

CHAPTER 1134
APPROPRIATIONS — JUSTICE SYSTEM
H.F. 2335

AN ACT relating to appropriations to the justice system, and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

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

SEC. 30. DEPARTMENT OF JUSTICE.

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

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

	\$	3,896,465
		7,792,930
	FTEs	212.00
		214.00

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

b. For victim assistance grants:

	\$	1,438,200
		2,876,400

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

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

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

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

	\$	907,416
		1,814,831

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

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

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

SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer

advocate of the department of justice for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,568,082
		<u>3,136,163</u>
.....	FTEs	22.00

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

SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

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

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

.....	\$	20,515,641
		<u>42,686,899</u>

The department of corrections shall submit, to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system by January 15, 2013, the plans for the integration of the John Bennett facility and the clinical care unit into the new Fort Madison maximum security correctional facility and the future plans for the use of the current Fort Madison maximum security correctional facility after the inmates are transferred to the new facility.

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

.....	\$	15,992,987
		<u>32,920,521</u>

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

.....	\$	27,797,213
		<u>57,950,613</u>

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

.....	\$	12,979,379
		<u>27,127,290</u>

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

.....	\$	12,958,908
		<u>26,751,707</u>

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

.....	\$	4,658,233
		<u>9,671,148</u>

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

.....	\$	12,241,178
		<u>25,241,616</u>

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

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

.....	\$	7,807,687
		<u>16,341,725</u>

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 14,531,118
29,865,232

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

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

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

..... \$ 119,706
484,411

~~l. For three correctional officer full-time equivalent positions that are to be assigned to a correctional institution by the director of the department of corrections:~~

~~..... \$ 78,581~~

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

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

SEC. 33. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

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

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

..... \$ 2,417,771
5,081,582

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

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

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

..... \$ 1,154,055
2,358,109

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

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

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

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

3. For the development of the Iowa corrections offender network (ICON) data system:	\$	212,182
		<u>424,364</u>
4. For offender mental health and substance abuse treatment:	\$	11,160
		<u>22,319</u>
5. For viral hepatitis prevention and treatment:	\$	83,941
		<u>167,881</u>

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

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

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

SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

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

a. For the first judicial district department of correctional services:	\$	6,102,474
		<u>12,958,763</u>
b. For the second judicial district department of correctional services:	\$	5,168,474
		<u>10,870,425</u>
c. For the third judicial district department of correctional services:	\$	2,799,883
		<u>6,238,455</u>
d. For the fourth judicial district department of correctional services:	\$	2,695,678
		<u>5,495,309</u>
e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:	\$	9,371,065
		<u>19,375,428</u>
f. For the sixth judicial district department of correctional services:	\$	6,556,282
		<u>14,095,408</u>
g. For the seventh judicial district department of correctional services:		

.....	\$	3,246,407
		<u>6,895,634</u>
h. For the eighth judicial district department of correctional services:		
.....	\$	3,439,858
		<u>7,518,935</u>

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

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

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

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

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

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

SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

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

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

.....	\$	434,349
		<u>968,698</u>
.....	FTEs	24.55
		<u>25.50</u>

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

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

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

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

SEC. 40. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals

for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be allocated as follows for the purposes designated:

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

.....	\$	12,541,591
		<u>25,862,182</u>
.....		FTEs 219.00

2. For ~~the fees of court-appointed attorneys for indigent~~ payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section ~~232.141 and chapter 815~~ 815.11:

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

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

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

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

.....	\$	526,918
		<u>1,203,835</u>
.....		FTEs 12.50
		<u>13.00</u>

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

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

1. MILITARY DIVISION

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

.....	\$	2,763,521
		<u>5,527,042</u>
.....		FTEs 313.00
		<u>296.00</u>

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

2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

.....	\$	918,439
		<u>1,836,877</u>
.....		FTEs 40.00
		<u>35.34</u>

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

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

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

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

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

.....	\$	2,003,538
		<u>4,007,075</u>
.....	FTEs	36.00

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

.....	\$	6,266,966
		<u>12,533,931</u>
.....	FTEs	159.10
		<u>154.60</u>

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

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

.....	\$	151,173
		<u>302,345</u>

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

.....	\$	3,214,942
		<u>6,429,884</u>
.....	FTEs	74.00
		<u>68.00</u>

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

.....	\$	54,521
		<u>109,042</u>

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

.....	\$	2,149,354
		<u>4,298,707</u>
.....	FTEs	55.00
		<u>54.00</u>

6. For the division of state patrol, for salaries, support, maintenance, workers’ compensation costs, and miscellaneous purposes, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the

salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	25,951,617
		<u>53,493,490</u>
.....	FTEs	513.00
		<u>498.05</u>

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

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

.....	\$	139,759
		<u>279,517</u>

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

.....	\$	362,760
		<u>725,520</u>

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

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

9. For costs associated with the training and operation of the statewide interoperable communications system board excluding salaries and contracts:

.....	\$	48,000
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Sec. 11. 2011 Iowa Acts, chapter 134, section 44, is amended to read as follows:

SEC. 44. GAMING ENFORCEMENT.

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

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

.....	\$	4,918,153
		<u>10,335,709</u>
.....	FTEs	120.00
		<u>115.00</u>

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

3. The department of public safety, with the approval of the department of management, may employ no more than two special agents and four gaming enforcement officers for each additional riverboat or gambling structure regulated after July 1, 2012, and one special agent for each racing facility which becomes operational during the fiscal year which begins

July 1, 2012. One additional gaming enforcement officer, up to a total of four per riverboat or gambling structure, may be employed for each riverboat or gambling structure that has extended operations to 24 hours and has not previously operated with a 24-hour schedule. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

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

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

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

.....	\$	648,535
.....		<u>1,297,069</u>
.....	FTEs	28.00

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

Sec. 13. 2011 Iowa Acts, chapter 134, section 46, is amended to read as follows:

SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION. There is appropriated from the wireless E911 emergency communications fund created in section 34A.7A to the administrator of the homeland security and emergency management division of the department of public defense for the fiscal year beginning July 1, 2012, and ending June 30, 2013, an amount not exceeding ~~\$200,000~~ \$250,000 to be used for implementation, support, and maintenance of the functions of the administrator and program manager under chapter 34A and to employ the auditor of the state to perform an annual audit of the wireless E911 emergency communications fund.

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

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

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

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

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

b. Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of special agents and officers plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities, ~~shall not be deposited in the general fund of the state but instead~~ shall be deposited into the gaming enforcement revolving fund established in section 80.43. However, the department of public safety shall transfer, on an

annual basis, the portion of the regulatory fee attributable to the indirect support costs of the special agents and gaming enforcement officers to the general fund of the state.

Sec. 17. Section 654.4B, subsection 2, paragraph b, Code Supplement 2011, is amended to read as follows:

b. This subsection is repealed July 1, ~~2012~~ 2013.

Sec. 18. Section 904A.4A, Code 2011, is amended by adding the following new subsections:

NEW SUBSECTION. 7. Act as the representative of the board relative to the passage, defeat, approval, or modification of legislation that is being considered by the general assembly.

NEW SUBSECTION. 8. Develop a budget for the board subject to the approval of the board and prepare all reports required by law.

NEW SUBSECTION. 9. Hire and supervise all staff pursuant to the provisions of chapter 8A, subchapter IV.

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

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

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

1. The section of this Act amending section 80.43, subsection 1.
2. The section of this Act amending section 99D.14, subsection 2, paragraph "b".
3. The section of this Act amending section 99F.10, subsection 4.
4. The section of this Act amending section 654.4B, subsection 2, paragraph "b".

Approved May 25, 2012