

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

A BILL FOR

- 1 An Act relating to appropriations to the justice system.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DRAFT

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

3 SEC. 30. DEPARTMENT OF JUSTICE.

4 1. There is appropriated from the general fund of the state
5 to the department of justice for the fiscal year beginning July
6 1, 2012, and ending June 30, 2013, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

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

16	\$	3,896,465
17	FTEs	212.00

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

23 b. For victim assistance grants:

24	\$	1,438,200
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25 The funds appropriated in this lettered paragraph shall be
26 used to provide grants to care providers providing services to
27 crime victims of domestic abuse or to crime victims of rape and
28 sexual assault.

29 The balance of the victim compensation fund established in
30 section 915.94 may be used to provide salary and support of not
31 more than 24 FTEs and to provide maintenance for the victim
32 compensation functions of the department of justice.

33 The department of justice shall transfer at least \$150,000
34 from the victim compensation fund established in section 915.94
35 to the victim assistance grant program.

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

3 \$ 907,416

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

17 b. The department of justice shall include the report
18 required under paragraph "a", as well as information regarding
19 any revisions occurring as a result of reimbursements actually
20 received or expected at a later date, in a report to the
21 co-chairpersons and ranking members of the joint appropriations
22 subcommittee on the justice system and the legislative services
23 agency. The department of justice shall submit the report on
24 or before January 15, 2013.

25 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is amended
26 to read as follows:

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

34 For salaries, support, maintenance, miscellaneous purposes,
35 and for not more than the following full-time equivalent

1 positions:

2	.....	\$	1,568,082
3	.....	FTEs	22.00

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

6 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

7 1. There is appropriated from the general fund of the
8 state to the department of corrections for the fiscal year
9 beginning July 1, 2012, and ending June 30, 2013, the following
10 amounts, or so much thereof as is necessary, to be used for the
11 operation of adult correctional institutions, reimbursement
12 of counties for certain confinement costs, and federal prison
13 reimbursement, to be allocated as follows:

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

17 \$ 20,515,641

18 b. For the operation of the Anamosa correctional facility,
19 including salaries, support, maintenance, and miscellaneous
20 purposes:

21 \$ 15,992,987

22 c. For the operation of the Oakdale correctional facility,
23 including salaries, support, maintenance, and miscellaneous
24 purposes:

25 \$ 27,797,213

26 d. For the operation of the Newton correctional facility,
27 including salaries, support, maintenance, and miscellaneous
28 purposes:

29 \$ 12,979,379

30 e. For the operation of the Mt. Pleasant correctional
31 facility, including salaries, support, maintenance, and
32 miscellaneous purposes:

33 \$ 12,958,908

34 f. For the operation of the Rockwell City correctional
35 facility, including salaries, support, maintenance, and

1 miscellaneous purposes:
2 \$ 4,658,233
3 g. For the operation of the Clarinda correctional facility,
4 including salaries, support, maintenance, and miscellaneous
5 purposes:
6 \$ 12,241,178
7 Moneys received by the department of corrections as
8 reimbursement for services provided to the Clarinda youth
9 corporation are appropriated to the department and shall be
10 used for the purpose of operating the Clarinda correctional
11 facility.
12 h. For the operation of the Mitchellville correctional
13 facility, including salaries, support, maintenance, and
14 miscellaneous purposes:
15 \$ 7,807,687
16 i. For the operation of the Fort Dodge correctional
17 facility, including salaries, support, maintenance, and
18 miscellaneous purposes:
19 \$ 14,531,118
20 j. For reimbursement of counties for temporary confinement
21 of work release and parole violators, as provided in sections
22 901.7, 904.908, and 906.17, and for offenders confined pursuant
23 to section 904.513:
24 \$ 387,546
25 k. For federal prison reimbursement, reimbursements for
26 out-of-state placements, and miscellaneous contracts:
27 \$ 119,706
28 l. For three correctional officer full-time equivalent
29 positions that are to be assigned to a correctional institution
30 by the director of the department of corrections:
31 \$ 78,581
32 2. The department of corrections shall use moneys
33 appropriated in subsection 1 to continue to contract for the
34 services of a Muslim imam and a Native American spiritual
35 leader.

