

**FUNDING SUMMARY**

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- Appropriates a total of \$522.9 million from the General Fund for FY 2013 to the Departments of Justice, Corrections (DOC), Inspections and Appeals (DIA), Public Defense, and Public Safety (DPS), the Iowa Law Enforcement Academy (ILEA), Board of Parole, and Civil Rights Commission. This is an increase of \$9.4 million compared to estimated net FY 2012. This Bill also appropriates a total of \$13.5 million from other funds for FY 2013 reflecting no change compared to estimated net FY 2012. Page 1, Line 4

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

**NEW PROGRAMS, SERVICES, OR ACTIVITIES**

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- New General Fund appropriation to the DPS for the Statewide Interoperable Communications System Board. Page 14, Line 28

**MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS**

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- DOC: General Fund increase of \$7.5 million compared to estimated net FY 2012 due to: Page 3, Line 23
  - \$7.6 million increase to maintain critical staffing.
  - \$160,000 increase to add 3.0 FTE positions for correctional officers at the Anamosa Correctional Facility.
  - \$50,000 increase for corrections education.
  - \$171,000 decrease to transfer management and funding responsibility for the Habitat for Humanity Program at Fort Madison to Iowa Prison Industries.
  - \$38,000 decrease to reflect the savings associated with the Corrections Central Pharmacy.
  - \$100,000 decrease to Central Office Administration.
- Provides an increase of \$1.6 million compared to estimated net FY 2012 to the DPS to maintain current staff. Page 12, Line 3
- Provides an increase of \$50,000 from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2013. Page 16, Line 2

**STUDIES AND INTENT LANGUAGE**

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- Requires Victim Assistance funds to be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault. Page 2, Line 13
- Requires the Department of Justice to transfer at least \$150,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2012. Page 2, Line 21
- Requires the DOC to submit a report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee regarding the plans for the integration of the John Bennett Facility and the Clinical Care Unit into the new maximum security prison, as well as future plans for the current maximum security prison at Fort Madison. Page 3, Line 36
- Requires each Community-Based Corrections (CBC) District Department, within available funding, to continue programs and plans within each District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions. Page 8, Line 35
- Requires each CBC District Department to provide alternatives to prison consistent with Iowa Code chapter 901B. Page 8, Line 42
- Permits the ILEA to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. Page 9, Line 34
- Permits the ILEA to annually exchange five vehicles returned to the State Fleet Administrator by the Department of Public Safety. Page 9, Line 40
- Permits the Military Division of the Department of Public Defense to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes. Page 11, Line 17
- Permits the Homeland Security and Emergency Management Division (HSEMD) to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes. Page 11, Line 31
- Requires the HSEMD to work in conjunction with the DPS on the Fusion Program. Page 11, Line 38
- Requires the DPS building to be named after Oran Pape. Page 17, Line 26

**SIGNIFICANT CODE CHANGES**

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- Extends a requirement that a notice of availability of mortgage foreclosure counseling and mediation services be provided to individuals facing foreclosure proceedings prior to July 1, 2013. This provision takes effect upon enactment. Page 17, Line 12
- Transfers certain duties of the Executive Director of the Board of Parole to the Chairperson of the Board. Page 17, Line 15
- Repeals the Executive Director position at the Board of Parole. Page 17, Line 25

**EFFECTIVE AND ENACTMENT DATES**

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*Effective Dates*

- The following language is effective on enactment: Page 17, Line 35
  - The provisions moving money for indirect billings from the Gaming Enforcement Fund to the General Fund.
  - The provision that extends the notice of availability of foreclosure and mediation services.

*Enactment Date*

- This Act was approved by the General Assembly on May 8, 2012, and signed by the Governor on May 25, 2012. Page 18, Line 1

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

<b>Page #</b>	<b>Line #</b>	<b>Bill Section</b>	<b>Action</b>	<b>Code Section</b>
16	15	14	Amend	80.43.1
16	28	15	Amend	99D.14.2.b
16	41	16	Amend	99F.10.4.b
17	12	17	Amend	654.4B.2.b
17	15	18	Add	904A.4A.7,8,9
17	25	19	Repeal	904A.4B

1 4 Section 1. 2011 Iowa Acts, chapter 134, section 30, is  
 1 5 amended to read as follows:

1 6 SEC. 30. DEPARTMENT OF JUSTICE.

1 7 1. There is appropriated from the general fund of the state  
 1 8 to the department of justice for the fiscal year beginning July  
 1 9 1, 2012, and ending June 30, 2013, the following amounts, or  
 1 10 so much thereof as is necessary, to be used for the purposes  
 1 11 designated:

1 12 a. For the general office of attorney general for salaries,  
 1 13 support, maintenance, and miscellaneous purposes, including  
 1 14 the prosecuting attorneys training program, matching funds  
 1 15 for federal violence against women grant programs, victim  
 1 16 assistance grants, office of drug control policy prosecuting  
 1 17 attorney program, and odometer fraud enforcement, and for not  
 1 18 more than the following full-time equivalent positions:

2 1	.....	\$	3,896,465
2 2	.....		7,792,930
2 3	.....	FTEs	212.00
2 4	.....		214.00

2 5 It is the intent of the general assembly that as a condition  
 2 6 of receiving the appropriation provided in this lettered  
 2 7 paragraph, the department of justice shall maintain a record  
 2 8 of the estimated time incurred representing each agency or  
 2 9 department.

2 10 b. For victim assistance grants:

2 11	.....	\$	1,438,200
2 12	.....		2,876,400

2 13 The funds appropriated in this lettered paragraph shall be  
 2 14 used to provide grants to care providers providing services to  
 2 15 crime victims of domestic abuse or to crime victims of rape and  
 2 16 sexual assault.

2 17 The balance of the victim compensation fund established in  
 2 18 section 915.94 may be used to provide salary and support of not  
 2 19 more than 24 FTEs and to provide maintenance for the victim  
 2 20 compensation functions of the department of justice.

2 21 The department of justice shall transfer at least \$150,000  
 2 22 from the victim compensation fund established in section 915.94  
 2 23 to the victim assistance grant program.

