the co-chairpersons and the ranking ^{ELECTRONIC}
6 members of the joint appropriations subcommittee on the justice
7 system, and to the legislative services agency by January ^{MONITORING}
8 15, 2012. The report shall specifically address the number
9 of persons being electronically monitored and break down the
10 number of persons being electronically monitored by offense
11 committed. The report shall also include a comparison of any
12 data from the prior fiscal year with the current year.

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

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

22 2. State agencies are hereby encouraged to purchase ^{OBTAIN BIDS}
23 products from Iowa state industries, as defined in section ^{FOR}
24 904.802, when purchases are required and the products are ^{PURCHASES}
25 available from Iowa state industries. State agencies shall ^{IN EXCESS}
26 obtain bids from Iowa state industries for purchases of ^{OF}
27 office furniture during the fiscal year beginning July 1, ^{\$5,000}
28 2011, exceeding \$5,000 or in accordance with applicable
29 administrative rules related to purchases for the agency.

30 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from
31 the general fund of the state to the office of the state public
32 defender of the department of inspections and appeals for the
33 fiscal year beginning July 1, 2011, and ending June 30, 2012,
34 the following amounts, or so much thereof as is necessary, to
35 be allocated as follows for the purposes designated:

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

*Public
Defender*

4 \$ 0
5 FTEs 0

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

*Indigent
Defense*

9 \$ 0

10 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

*General Fund
Appropriation*

11 1. There is appropriated from the general fund of the
12 state to the Iowa law enforcement academy for the fiscal year to ILEA.
13 beginning July 1, 2011, and ending June 30, 2012, the following
14 amount, or so much thereof as is necessary, to be used for the
15 purposes designated:

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

19 \$ 0
20 FTEs 0

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

*General
Assembly intent
language that
ILEA may
offer Alzheimer's
disease training.*

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

*Permits
ILEA to
incur a
negative
GF balance
as long as
receivables
come in by
the close of the fiscal year.*

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

*Permits ILEA
to annually
exchange at least
5 vehicles returned
to the State
Vehicle Administrator
by DPS.*

*ILEA vehicles sold at auction & receipts into
DPS depreciation fund.*

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

9 Sec. 12. BOARD OF PAROLE. There is appropriated from the
10 general fund of the state to the board of parole for the fiscal
11 year beginning July 1, 2011, and ending June 30, 2012, the *Board*
12 following amount, or so much thereof as is necessary, to be *of*
13 used for the purposes designated: *Parole*

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

17	\$	0
18	FTEs	0

19 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
20 appropriated from the general fund of the state to the
21 department of public defense for the fiscal year beginning July
22 1, 2011, and ending June 30, 2012, the following amounts, or
23 so much thereof as is necessary, to be used for the purposes
24 designated:

25 1. MILITARY DIVISION

General Fund appropriation to the Military Division.

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

29	\$	0
30	FTEs	0

31 The military division may temporarily exceed and draw more *Permits*
32 than the amount appropriated in this subsection and incur *the military*
33 negative cash balance as long as there are receivables *Division to*
34 federal funds equal to or greater than the negative balance *incurs a negative*
35 the amount appropriated in this subsection is not exceeded at *cash balance as*
and long as
federal

reimbursable expenses are received to cover balance.

1 the close of the fiscal year.

2 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION *General Fund*
3 For salaries, support, maintenance, miscellaneous purposes, *appropriation*
4 and for not more than the following full-time equivalent *to the*
5 positions: *Homeland Security*
and Emergency
Management Division.

6	\$	0
7	FTEs	0

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

15 b. It is the intent of the general assembly that the *General Assembly*
16 homeland security and emergency management division work in *intent EMD*
17 conjunction with the department of public safety, to the extent *work with*
18 possible, when gathering and analyzing information related *DPS to*
19 to potential domestic or foreign security threats, and when *gather and*
20 monitoring such threats. *analyze info.*
related to
potential domestic and foreign security
threats.

21 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
22 from the general fund of the state to the department of public *General*
23 safety for the fiscal year beginning July 1, 2011, and ending *Fund*
24 June 30, 2012, the following amounts, or so much thereof as is *approp. for*
25 necessary, to be used for the purposes designated: *DPS*
Administration

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

29	\$	0
30	FTEs	0

31 2. For the division of criminal investigation, including *GF approp.*
32 the state's contribution to the peace officers' retirement, *for DCI*
33 accident, and disability system provided in chapter 97A in the
34 amount of the state's normal contribution rate, as defined in
35 section 97A.8, multiplied by the salaries for which the funds

1 are appropriated, to meet federal fund matching requirements,
2 and for not more than the following full-time equivalent
3 positions:

4	\$	0
5	FTEs	0

6 a. If any of the Indian tribes fail to pay for 1.00 FTE ^{one DCI}
7 pursuant to the agreements or compacts entered into between ^{special agent}
8 the state and the Indian tribes pursuant to section 10A.104, ^{to perform}
9 subsection 10, the number of full-time equivalent positions ^{Tribal gaming}
10 authorized under this subsection is reduced by 1.00 FTE. ^{inspectors.}
^{If not funded}
^{from Tribal-State}
^{compact, no longer authorized}

11 b. The department shall employ one additional special agent ^{one}
12 and one additional criminalist for the purpose of investigating ^{Special}
13 cold cases. Prior to employing the additional special agent ^{Agent and}
14 and criminalist authorized in this paragraph, the department ^{one Criminalist}
15 shall provide a written statement to prospective employees that ^{to investigate}
16 states to the effect that the positions are being funded by a ^{language}
17 temporary federal grant and there are no assurances that funds ^{States if}
18 from other sources will be available after the federal funding ^{funds not}
19 expires. If the federal funding for the additional positions ^{needed,}
20 expires during the fiscal year, the number of full-time ^{2 FTE}
21 equivalent positions authorized in this subsection is reduced ^{positions}
22 by 2.00 FTEs. ^{eliminated.}

23 c. The department of public safety, with the approval of ^{Permits DPS}
24 the department of management, may employ no more than two ^{to employ 2}
25 special agents and four gaming enforcement officers for each ^{Special agents}
26 additional riverboat or gambling structure regulated after July ^{and four}
27 1, 2011, and one special agent for each racing facility which ^{Gaming enforcement}
28 becomes operational during the fiscal year which begins July 1, ^{Officers}
29 2011. One additional gaming enforcement officer, up to a total ^{if approved}
30 of four per riverboat or gambling structure, may be employed ^{by Dom.}
31 for each riverboat or gambling structure that has extended ^{Also, for}
32 operations to 24 hours and has not previously operated with a ^{riverboats}
33 24-hour schedule. Positions authorized in this paragraph are ^{with}
34 in addition to the full-time equivalent positions otherwise ^{extended}
35 authorized in this subsection. ^{operations to}
^{24 hours.}
^{And permits}
^{one Special}
^{Agent for}
^{a racing facility}
^{that becomes}
^{operational during}
^{FY 2012.}

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

*GF approp.
for the Dept
Crimes Lab*

3 \$ 0

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

*GF
approp
for the
Narcotics
Division*

12 \$ 0

13 FTEs 0

14 b. For the division of narcotics enforcement for undercover
15 purchases:

*GF approp for
narcotics enforcement
undercover purchases*

16 \$

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

*GF
approp
for the
State
Fire Marshal's
Office*

26 \$ 0

27 FTEs 0

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

*GF
approp
for the
State
Patrol*

1 \$ 0
2 FTEs 0

3 It is the intent of the general assembly that members of the Intent
4 state patrol be assigned to patrol the highways and roads in education
5 lieu of assignments for inspecting school buses for the school perform
6 districts. school bus inspectors rather than road troopers.

7 7. For deposit in the sick leave benefits fund established GF
8 under section 80.42 for all departmental employees eligible to approp
9 receive benefits for accrued sick leave under the collective for sick
10 bargaining agreement: leave payout
11 \$ 0

12 8. For costs associated with the training and equipment GF approp
13 needs of volunteer fire fighters: for volunteer
14 \$ Fire Fighter Training

15 a. Notwithstanding section 8.33, moneys appropriated in
16 this subsection that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain Nonreversion
18 available for expenditure only for the purpose designated in language for
19 this subsection until the close of the succeeding fiscal year. fire fighter training and equipment

20 b. Notwithstanding section 8.39, within the moneys
21 appropriated in this section, the department of public safety Permits
22 may reallocate moneys as necessary to best fulfill the needs of reallocate
23 provided for in the appropriation. However, the department within DPS. of appropriations
24 shall not reallocate an appropriation made to the department Notice must
25 in this section unless notice of the reallocation is given be given to
26 to the legislative services agency and the department of LSA & DOM.
27 management prior to the effective date of the reallocation. No program
28 The notice shall include information regarding the rationale can be
29 for reallocating the appropriation. The department shall eliminated.
30 not reallocate an appropriation made in this section for the
31 purpose of eliminating any program.