1 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is amended
2 to read as follows:

3 SEC. 33. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

4 There is appropriated from the general fund of the state to the
5 department of corrections for the fiscal year beginning July
6 1, 2012, and ending June 30, 2013, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. For general administration, including salaries, support,
10 maintenance, employment of an education director to administer
11 a centralized education program for the correctional system,
12 and miscellaneous purposes:

13 \$ 2,417,771

14 a. It is the intent of the general assembly that as a
15 condition of receiving the appropriation provided in this
16 lettered paragraph the department of corrections shall not,
17 except as otherwise provided in paragraph "c", enter into a
18 new contract, unless the contract is a renewal of an existing
19 contract, for the expenditure of moneys in excess of \$100,000
20 during the fiscal year beginning July 1, 2012, for the
21 privatization of services performed by the department using
22 state employees as of July 1, 2012, or for the privatization
23 of new services by the department without prior consultation
24 with any applicable state employee organization affected
25 by the proposed new contract and prior notification of the
26 co-chairpersons and ranking members of the joint appropriations
27 subcommittee on the justice system.

28 b. It is the intent of the general assembly that each
29 lease negotiated by the department of corrections with a
30 private corporation for the purpose of providing private
31 industry employment of inmates in a correctional institution
32 shall prohibit the private corporation from utilizing inmate
33 labor for partisan political purposes for any person seeking
34 election to public office in this state and that a violation
35 of this requirement shall result in a termination of the lease

1 agreement.

2 c. It is the intent of the general assembly that as a
3 condition of receiving the appropriation provided in this
4 subsection the department of corrections shall not enter into
5 a lease or contractual agreement pursuant to section 904.809
6 with a private corporation for the use of building space for
7 the purpose of providing inmate employment without providing
8 that the terms of the lease or contract establish safeguards to
9 restrict, to the greatest extent feasible, access by inmates
10 working for the private corporation to personal identifying
11 information of citizens.

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

14 \$ 1,154,055

15 a. As a condition of receiving the appropriation in this
16 subsection, the department of corrections shall transfer at
17 least \$300,000 from the canteen operating funds established
18 pursuant to section 904.310 to be used for correctional
19 educational programs funded in this subsection.

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

30 c. To maximize the funding for educational programs,
31 the department shall establish guidelines and procedures to
32 prioritize the availability of educational and vocational
33 training for inmates based upon the goal of facilitating an
34 inmate's successful release from the correctional institution.

35 d. The director of the department of corrections may

1 transfer moneys from Iowa prison industries for use in
2 educational programs for inmates.

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

8 3. For the development of the Iowa corrections offender
9 network (ICON) data system:

10 \$ 212,182

11 4. For offender mental health and substance abuse
12 treatment:

13 \$ 11,160

14 5. For viral hepatitis prevention and treatment:

15 \$ 83,941

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

34 7. The department of corrections shall solicit requests for
35 information to improve efficiencies at the pharmacy under the

1 control of the department.

2 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is amended
3 to read as follows:

4 SEC. 34. 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, 2012, and ending June 30, 2013, 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
12 correctional services:

13 \$ 6,102,474

14 b. For the second judicial district department of
15 correctional services:

16 \$ 5,168,474

17 c. For the third judicial district department of
18 correctional services:

19 \$ 2,799,883

20 d. For the fourth judicial district department of
21 correctional services:

22 \$ 2,695,678

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

26 \$ 9,371,065

27 f. For the sixth judicial district department of
28 correctional services:

29 \$ 6,556,282

30 g. For the seventh judicial district department of
31 correctional services:

32 \$ 3,246,407

33 h. For the eighth judicial district department of
34 correctional services:

35 \$ 3,439,858

1 2. Each judicial district department of correctional
2 services, within the funding available, shall continue programs
3 and plans established within that district to provide for
4 intensive supervision, sex offender treatment, diversion of
5 low-risk offenders to the least restrictive sanction available,
6 job development, and expanded use of intermediate criminal
7 sanctions.