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

DETAIL: This is no change in funding and an increase of 2.00 FTE positions compared to the estimated net FY 2012. The Department of Human Services (DHS) will reimburse the costs of the FTE positions (Assistant Attorney General III and a Paralegal) to reduce the child abuse investigations backlog.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

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

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

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

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

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

2 24 c. For legal services for persons in poverty grants as  
 2 25 provided in section 13.34:  
 2 26 .....\$ 907,416  
 2 27 ..... 1,814,831

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

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

2 28 2. a. The department of justice, in submitting budget  
 2 29 estimates for the fiscal year commencing July 1, 2013, pursuant  
 2 30 to section 8.23, shall include a report of funding from sources  
 2 31 other than amounts appropriated directly from the general fund  
 2 32 of the state to the department of justice or to the office of  
 2 33 consumer advocate. These funding sources shall include but  
 2 34 are not limited to reimbursements from other state agencies,  
 2 35 commissions, boards, or similar entities, and reimbursements  
 2 36 from special funds or internal accounts within the department  
 2 37 of justice. The department of justice shall also report actual  
 2 38 reimbursements for the fiscal year commencing July 1, 2011,  
 2 39 and actual and expected reimbursements for the fiscal year  
 2 40 commencing July 1, 2012.

Requires the Department of Justice to submit a report that specifies the amount of funding from all non-General Fund sources and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by January 15, 2013.

2 41 b. The department of justice shall include the report  
 2 42 required under paragraph "a", as well as information regarding  
 2 43 any revisions occurring as a result of reimbursements actually  
 3 1 received or expected at a later date, in a report to the  
 3 2 co-chairpersons and ranking members of the joint appropriations  
 3 3 subcommittee on the justice system and the legislative services  
 3 4 agency. The department of justice shall submit the report on  
 3 5 or before January 15, 2013.

3 6 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is amended  
 3 7 to read as follows:

3 8 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
 3 9 from the department of commerce revolving fund created in  
 3 10 section 546.12 to the office of consumer advocate of the  
 3 11 department of justice for the fiscal year beginning July 1,  
 3 12 2012, and ending June 30, 2013, the following amount, or so  
 3 13 much thereof as is necessary, to be used for the purposes  
 3 14 designated:

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

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

3 15 For salaries, support, maintenance, miscellaneous purposes,  
 3 16 and for not more than the following full-time equivalent  
 3 17 positions:

3 18 .....\$ 1,568,082  
 3 19 ..... 3,136,163  
 3 20 ..... FTEs 22.00

3 21 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is amended  
 3 22 to read as follows:

3 23 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

3 24 1. There is appropriated from the general fund of the  
 3 25 state to the department of corrections for the fiscal year  
 3 26 beginning July 1, 2012, and ending June 30, 2013, the following  
 3 27 amounts, or so much thereof as is necessary, to be used for the  
 3 28 operation of adult correctional institutions, reimbursement  
 3 29 of counties for certain confinement costs, and federal prison  
 3 30 reimbursement, to be allocated as follows:

3 31 a. For the operation of the Fort Madison correctional  
 3 32 facility, including salaries, support, maintenance, and  
 3 33 miscellaneous purposes:  
 3 34 ..... \$ 20,515,644  
 3 35 ..... 42,686,899  
 3 36 The department of corrections shall submit, to the  
 3 37 co-chairpersons and ranking members of the joint appropriations  
 3 38 subcommittee on the justice system by January 15, 2013, the  
 3 39 plans for the integration of the John Bennett facility and the  
 3 40 clinical care unit into the new Fort Madison maximum security  
 3 41 correctional facility and the future plans for the use of the  
 3 42 current Fort Madison maximum security correctional facility  
 3 43 after the inmates are transferred to the new facility.

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

DETAIL: This is an increase of \$394,868 compared to estimated net FY 2012 due to:

- An increase of \$566,208 to maintain critical staffing.
- A decrease of \$171,340 and 2.00 FTE positions to transfer funding and management responsibility for the Habitat for Humanity Program to Iowa Prison Industries.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$1,260,748 to the Fort Madison Correctional Facility.

4 1 b. For the operation of the Anamosa correctional facility,  
 4 2 including salaries, support, maintenance, and miscellaneous  
 4 3 purposes:  
 4 4 ..... \$ 45,002,087  
 4 5 ..... 32,920,521

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

DETAIL: This is an increase of \$752,373 compared to estimated net FY 2012 due to:

- An increase of \$592,038 to maintain critical staffing.
- An increase of \$160,335 for three additional correctional officers.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$182,174 to the Anamosa Correctional Facility.

4 6 c. For the operation of the Oakdale correctional facility,  
 4 7 including salaries, support, maintenance, and miscellaneous  
 4 8 purposes:  
 4 9 ..... \$ 27,797,213  
 4 10 ..... 57,950,613

General Fund appropriation to the Oakdale Correctional Facility.  
 DETAIL: This is an increase of \$1,360,714 compared to estimated net FY 2012 due to:

- An increase of \$1,237,207 to maintain critical staffing.
- An increase of \$123,507 to transfer a pharmacy position from the Clarinda Correctional Facility.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$995,473 to the Oakdale Correctional Facility.

4 11 d. For the operation of the Newton correctional facility,  
 4 12 including salaries, support, maintenance, and miscellaneous  
 4 13 purposes:  
 4 14 ..... \$ 12,979,379  
 4 15 ..... 27,127,290

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

DETAIL: This is an increase of \$525,589 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$642,944 to the Newton Correctional Facility.

4 16 e. For the operation of the Mt.Pleasant correctional  
 4 17 facility, including salaries, support, maintenance, and  
 4 18 miscellaneous purposes:  
 4 19 ..... \$ 12,958,008  
 4 20 ..... 26,751,707

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

DETAIL: This is an increase of \$429,805 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$404,087 to the Mount Pleasant Correctional Facility.

4 21 f. For the operation of the Rockwell City correctional  
 4 22 facility, including salaries, support, maintenance, and  
 4 23 miscellaneous purposes:  
 4 24 ..... \$ 4,658,233  
 4 25 ..... 9,671,148

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$267,684 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$86,998 to the Rockwell City Correctional Facility.