32 Sec. 15. GAMING ENFORCEMENT. There is appropriated from the
33 gaming enforcement revolving fund created in section 80.43 to Gaming
34 the department of public safety for the fiscal year beginning Enforcement
35 July 1, 2011, and ending June 30, 2012, the following amount, Fund
36 appropriation

for DCI assets and enforcement

1 or so much thereof as is necessary, to be used for the purposes
2 designated:

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

9	\$	0
10	FTEs	0

11 However, for each additional license to conduct gambling
 12 games on an excursion gambling boat, gambling structure, or
 13 racetrack enclosure issued during the period beginning July 1,
 14 2009, through June 30, 2011, there is appropriated from the
 15 gaming enforcement fund to the department of public safety for
 16 the fiscal year beginning July 1, 2011, and ending June 30,
 17 2012, an additional amount of not more than ??? \$ _____
 18 to be used for not more than ??? _____ ??? additional
 19 full-time equivalent positions.

Language allowing additional money + FTEs if an additional gambling license is granted.

20 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated
 21 from the general fund of the state to the Iowa state civil
 22 rights commission for the fiscal year beginning July 1,
 23 2011, and ending June 30, 2012, the following amount, or so
 24 much thereof as is necessary, to be used for the purposes
 25 designated:

Civil Rights Commission

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

29	\$	0
30	FTEs	0

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

PERMITS CONTRACTS WITH NON PROFITS

34 Sec. 17. IOWA COMMUNICATIONS NETWORK. It is the
 35 intent of the general assembly that the executive branch

ENCOURAGES AGENCIES TO USE THE ICM IN LIEU OF TRAVEL

1 agencies receiving an appropriation in this Act utilize
2 the Iowa communications network or secure other electronic
3 communications in lieu of traveling for the fiscal year
4 addressed by the appropriations.

5 Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT *Appropriates from*
6 DIVISION. There is appropriated from the wireless E911 *the E911 Wireless*
7 emergency communications fund created in section 34A.7A to *Emergency*
8 the administrator of the homeland security and emergency *Communications*
9 management division of the department of public defense for *Fund money*
10 fiscal year beginning July 1, 2011, and ending June 30, 2012, *for administration*
11 an amount not exceeding ??? \$ _____ ??? to be used for *of the*
12 implementation, support, and maintenance of the functions of *E911 Program*
13 the administrator and program manager under chapter 34A and to *and to employ*
14 employ the auditor of the state to perform an annual audit of *the Auditor to*
15 the wireless E911 emergency communications fund. *perform an*
annual
audit.

16 Sec. 19. CORRECTIONAL OFFICER AND PEACE OFFICER — *REQUIRES THE*
17 PRIORITY. As a condition of receiving an appropriation in *DOC + THE*
18 this Act, the department of corrections and the department of *DPS TO*
19 public safety shall make every effort to preserve correctional *PRESERVE*
20 officer and peace officer positions through the reduction of *C O'S +*
21 administrative and related overhead costs. *PEACE*
OFFICERS

22 Sec. 20. EFFECTIVE UPON ENACTMENT. The provision of this
23 Act eliminating the chief security officer position within *VE TOED*
24 the department of corrections, being deemed of immediate
25 importance, takes effect upon enactment.

26 EXPLANATION

27 This bill relates to and makes appropriations to the justice
28 system.

29 The bill makes appropriations from the general fund of the
30 state for fiscal year 2011-2012 to the departments of justice,
31 corrections, public defense, and public safety, and the Iowa
32 law enforcement academy, office of the state public defender,
33 board of parole, and Iowa state civil rights commission.

34 The bill appropriates moneys from the department of commerce
35 revolving fund to the office of consumer advocate of the

1 department of justice.

2 The bill requires the department of corrections to employ
3 two part-time nurses at the Luster Heights correctional
4 facility, and seek volunteer licensed medical personnel to
5 serve at the facility.

6 The bill requires the department of corrections to place
7 inmates at the Luster Heights facility who have been approved
8 by the board of parole for work release but who are expected
9 to be waiting in prison for a bed to become available at a
10 community-based correctional facility for at least four months,
11 unless the placement dislodges an inmate receiving substance
12 abuse treatment.

13 The bill requires the department of corrections to seek
14 volunteer licensed medical personnel to serve at the Luster
15 Heights facility.

16 The bill also appropriates moneys from the gaming
17 enforcement revolving fund to the department of public safety.
18 The division also establishes the FTEs related to gaming
19 enforcement in the fund.

20 The bill also provides that for each additional license to
21 conduct gambling games on an excursion gambling boat, gambling
22 structure, or racetrack enclosure issued during fiscal period
23 beginning on July 1 2009, and ending June 30, 2011, there is
24 appropriated from the gaming enforcement fund to the department
25 of public safety for the fiscal year beginning July 1, 2011,
26 and ending June 30, 2012, an additional amount of not more
27 than \$ _____ to be used for not more than _____ additional
28 full-time equivalent positions.

29 The bill eliminates the chief security officer position
30 within the department of corrections effective upon enactment.