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

14 4. The governor's office of drug control policy or any
15 succeeding entity of the governor's office of drug control
16 policy shall consider federal grants made to the department
17 of corrections for the benefit of each of the eight judicial
18 district departments of correctional services as local
19 government grants, as defined pursuant to federal regulations.

20 5. The department of corrections shall continue to contract
21 with a judicial district department of correctional services to
22 provide for the rental of electronic monitoring equipment which
23 shall be available statewide.

24 6. A judicial district department of correctional services
25 shall accept into the facilities of the district department
26 offenders assigned from other judicial district departments of
27 correctional services.

28 Sec. 6. 2011 Iowa Acts, chapter 134, section 35, is amended
29 to read as follows:

30 SEC. 35. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
31 APPROPRIATIONS. Notwithstanding section 8.39, within the
32 moneys appropriated in this division of this Act to the
33 department of corrections, the department may reallocate the
34 moneys appropriated and allocated as necessary to best fulfill
35 the needs of the correctional institutions, administration

1 of the department, and the judicial district departments of
2 correctional services. However, in addition to complying with
3 the requirements of sections 904.116 and 905.8 and providing
4 notice to the legislative services agency, the department
5 of corrections shall also provide notice to the department
6 of management, prior to the effective date of the revision
7 or reallocation of an appropriation made pursuant to this
8 section. The department of corrections shall not reallocate an
9 appropriation or allocation for the purpose of eliminating any
10 program.

11 Sec. 7. 2011 Iowa Acts, chapter 134, section 36, is amended
12 to read as follows:

13 SEC. 36. INTENT — REPORTS.

14 1. The department of corrections in cooperation with
15 townships, the Iowa cemetery associations, and other nonprofit
16 or governmental entities may use inmate labor during the
17 fiscal year beginning July 1, 2012, to restore or preserve
18 rural cemeteries and historical landmarks. The department in
19 cooperation with the counties may also use inmate labor to
20 clean up roads, major water sources, and other water sources
21 around the state.

22 2. On a quarterly basis the department shall provide a
23 status report regarding private-sector employment to the
24 legislative services agency beginning on July 1, 2012. The
25 report shall include the number of offenders employed in the
26 private sector, the combined number of hours worked by the
27 offenders, the total amount of allowances, and the distribution
28 of allowances pursuant to section 904.702, including any moneys
29 deposited in the general fund of the state.

30 Sec. 8. 2011 Iowa Acts, chapter 134, section 37, is amended
31 to read as follows:

32 SEC. 37. ELECTRONIC MONITORING REPORT. The department of
33 corrections shall submit a report on electronic monitoring to
34 the general assembly, to the co-chairpersons and the ranking
35 members of the joint appropriations subcommittee on the justice

1 system, and to the legislative services agency by January
2 15, 2013. The report shall specifically address the number
3 of persons being electronically monitored and break down the
4 number of persons being electronically monitored by offense
5 committed. The report shall also include a comparison of any
6 data from the prior fiscal year with the current year.

7 Sec. 9. 2011 Iowa Acts, chapter 134, section 38, is amended
8 to read as follows:

9 SEC. 38. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

18 2. State agencies are hereby encouraged to purchase
19 products from Iowa state industries, as defined in section
20 904.802, when purchases are required and the products are
21 available from Iowa state industries. State agencies shall
22 obtain bids from Iowa state industries for purchases of
23 office furniture during the fiscal year beginning July 1,
24 2012, exceeding \$5,000 or in accordance with applicable
25 administrative rules related to purchases for the agency.

26 Sec. 10. 2011 Iowa Acts, chapter 134, section 39, is amended
27 to read as follows:

28 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

29 1. There is appropriated from the general fund of the
30 state to the Iowa law enforcement academy for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For salaries, support, maintenance, miscellaneous purposes,
35 including jailer training and technical assistance, and for not

1 more than the following full-time equivalent positions:
 2 \$ 434,349
 3 FTEs 24.55

4 It is the intent of the general assembly that the Iowa law
 5 enforcement academy may provide training of state and local
 6 law enforcement personnel concerning the recognition of and
 7 response to persons with Alzheimer's disease.