4 26 g. For the operation of the Clarinda correctional facility,  
 4 27 including salaries, support, maintenance, and miscellaneous  
 4 28 purposes:  
 4 29 ..... \$ 12,241,178  
 4 30 ..... 25,241,616

General Fund appropriation to the DOC for the Clarinda Correctional Facility. DETAIL: This is an increase of \$414,711 and a decrease of 1.30 FTE positions compared to estimated net FY 2012 for:

- A decrease of \$123,507 and 1.00 FTE position to transfer a pharmacy position to the Oakdale Correctional Facility.
- A decrease of \$38,358 and 0.30 FTE position to reflect the savings associated with Corrections Central Pharmacy.
- An increase of \$576,576 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$187,387 to the Clarinda Correctional Facility.

4 31 Moneys received by the department of corrections as

Appropriates reimbursements from the Clarinda Youth Academy to the



4 32 reimbursement for services provided to the Clarinda youth  
 4 33 corporation are appropriated to the department and shall be  
 4 34 used for the purpose of operating the Clarinda correctional  
 4 35 facility.

DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the Clarinda Correctional Facility is approximately \$1,400,000.

4 36 h. For the operation of the Mitchellville correctional  
 4 37 facility, including salaries, support, maintenance, and  
 4 38 miscellaneous purposes:  
 4 39 .....\$ 7,907,687  
 4 40 .....16,341,725

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

DETAIL: This is an increase of \$509,386 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$216,965 to the Mitchellville Correctional Facility.

4 41 i. For the operation of the Fort Dodge correctional  
 4 42 facility, including salaries, support, maintenance, and  
 4 43 miscellaneous purposes:  
 5 1 .....\$ 14,531,118  
 5 2 .....29,865,232

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is an increase of \$606,036 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$196,961 to the Fort Dodge Correctional Facility.

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 .....\$ 387,546  
 5 8 .....1,075,092

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearings.

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

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$300,000 to the County Confinement Account.

5 9 k. For federal prison reimbursement, reimbursements for  
 5 10 out-of-state placements, and miscellaneous contracts:  
 5 11 .....\$ 419,706  
 5 12 .....484,411

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

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

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$245,000 to the Federal Prisoners/Contractual Account.

5 13 ~~1. For three correctional officer full-time equivalent~~  
 5 14 ~~positions that are to be assigned to a correctional institution~~  
 5 15 ~~by the director of the department of corrections:~~  
 5 16 .....\$ 78,584

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

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

5 17 2. The department of corrections shall use moneys  
 5 18 appropriated in subsection 1 to continue to contract for the  
 5 19 services of a Muslim imam and a Native American spiritual  
 5 20 leader.

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

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

5 21 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is amended  
 5 22 to read as follows:

5 23 SEC. 33. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.  
 5 24 There is appropriated from the general fund of the state to the  
 5 25 department of corrections for the fiscal year beginning July  
 5 26 1, 2012, and ending June 30, 2013, the following amounts, or  
 5 27 so much thereof as is necessary, to be used for the purposes  
 5 28 designated:

5 29 1. For general administration, including salaries, support,  
 5 30 maintenance, employment of an education director to administer  
 5 31 a centralized education program for the correctional system,  
 5 32 and miscellaneous purposes:  
 5 33 .....\$ 2,417,774  
 5 34 .....5,081,582

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is a general decrease of \$100,000 compared to estimated net FY 2012.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$346,040 to the Central Office.

5 35 b. It is the intent of the general assembly that each  
 5 36 lease negotiated by the department of corrections with a  
 5 37 private corporation for the purpose of providing private  
 5 38 industry employment of inmates in a correctional institution  
 5 39 shall prohibit the private corporation from utilizing inmate  
 5 40 labor for partisan political purposes for any person seeking  
 5 41 election to public office in this state and that a violation  
 5 42 of this requirement shall result in a termination of the lease  
 5 43 agreement.

Specifies it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

6 1 c. It is the intent of the general assembly that as a  
 6 2 condition of receiving the appropriation provided in this  
 6 3 subsection the department of corrections shall not enter into

Specifies it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC, when contracting with a private business for inmate employment, must restrict inmate access to

6 4 a lease or contractual agreement pursuant to section 904.809  
 6 5 with a private corporation for the use of building space for  
 6 6 the purpose of providing inmate employment without providing  
 6 7 that the terms of the lease or contract establish safeguards to  
 6 8 restrict, to the greatest extent feasible, access by inmates  
 6 9 working for the private corporation to personal identifying  
 6 10 information of citizens.

personal identifying information of citizens.

6 11 2. For educational programs for inmates at state penal  
 6 12 institutions:

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

6 13 .....\$ 1,154,055  
 6 14 ..... 2,358,109

DETAIL: This is an increase of \$50,000 compared to estimated net FY 2012.

6 15 b. It is the intent of the general assembly that moneys  
 6 16 appropriated in this subsection shall be used solely for the  
 6 17 purpose indicated and that the moneys shall not be transferred  
 6 18 for any other purpose. In addition, it is the intent of the  
 6 19 general assembly that the department shall consult with the  
 6 20 community colleges in the areas in which the institutions are  
 6 21 located to utilize moneys appropriated in this subsection  
 6 22 to fund the high school completion, high school equivalency  
 6 23 diploma, adult literacy, and adult basic education programs in  
 6 24 a manner so as to maintain these programs at the institutions.

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the institutions.

6 25 c. To maximize the funding for educational programs,  
 6 26 the department shall establish guidelines and procedures to  
 6 27 prioritize the availability of educational and vocational  
 6 28 training for inmates based upon the goal of facilitating an  
 6 29 inmate's successful release from the correctional institution.

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

6 30 d. The director of the department of corrections may  
 6 31 transfer moneys from Iowa prison industries and the canteen  
 6 32 operating funds established pursuant to section 904.310, for  
 6 33 use in educational programs for inmates.

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

6 34 e. Notwithstanding section 8.33, moneys appropriated in  
 6 35 this subsection that remain unobligated or unexpended at the  
 6 36 close of the fiscal year shall not revert but shall remain  
 6 37 available to be used only for the purposes designated in this  
 6 38 subsection until the close of the succeeding fiscal year.

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

6 39 3. For the development of the Iowa corrections offender  
 6 40 network (ICON) data system:

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

6 41 .....\$ 212,182  
 6 42 ..... 424,364

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

6 43 4. For offender mental health and substance abuse  
 7 1 treatment:  
 7 2 .....\$ 41,160  
 7 3 .....22,319

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

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

7 4 5. For viral hepatitis prevention and treatment:  
 7 5 .....\$ 83,944  
 7 6 .....167,881

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

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

7 7 6. It is the intent of the general assembly that for  
 7 8 the fiscal year addressed by this section the department of  
 7 9 corrections shall continue to operate the correctional farms  
 7 10 under the control of the department at the same or greater  
 7 11 level of participation and involvement as existed as of January  
 7 12 1, 2011; shall not enter into any rental agreement or contract  
 7 13 concerning any farmland under the control of the department  
 7 14 that is not subject to a rental agreement or contract as of  
 7 15 January 1, 2011, without prior legislative approval; and  
 7 16 shall further attempt to provide job opportunities at the  
 7 17 farms for inmates. The department shall attempt to provide  
 7 18 job opportunities at the farms for inmates by encouraging  
 7 19 labor-intensive farming or gardening where appropriate; using  
 7 20 inmates to grow produce and meat for institutional consumption;  
 7 21 researching the possibility of instituting food canning  
 7 22 and cook-and-chill operations; and exploring opportunities  
 7 23 for organic farming and gardening, livestock ventures,  
 7 24 horticulture, and specialized crops.

Specifies it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level than the level that existed on January 1, 2011. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.

7 25 ~~7. The department of corrections shall solicit requests for~~  
 7 26 ~~information to improve efficiencies at the pharmacy under the~~  
 7 27 ~~control of the department.~~

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

7 28 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is amended  
 7 29 to read as follows:

7 30 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
 7 31 SERVICES.

7 32 1. There is appropriated from the general fund of the state  
 7 33 to the department of corrections for the fiscal year beginning  
 7 34 July 1, 2012, and ending June 30, 2013, for salaries, support,  
 7 35 maintenance, and miscellaneous purposes, the following amounts,  
 7 36 or so much thereof as is necessary, to be allocated as follows:

7 37 a. For the first judicial district department of  
 7 38 correctional services:

General Fund appropriation to the DOC for the First Community-Based Corrections (CBC) District Department.

7 39 ..... \$ 6,102,474  
 7 40 ..... 12,958,763

DETAIL: This is an increase of \$300,675 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$453,140 to the First CBC District Department.

7 41 b. For the second judicial district department of  
 7 42 correctional services:  
 7 43 ..... \$ 5,168,474  
 8 1 ..... 10,870,425

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

DETAIL: This is an increase of \$402,624 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$130,853 to the Second CBC District Department.

8 2 c. For the third judicial district department of  
 8 3 correctional services:  
 8 4 ..... \$ 2,799,883  
 8 5 ..... 6,238,455

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

DETAIL: This is an increase of \$286,074 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$352,616 to the Third CBC District Department.

8 6 d. For the fourth judicial district department of  
 8 7 correctional services:  
 8 8 ..... \$ 2,695,678  
 8 9 ..... 5,495,309

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

DETAIL: This is an increase of \$78,456 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$25,498 to the Fourth CBC District Department.

8 10 e. For the fifth judicial district department of  
 8 11 correctional services, including funding for electronic  
 8 12 monitoring devices for use on a statewide basis:  
 8 13 ..... \$ 9,371,065  
 8 14 ..... 19,375,428

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

DETAIL: This is an increase of \$477,961 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$155,338 to the

8 15	f. For the sixth judicial district department of		
8 16	correctional services:		
8 17		\$	6,556,282
8 18			<u>14,095,408</u>

Fifth CBC District Department.

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

DETAIL: This is an increase of \$382,902 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$599,943 to the Sixth CBC District Department.

8 19	g. For the seventh judicial district department of		
8 20	correctional services:		
8 21		\$	3,246,407
8 22			<u>6,895,634</u>

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

DETAIL: This is an increase of \$179,046 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$223,774 to the Seventh CBC District Department.

8 23	h. For the eighth judicial district department of		
8 24	correctional services:		
8 25		\$	3,439,858
8 26			<u>7,518,935</u>

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

DETAIL: This is an increase of \$146,516 compared to estimated net FY 2012 to maintain critical staffing.

NOTE: Senate File 2071 (FY 2012 Supplemental Appropriations Act) provides an FY 2012 supplemental appropriation of \$492,704 to the Eighth CBC District Department.

8 27 1A. In order to enhance the safety of the general public,  
 8 28 the judicial district departments of correctional services,  
 8 29 in cooperation with the department of corrections and the  
 8 30 department of human services, shall designate a facility for  
 8 31 persons who are placed in a transitional release program under  
 8 32 chapter 229A or discharged from commitment as a sexually  
 8 33 violent predator under chapter 229A because the person is in  
 8 34 need of medical treatment.

Requires the CBC District Departments to cooperate with the DOC and the DHS in designating a facility for people who are placed in a transitional release program or discharged for medical treatment from the Sexually Violent Predator Program.

NOTE: This Subsection was amended in SF 2336 (Health and Human Services Appropriations Act). Senate File 2336 requires no more than \$463,000 to be used by the Department of Human Services (DHS) to pay the costs for appropriate placement of any individual placed in a transitional release program under chapter 229A or is discharged from commitment as a sexually violent predator under chapter 229A because the individual is in need of medical treatment. The Act requires the DHS to implement this subsection in cooperation with the DOC and any CBC District Department involved with such an

8 35 2. Each judicial district department of correctional  
 8 36 services, within the funding available, shall continue programs  
 8 37 and plans established within that district to provide for  
 8 38 intensive supervision, sex offender treatment, diversion of  
 8 39 low-risk offenders to the least restrictive sanction available,  
 8 40 job development, and expanded use of intermediate criminal  
 8 41 sanctions.

individual.