8 The Iowa law enforcement academy may temporarily exceed and
 9 draw more than the amount appropriated in this subsection and
 10 incur a negative cash balance as long as there are receivables
 11 equal to or greater than the negative balance and the amount
 12 appropriated in this subsection is not exceeded at the close
 13 of the fiscal year.

14 2. The Iowa law enforcement academy may select at least
 15 five automobiles of the department of public safety, division
 16 of state patrol, prior to turning over the automobiles to
 17 the department of administrative services to be disposed
 18 of by public auction, and the Iowa law enforcement academy
 19 may exchange any automobile owned by the academy for each
 20 automobile selected if the selected automobile is used in
 21 training law enforcement officers at the academy. However, any
 22 automobile exchanged by the academy shall be substituted for
 23 the selected vehicle of the department of public safety and
 24 sold by public auction with the receipts being deposited in the
 25 depreciation fund to the credit of the department of public
 26 safety, division of state patrol.

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

29 SEC. 40. STATE PUBLIC DEFENDER. There is appropriated from
 30 the general fund of the state to the office of the state public
 31 defender of the department of inspections and appeals for the
 32 fiscal year beginning July 1, 2012, and ending June 30, 2013,
 33 the following amounts, or so much thereof as is necessary, to
 34 be allocated as follows for the purposes designated:

35 1. For salaries, support, maintenance, miscellaneous

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

3 \$ 12,541,591
4 FTEs 219.00

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

8 \$ 15,340,464

9 Sec. 12. 2011 Iowa Acts, chapter 134, section 41, is amended
10 to read as follows:

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

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

19 \$ 526,918
20 FTEs 12.50

21 Sec. 13. 2011 Iowa Acts, chapter 134, section 42, is amended
22 to read as follows:

23 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is
24 appropriated from the general fund of the state to the
25 department of public defense for the fiscal year beginning July
26 1, 2012, and ending June 30, 2013, the following amounts, or
27 so much thereof as is necessary, to be used for the purposes
28 designated:

29 1. MILITARY DIVISION

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

33 \$ 2,763,521
34 FTEs 313.00

35 The military division may temporarily exceed and draw more

1 than the amount appropriated in this subsection and incur a
2 negative cash balance as long as there are receivables of
3 federal funds equal to or greater than the negative balance and
4 the amount appropriated in this subsection is not exceeded at
5 the close of the fiscal year.

6 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

10	\$	918,439
11	FTEs	40.00

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

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

25 Sec. 14. 2011 Iowa Acts, chapter 134, section 43, is amended
26 to read as follows:

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

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

35	\$	2,003,538
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1 FTEs 36.00

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

10 \$ 6,266,966

11 FTEs 159.10

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

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

26 \$ 151,173

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

35 \$ 3,214,942

1 FTEs 74.00
2 b. For the division of narcotics enforcement for undercover
3 purchases:
4 \$ 54,521
5 5. For the division of state fire marshal, for fire
6 protection services as provided through the state fire service
7 and emergency response council as created in the department,
8 and for the state's contribution to the peace officers'
9 retirement, accident, and disability system provided in chapter
10 97A in the amount of the state's normal contribution rate, as
11 defined in section 97A.8, multiplied by the salaries for which
12 the funds are appropriated, and for not more than the following
13 full-time equivalent positions:
14 \$ 2,149,354
15 FTEs 55.00
16 6. For the division of state patrol, for salaries, support,
17 maintenance, workers' compensation costs, and miscellaneous
18 purposes, including the state's contribution to the peace
19 officers' retirement, accident, and disability system provided
20 in chapter 97A in the amount of the state's normal contribution
21 rate, as defined in section 97A.8, multiplied by the salaries
22 for which the funds are appropriated, and for not more than the
23 following full-time equivalent positions:
24 \$ 25,951,617
25 FTEs 513.00
26 It is the intent of the general assembly that members of the
27 state patrol be assigned to patrol the highways and roads in
28 lieu of assignments for inspecting school buses for the school
29 districts.
30 7. For deposit in the sick leave benefits fund established
31 under section 80.42 for all departmental employees eligible to
32 receive benefits for accrued sick leave under the collective
33 bargaining agreement:
34 \$ 139,759
35 8. For costs associated with the training and equipment