Requires each CBC District Department, within available funding, to continue programs and plans within each District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

8 42 3. Each judicial district department of correctional  
 8 43 services shall provide alternatives to prison consistent with  
 9 1 chapter 901B. The alternatives to prison shall ensure public  
 9 2 safety while providing maximum rehabilitation to the offender.  
 9 3 A judicial district department of correctional services may  
 9 4 also establish a day program.

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

9 5 4. The governor's office of drug control policy or any  
 9 6 succeeding entity of the governor's office of drug control  
 9 7 policy shall consider federal grants made to the department  
 9 8 of corrections for the benefit of each of the eight judicial  
 9 9 district departments of correctional services as local  
 9 10 government grants, as defined pursuant to federal regulations.

Requires the Governor's Office of Drug Control Policy to consider federal grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants as defined by federal regulations.

9 11 5. The department of corrections shall continue to contract  
 9 12 with a judicial district department of correctional services to  
 9 13 provide for the rental of electronic monitoring equipment which  
 9 14 shall be available statewide.

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

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

9 15 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is amended  
 9 16 to read as follows:

9 17 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.  
 9 18 1. There is appropriated from the general fund of the  
 9 19 state to the Iowa law enforcement academy for the fiscal year  
 9 20 beginning July 1, 2012, and ending June 30, 2013, the following  
 9 21 amount, or so much thereof as is necessary, to be used for the  
 9 22 purposes designated:

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

DETAIL: This is an increase of \$100,000 compared to estimated net FY 2012 to offset the decrease in basic enrollments from local governments.

9 23 For salaries, support, maintenance, miscellaneous purposes,  
 9 24 including jailer training and technical assistance, and for not  
 9 25 more than the following full-time equivalent positions:  
 9 26 ..... \$ 434,349  
 9 27 ..... 968,698  
 9 28 ..... FTEs 24.55  
 9 29 ..... 25.50

9 30 It is the intent of the general assembly that the Iowa law  
 9 31 enforcement academy may provide training of state and local  
 9 32 law enforcement personnel concerning the recognition of and  
 9 33 response to persons with Alzheimer's disease.

Specifies the intent of the General Assembly that the ILEA may offer training for law enforcement officers in recognizing and responding to persons with Alzheimers disease.

9 34 The Iowa law enforcement academy may temporarily exceed and  
 9 35 draw more than the amount appropriated in this subsection and  
 9 36 incur a negative cash balance as long as there are receivables  
 9 37 equal to or greater than the negative balance and the amount  
 9 38 appropriated in this subsection is not exceeded at the close  
 9 39 of the fiscal year.

Permits the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: This language is to assist with cash flow issues the ILEA faces in the last quarter of the fiscal year.

9 40 2. The Iowa law enforcement academy may select at least  
 9 41 five automobiles of the department of public safety, division  
 9 42 of state patrol, prior to turning over the automobiles to  
 9 43 the department of administrative services to be disposed  
 10 1 of by public auction, and the Iowa law enforcement academy  
 10 2 may exchange any automobile owned by the academy for each  
 10 3 automobile selected if the selected automobile is used in  
 10 4 training law enforcement officers at the academy. However, any  
 10 5 automobile exchanged by the academy shall be substituted for  
 10 6 the selected vehicle of the department of public safety and  
 10 7 sold by public auction with the receipts being deposited in the  
 10 8 depreciation fund to the credit of the department of public  
 10 9 safety, division of state patrol.

Permits the ILEA to annually exchange at least five vehicles returned to the State Fleet Administrator by the Department of Public Safety (DPS) for any of the Academy's training vehicles. The vehicles received from the ILEA are to be sold at public auction, with the receipts to be deposited in the Depreciation Fund used to purchase new vehicles for the DPS.

10 10 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is amended  
 10 11 to read as follows:

10 12 SEC. 40. STATE PUBLIC DEFENDER. There is appropriated from  
 10 13 the general fund of the state to the office of the state public  
 10 14 defender of the departments of inspections and appeals for the  
 10 15 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
 10 16 the following amounts, or so much thereof as is necessary, to  
 10 17 be allocated as follows for the purposes designated:

10 18 1. For salaries, support, maintenance, miscellaneous  
 10 19 purposes, and for not more than the following full-time  
 10 20 equivalent positions:  
 10 21 ..... \$ 42,541,594  
 10 22 ..... 25,862,182  
 10 23 ..... FTEs 219.00

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

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



10 24 2. For the fees of court-appointed attorneys for indigent  
 10 25 payments on behalf of eligible adults and juveniles from the  
 10 26 indigent defense fund, in accordance with section 232.141 and  
 10 27 chapter 845 815.11:

10 28	.....	\$	15,340,464
10 29	.....		<u>29,901,929</u>

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

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

10 30 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is amended  
10 31 to read as follows:

10 32 SEC. 41. BOARD OF PAROLE. There is appropriated from the  
10 33 general fund of the state to the board of parole for the fiscal  
10 34 year beginning July 1, 2012, and ending June 30, 2013, the  
10 35 following amount, or so much thereof as is necessary, to be  
10 36 used for the purposes designated:

General Fund appropriation to the Board of Parole.

DETAIL: This is an increase of \$150,000 and 2.00 FTE positions compared to estimated net FY 2012 to reflect current staffing. The increase fully funds two Administrative Law Judges (ALJs). These positions currently exist and are filled.

10 37 For salaries, support, maintenance, miscellaneous purposes,  
10 38 and for not more than the following full-time equivalent  
10 39 positions:

10 40	.....	\$	526,948
10 41	.....		<u>1,203,835</u>
10 42	.....	FTEs	42.50
10 43	.....		<u>13.00</u>

NOTE: Sections 18 and 19 of this Act transfer certain duties of the Executive Director of the Board of Parole to the Chairperson of the Board, and repeals the Executive Director position.

11 1 Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is amended  
11 2 to read as follows:

11 3 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is  
11 4 appropriated from the general fund of the state to the  
11 5 department of public defense for the fiscal year beginning July  
11 6 1, 2012, and ending June 30, 2013, the following amounts, or  
11 7 so much thereof as is necessary, to be used for the purposes  
11 8 designated:

11 9 1. MILITARY DIVISION

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

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

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

11 13	.....	\$	2,763,521
11 14	.....		<u>5,527,042</u>
11 15	.....	FTEs	343.00
11 16	.....		<u>296.00</u>

11 17 The military division may temporarily exceed and draw more  
11 18 than the amount appropriated in this subsection and incur a  
11 19 negative cash balance as long as there are receivables of  
11 20 federal funds equal to or greater than the negative balance and  
11 21 the amount appropriated in this subsection is not exceeded at  
11 22 the close of the fiscal year.

Permits the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization

permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedure to use the new System.

11 23	2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION		
11 24	For salaries, support, maintenance, miscellaneous purposes,		
11 25	and for not more than the following full-time equivalent		
11 26	positions:		
11 27	.....	\$	918,439
11 28	.....		<u>1,836,877</u>
11 29	..... FTEs		40.00
11 30	.....		<u>35.34</u>

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

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

11 31 a. The homeland security and emergency management  
11 32 division may temporarily exceed and draw more than the amount  
11 33 appropriated in this subsection and incur a negative cash  
11 34 balance as long as there are receivables of federal funds  
11 35 equal to or greater than the negative balance and the amount  
11 36 appropriated in this subsection is not exceeded at the close  
11 37 of the fiscal year.

Permits the HSEMD to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The HSEMD can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedure to use the new System.

11 38 b. It is the intent of the general assembly that the  
11 39 homeland security and emergency management division work in  
11 40 conjunction with the department of public safety, to the extent  
11 41 possible, when gathering and analyzing information related  
11 42 to potential domestic or foreign security threats, and when  
11 43 monitoring such threats.

Specifies it is the intent of the General Assembly that the HSEMD work in conjunction with the DPS when gathering and analyzing information related to potential domestic and foreign security threats.

12 1 Sec. 10. 2011 Iowa Acts, chapter 134, section 43, is amended  
12 2 to read as follows:

12 3 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
12 4 from the general fund of the state to the department of public  
12 5 safety for the fiscal year beginning July 1, 2012, and ending  
12 6 June 30, 2013, the following amounts, or so much thereof as is  
12 7 necessary, to be used for the purposes designated:

12 8 1. For the department's administrative functions, including  
12 9 the criminal justice information system, and for not more than

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

12 10	the following full-time equivalent positions:		
12 11	.....	\$	<u>2,003,538</u>
12 12	.....		<u>4,007,075</u>
12 13	..... FTEs		36.00

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

12 14	2. For the division of criminal investigation, including		
12 15	the state's contribution to the peace officers' retirement,		
12 16	accident, and disability system provided in chapter 97A in the		
12 17	amount of the state's normal contribution rate, as defined in		
12 18	section 97A.8, multiplied by the salaries for which the funds		
12 19	are appropriated, to meet federal fund matching requirements,		
12 20	and for not more than the following full-time equivalent		
12 21	positions:		
12 22	.....	\$	<u>6,266,966</u>
12 23	.....		<u>12,533,931</u>
12 24	..... FTEs		459.10
12 25	.....		<u>154.60</u>

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

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

12 26 The department shall employ one additional special agent and  
 12 27 one additional criminalist for the purpose of investigating  
 12 28 cold cases. Prior to employing the additional special agent  
 12 29 and criminalist authorized in this paragraph, the department  
 12 30 shall provide a written statement to prospective employees that  
 12 31 states to the effect that the positions are being funded by a  
 12 32 temporary federal grant and there are no assurances that funds  
 12 33 from other sources will be available after the federal funding  
 12 34 expires. If the federal funding for the additional positions  
 12 35 expires during the fiscal year, the number of full-time  
 12 36 equivalent positions authorized in this subsection is reduced  
 12 37 by 2.00 FTEs.

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

12 38	3. For the criminalistics laboratory fund created in		
12 39	section 691.9:		
12 40	.....	\$	<u>451,173</u>
12 41	.....		<u>302,345</u>

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

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

12 42	4. a. For the division of narcotics enforcement, including		
12 43	the state's contribution to the peace officers' retirement,		
13 1	accident, and disability system provided in chapter 97A in the		
13 2	amount of the state's normal contribution rate, as defined in		
13 3	section 97A.8, multiplied by the salaries for which the funds		
13 4	are appropriated, to meet federal fund matching requirements,		
13 5	and for not more than the following full-time equivalent		
13 6	positions:		
13 7	.....	\$	<u>3,214,942</u>
13 8	.....		<u>6,429,884</u>
13 9	..... FTEs		74.00

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

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

13 10		68.00
13 11	b. For the division of narcotics enforcement for undercover	
13 12	purchases:	
13 13	.....	\$ 54,524
13 14	.....	<u>109,042</u>

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

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

13 15	5. For the division of state fire marshal, for fire	
13 16	protection services as provided through the state fire service	
13 17	and emergency response council as created in the department,	
13 18	and for the state's contribution to the peace officers'	
13 19	retirement, accident, and disability system provided in chapter	
13 20	97A in the amount of the state's normal contribution rate, as	
13 21	defined in section 97A.8, multiplied by the salaries for which	
13 22	the funds are appropriated, and for not more than the following	
13 23	full-time equivalent positions:	
13 24	.....	\$ 2,149,354
13 25	.....	<u>4,298,707</u>
13 26	..... FTEs	55.00
13 27	.....	<u>54.00</u>

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

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

13 28	6. For the division of state patrol, for salaries, support,	
13 29	maintenance, workers' compensation costs, and miscellaneous	
13 30	purposes, including the state's contribution to the peace	
13 31	officers' retirement, accident, and disability system provided	
13 32	in chapter 97A in the amount of the state's normal contribution	
13 33	rate, as defined in section 97A.8, multiplied by the salaries	
13 34	for which the funds are appropriated, and for not more than the	
13 35	following full-time equivalent positions:	
13 36	.....	\$ 25,951,617
13 37	.....	<u>53,493,490</u>
13 38	..... FTEs	513.00
13 39	.....	<u>498.05</u>

General Fund appropriation to the Iowa State Patrol.

DETAIL: This is an increase of \$1,590,257 compared to estimated net FY 2012 to maintain staff.

13 40 It is the intent of the general assembly that members of the  
 13 41 state patrol be assigned to patrol the highways and roads in  
 13 42 lieu of assignments for inspecting school buses for the school  
 13 43 districts.