1 needs of volunteer fire fighters:

2 \$ 362,760

3 a. Notwithstanding section 8.33, moneys appropriated in
4 this subsection that remain unencumbered or unobligated at the
5 close of the fiscal year shall not revert but shall remain
6 available for expenditure only for the purpose designated in
7 this subsection until the close of the succeeding fiscal year.

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

20 Sec. 15. 2011 Iowa Acts, chapter 134, section 44, is amended
21 to read as follows:

22 SEC. 44. GAMING ENFORCEMENT.

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

28 For any direct and indirect support costs for agents
29 and officers of the division of criminal investigation's
30 excursion gambling boat, gambling structure, and racetrack
31 enclosure enforcement activities, including salaries, support,
32 maintenance, miscellaneous purposes, and for not more than the
33 following full-time equivalent positions:

34 \$ 4,918,153

35 FTEs 120.00

1 2. For each additional license to conduct gambling games on
2 an excursion gambling boat, gambling structure, or racetrack
3 enclosure issued during the fiscal year beginning July 1, 2012,
4 there is appropriated from the gaming enforcement fund to the
5 department of public safety for the fiscal year beginning July
6 1, 2012, and ending June 30, 2013, an additional amount of not
7 more than \$521,000 to be used for not more than 6.00 additional
8 full-time equivalent positions.

9 3. The department of public safety, with the approval
10 of the department of management, may employ no more than two
11 special agents and four gaming enforcement officers for each
12 additional riverboat or gambling structure regulated after July
13 1, 2012, and one special agent for each racing facility which
14 becomes operational during the fiscal year which begins July 1,
15 2012. One additional gaming enforcement officer, up to a total
16 of four per riverboat or gambling structure, may be employed
17 for each riverboat or gambling structure that has extended
18 operations to 24 hours and has not previously operated with a
19 24-hour schedule. Positions authorized in this subsection are
20 in addition to the full-time equivalent positions otherwise
21 authorized in this section.

22 Sec. 16. 2011 Iowa Acts, chapter 134, section 45, is amended
23 to read as follows:

24 SEC. 45. CIVIL RIGHTS COMMISSION. There is appropriated
25 from the general fund of the state to the Iowa state civil
26 rights commission for the fiscal year beginning July 1,
27 2012, and ending June 30, 2013, the following amount, or so
28 much thereof as is necessary, to be used for the purposes
29 designated:

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

33	.....	\$	648,535
34	.....	FTEs	28.00

35 The Iowa state civil rights commission may enter into

1 a contract with a nonprofit organization to provide legal
2 assistance to resolve civil rights complaints.

3 Sec. 17. 2011 Iowa Acts, chapter 134, section 46, is amended
4 to read as follows:

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

16 EXPLANATION

17 This bill relates to appropriations to the justice system.

18 The bill relates to appropriations from the general fund
19 of the state for fiscal year 2012-2013 to the departments
20 of justice, corrections, public defense, and public safety,
21 and the Iowa law enforcement academy, office of the state
22 public defender, board of parole, and Iowa state civil rights
23 commission.

24 The bill relates to moneys appropriated from the department
25 of commerce revolving fund to the office of consumer advocate
26 of the department of justice.

27 The bill relates to moneys appropriated from the gaming
28 enforcement revolving fund to the department of public safety.
29 The division also authorizes FTEs related to gaming enforcement
30 in the fund.

31 The bill relates to moneys appropriated from the wireless
32 E911 emergency communications fund to the homeland security
33 and emergency management division of the department of public
34 defense.