Specifies it is the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

14 1	7. For deposit in the sick leave benefits fund established	
14 2	under section 80.42 for all departmental employees eligible to	
14 3	receive benefits for accrued sick leave under the collective	
14 4	bargaining agreement:	
14 5	.....	\$ 139,759
14 6	.....	<u>279,517</u>

General Fund appropriation to create a nonreversionary fund in the DPS to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement.

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

14 7 8. For costs associated with the training and equipment

General Fund appropriation to the DPS for Volunteer Fire Fighter

14 8 needs of volunteer fire fighters:  
 14 9 ..... \$ 362,760  
 14 10 ..... 725,520

Training.

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

14 11 a. Notwithstanding section 8.33, moneys appropriated in  
 14 12 this subsection that remain unencumbered or unobligated at the  
 14 13 close of the fiscal year shall not revert but shall remain  
 14 14 available for expenditure only for the purpose designated in  
 14 15 this subsection until the close of the succeeding fiscal year.

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

14 16 b. Notwithstanding section 8.39, within the moneys  
 14 17 appropriated in this section, the department of public safety  
 14 18 may reallocate moneys as necessary to best fulfill the needs  
 14 19 provided for in the appropriation. However, the department  
 14 20 shall not reallocate an appropriation made to the department  
 14 21 in this section unless notice of the reallocation is given  
 14 22 to the legislative services agency and the department of  
 14 23 management prior to the effective date of the reallocation.  
 14 24 The notice shall include information regarding the rationale  
 14 25 for reallocating the appropriation. The department shall  
 14 26 not reallocate an appropriation made in this section for the  
 14 27 purpose of eliminating any program.

Permits funds appropriated to the DPS to be allocated as necessary to fulfill appropriation needs within the Department. The Department is not allowed to reallocate an appropriation unless notice is given to the Legislative Services Agency and the Department of Management (DOM) prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriations for the purpose of eliminating a program.

14 28 9. For costs associated with the training and operation  
 14 29 of the statewide interoperable communications system board  
 14 30 excluding salaries and contracts:  
 14 31 ..... \$ 48,000

General Fund appropriation to the DPS for the Statewide Interoperable Communications System Board for general operations, excluding salaries and contracts.

DETAIL: This is a new appropriation compared to estimated net FY 2012.

14 32 Sec. 11. 2011 Iowa Acts, chapter 134, section 44, is amended  
 14 33 to read as follows:

14 34 SEC. 44. GAMING ENFORCEMENT.

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

14 35 1. There is appropriated from the gaming enforcement  
 14 36 revolving fund created in section 80.43 to the department of  
 14 37 public safety for the fiscal year beginning July 1, 2012, and  
 14 38 ending June 30, 2013, the following amount, or so much thereof  
 14 39 as is necessary, to be used for the purposes designated:

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

14 40 For any direct ~~and indirect~~ support costs for agents  
 14 41 and officers of the division of criminal investigation's  
 14 42 excursion gambling boat, gambling structure, and racetrack  
 14 43 enclosure enforcement activities, including salaries, support,  
 15 1 maintenance, miscellaneous purposes, and for not more than the  
 15 2 following full-time equivalent positions:

15 3 ..... \$ 4,918,153  
 15 4 ..... 10,335,709

15	5	..... FTEs	420.00
15	6		<u>115.00</u>

15 7 2. For each additional license to conduct gambling games on  
 15 8 an excursion gambling boat, gambling structure, or racetrack  
 15 9 enclosure issued during the fiscal year beginning July 1, 2012,  
 15 10 there is appropriated from the gaming enforcement fund to the  
 15 11 department of public safety for the fiscal year beginning July  
 15 12 1, 2012, and ending June 30, 2013, an additional amount of not  
 15 13 more than \$521,000 to be used for not more than 6.00 additional  
 15 14 full-time equivalent positions.

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

15 15 3. The department of public safety, with the approval  
 15 16 of the department of management, may employ no more than two  
 15 17 special agents and four gaming enforcement officers for each  
 15 18 additional riverboat or gambling structure regulated after July  
 15 19 1, 2012, and one special agent for each racing facility which  
 15 20 becomes operational during the fiscal year which begins July 1,  
 15 21 2012. One additional gaming enforcement officer, up to a total  
 15 22 of four per riverboat or gambling structure, may be employed  
 15 23 for each riverboat or gambling structure that has extended  
 15 24 operations to 24 hours and has not previously operated with a  
 15 25 24-hour schedule. Positions authorized in this subsection are  
 15 26 in addition to the full-time equivalent positions otherwise  
 15 27 authorized in this section.

Permits the DPS to employ a maximum of two special agents and four gaming enforcement officers if approved by the DOM for new riverboats licensed after July 1, 2012, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2013.

15 28 Sec. 12. 2011 Iowa Acts, chapter 134, section 45, is amended  
 15 29 to read as follows:

15 30 SEC. 45. CIVIL RIGHTS COMMISSION. There is appropriated  
 15 31 from the general fund of the state to the Iowa state civil  
 15 32 rights commission for the fiscal year beginning July 1,  
 15 33 2012, and ending June 30, 2013, the following amount, or so  
 15 34 much thereof as is necessary, to be used for the purposes  
 15 35 designated:

General Fund appropriation to the Civil Rights Commission.

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

15 36 For salaries, support, maintenance, miscellaneous purposes,  
 15 37 and for not more than the following full-time equivalent  
 15 38 positions:

15	39	..... \$	648,535
15	40		<u>1,297,069</u>
15	41	..... FTEs	28.00

15 42 The Iowa state civil rights commission may enter into  
 15 43 a contract with a nonprofit organization to provide legal  
 16 1 assistance to resolve civil rights complaints.

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

16 2 Sec. 13. 2011 Iowa Acts, chapter 134, section 46, is amended  
 16 3 to read as follows:  
 16 4 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
 16 5 DIVISION. There is appropriated from the wireless E911  
 16 6 emergency communications fund created in section 34A.7A to  
 16 7 the administrator of the homeland security and emergency  
 16 8 management division of the department of public defense for  
 16 9 the fiscal year beginning July 1, 2012, and ending June 30,  
 16 10 2013, an amount not exceeding ~~\$200,000~~ \$250,000 to be used for  
 16 11 implementation, support, and maintenance of the functions of  
 16 12 the administrator and program manager under chapter 34A and to  
 16 13 employ the auditor of the state to perform an annual audit of  
 16 14 the wireless E911 emergency communications fund.

Permits continued funding from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the HSEMD of the Department of Public Defense through FY 2013.

DETAIL: The Division receives up to \$250,000 and 2.00 FTE positions for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund. This is an increase of \$50,000 compared to estimated net FY 2012.

NOTE: Language in SF 2338 (Government Efficiency Act) changed the the Homeland Security and Emergency Management Division to a stand alone department within State government (Department of Homeland Security and Emergency Management). However, SF 2338 was vetoed by the Governor and the Division will remain within the Department of Public Safety.

16 15 Sec. 14. Section 80.43, subsection 1, Code 2011, is amended  
 16 16 to read as follows:

16 17 1. A gaming enforcement revolving fund is created in the  
 16 18 state treasury under the control of the department. The fund  
 16 19 shall consist of fees collected and deposited into the fund  
 16 20 paid by licensees pursuant to section 99D.14, subsection 2,  
 16 21 paragraph "b", and fees paid by licensees pursuant to section  
 16 22 99F.10, subsection 4, paragraph "b". All costs for agents and  
 16 23 officers plus any direct and indirect support costs for such  
 16 24 agents and officers of the division of criminal investigation's  
 16 25 racetrack, excursion boat, or gambling structure enforcement  
 16 26 activities shall be paid from the fund as provided in  
 16 27 appropriations made for this purpose by the general assembly.

16 28 Sec. 15. Section 99D.14, subsection 2, paragraph b, Code  
 16 29 Supplement 2011, is amended to read as follows:

16 30 b. Notwithstanding sections 8.60 and 99D.17, the portion of  
 16 31 the fee paid pursuant to paragraph "a" relating to the costs  
 16 32 of special agents plus any direct and indirect support costs  
 16 33 for the agents, for the division of criminal investigation's  
 16 34 racetrack activities, ~~shall not be deposited in the general~~  
 16 35 ~~fund of the state but instead~~ shall be deposited into the  
 16 36 gaming enforcement revolving fund established in section 80.43.  
 16 37 However, the department of public safety shall transfer, on an  
 16 38 annual basis, the portion of the regulatory fee attributable to  
 16 39 the indirect support costs of the special agents to the general  
 16 40 fund of the state.

16 41 Sec. 16. Section 99F.10, subsection 4, paragraph b, Code  
 16 42 Supplement 2011, is amended to read as follows:

16 43 b. Notwithstanding sections 8.60 and 99F.4, the portion of

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

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

17 1 the fee paid pursuant to paragraph "a" relating to the costs  
 17 2 of special agents and officers plus any direct and indirect  
 17 3 support costs for the agents and officers, for the division of  
 17 4 criminal investigation's excursion gambling boat or gambling  
 17 5 structure activities, ~~shall not be deposited in the general~~  
 17 6 ~~fund of the state but instead~~ shall be deposited into the  
 17 7 gaming enforcement revolving fund established in section 80.43.  
 17 8 However, the department of public safety shall transfer, on an  
 17 9 annual basis, the portion of the regulatory fee attributable  
 17 10 to the indirect support costs of the special agents and gaming  
 17 11 enforcement officers to the general fund of the state.

17 12 Sec. 17. Section 654.4B, subsection 2, paragraph b, Code  
 17 13 Supplement 2011, is amended to read as follows:  
 17 14 b. This subsection is repealed July 1, ~~2012~~ 2013.

Extends a requirement that a notice of the availability of mortgage foreclosure counseling and mediation services be provided to individuals facing foreclosure proceedings prior to July 1, 2013. This provision takes effect upon enactment.

17 15 Sec. 18. Section 904A.4A, Code 2011, is amended by adding  
 17 16 the following new subsections:  
 17 17 NEW SUBSECTION 7. Act as the representative of the board  
 17 18 relative to the passage, defeat, approval, or modification of  
 17 19 legislation that is being considered by the general assembly.  
 17 20 NEW SUBSECTION 8. Develop a budget for the board subject  
 17 21 to the approval of the board and prepare all reports required  
 17 22 by law.  
 17 23 NEW SUBSECTION 9. Hire and supervise all staff pursuant to  
 17 24 the provisions of chapter 8A, subchapter IV.

Transfers certain duties of the Executive Director of the Board of Parole to the Chairperson of the Board.

17 25 Sec. 19. REPEAL. Section 904A.4B, Code 2011, is repealed.

Repeals the Executive Director position of the Board of Parole.

17 26 Sec. 20. DEPARTMENT OF PUBLIC SAFETY BUILDING  
 17 27 DESIGNATION. The state office building located at 215 east  
 17 28 seventh street, which houses the department of public safety,  
 17 29 shall be named after Oran Pape, the first member of the  
 17 30 state patrol killed in the line of duty and the only member  
 17 31 of the state patrol to have been murdered. An appropriate  
 17 32 commemorative plaque shall be placed near the entrance of the  
 17 33 state building in recognition of Oran Pape and his sacrifice as  
 17 34 a member of the state patrol.

Requires the DPS building to be named after Oran Pape.

17 35 Sec. 21. EFFECTIVE UPON ENACTMENT. The following  
 17 36 provisions of this Act, being deemed of immediate importance,  
 17 37 take effect upon enactment:

The language permitting the transfer of receipts from indirect billings for gaming enforcement from the Gaming Enforcement Revolving Fund to the General Fund is effective on enactment.

17 38 1. The section of this Act amending section 80.43,  
 17 39 subsection 1.

17 40 2. The section of this Act amending section 99D.14,  
 17 41 subsection 2, paragraph "b".

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



17 42 3. The section of this Act amending section 99F.10,  
17 43 subsection 4.

18 1 4. The section of this Act amending section 654.4B,  
18 2 subsection 2, paragraph "b".

The provision relating to extension of the requirement that a notice of the availability of mortgage foreclosure counseling and mediation is effective on enactment.