

**CHAPTER 139**  
APPROPRIATIONS — JUSTICE SYSTEM  
S.F. 447

**AN ACT** relating to appropriations to the justice system and including effective dates.

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

DIVISION I  
FY 2013-2014  
APPROPRIATIONS

Section 1. 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, 2013, and ending June 30, 2014, 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:

..... \$ 7,967,930  
..... FTEs 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:

..... \$ 6,734,400

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 department of justice shall not require a care provider to close a shelter as a condition of receiving a grant pursuant to this paragraph.\**

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24.00 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.

*\*Notwithstanding section 8.33, moneys appropriated in this paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.\**

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

..... \$ 2,180,562

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2014, 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, 2012, and actual and expected reimbursements for the fiscal year commencing July 1, 2013.

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

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\* Item veto; see message at end of the Act

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, 2014.

Sec. 2. 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, 2013, and ending June 30, 2014, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 3,136,163 |
| ..... | FTEs | 22.00     |

Sec. 3. 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, 2013, and ending June 30, 2014, 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:

|       |    |            |
|-------|----|------------|
| ..... | \$ | 43,107,133 |
|-------|----|------------|

*\*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, 2014, 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:

|       |    |            |
|-------|----|------------|
| ..... | \$ | 32,920,521 |
|-------|----|------------|

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

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

|       |    |            |
|-------|----|------------|
| ..... | \$ | 58,550,123 |
|-------|----|------------|

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

|       |    |            |
|-------|----|------------|
| ..... | \$ | 27,127,290 |
|-------|----|------------|

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

|       |    |            |
|-------|----|------------|
| ..... | \$ | 24,811,427 |
|-------|----|------------|

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

|       |    |           |
|-------|----|-----------|
| ..... | \$ | 9,671,148 |
|-------|----|-----------|

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

|       |    |            |
|-------|----|------------|
| ..... | \$ | 25,241,616 |
|-------|----|------------|

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:

|       |    |            |
|-------|----|------------|
| ..... | \$ | 21,604,035 |
|-------|----|------------|

\* Item veto; see message at end of the Act

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

..... \$ 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:

..... \$ 1,075,092

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

..... \$ 484,411

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. 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, 2013, and ending June 30, 2014, 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:

..... \$ 5,081,582

*\*a. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph the department of corrections shall not, except as otherwise provided in paragraph "c", enter into a new contract, unless the contract is a renewal of an existing contract, for the expenditure of moneys in excess of \$100,000 during the fiscal year beginning July 1, 2013, for the privatization of services performed by the department using state employees as of July 1, 2013, or for the privatization of new services by the department without prior consultation with any applicable state employee organization affected by the proposed new contract and prior notification of the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system.\**

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:

..... \$ 2,608,109

a. 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.

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.

\* Item veto; see message at end of the Act

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 for use in supporting 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: | \$ | 2,000,000 |
| 4. For offender mental health and substance abuse treatment:                        | \$ | 22,319    |
| 5. For viral hepatitis prevention and treatment:                                    | \$ | 167,881   |
| 6. For operations, costs, and miscellaneous purposes:                               | \$ | 2,571,309 |

7. 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.

Sec. 5. 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, 2013, and ending June 30, 2014, 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:   | \$ | 14,099,085 |
| b. For the second judicial district department of correctional services:  | \$ | 10,870,425 |
| c. For the third judicial district department of correctional services:   | \$ | 7,105,865  |
| d. For the fourth judicial district department of correctional services:  | \$ | 5,459,309  |
| e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis: | \$ | 19,375,428 |
| f. For the sixth judicial district department of correctional services:   | \$ | 14,638,537 |
| g. For the seventh judicial district department of correctional services:   | \$ | 7,609,781  |
| h. For the eighth judicial district department of correctional services:  | \$ | 8,206,613  |

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

Sec. 7. INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2013, to restore or preserve rural cemeteries and historical landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2013. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

3. The department of corrections, in cooperation with the attorney general's office, shall submit a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, and the legislative agency,<sup>1</sup> by January 15, 2014. The report shall detail the results of the central pharmacy pilot project that utilizes the Iowa prescription drug corporation's voucher program for indigent offenders. The report shall include but is not limited to the number of offenders annually served by the pilot project, funding sources, and the recidivism rates of offenders in the pilot project.

Sec. 8. ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2014. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

1. As used in this section, unless the context otherwise requires, "state agency" means the government of the state of Iowa, including but not limited to all executive branch departments, agencies, boards, bureaus, and commissions, the judicial branch, the general

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<sup>1</sup> According to enrolled Act; the phrase "legislative services agency" probably intended

assembly and all legislative agencies, institutions within the purview of the state board of regents, and any corporation whose primary function is to act as an instrumentality of the state.

2. State agencies are hereby encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2013, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. 10. 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, 2013, and ending June 30, 2014, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 1,001,698 |
| ..... | FTEs | 23.88     |

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. 11. 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, 2013, and ending June 30, 2014, 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:

|       |      |            |
|-------|------|------------|
| ..... | \$   | 25,862,182 |
| ..... | FTEs | 219.00     |

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

|       |    |            |
|-------|----|------------|
| ..... | \$ | 29,901,929 |
|-------|----|------------|

Sec. 12. 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, 2013, and ending June 30, 2014, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 1,203,835 |
| ..... | FTEs | 11.00     |

Sec. 13. 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, 2013, and ending June 30, 2014, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 6,527,042 |
| ..... | FTEs | 293.61    |

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 OR SUCCESSOR AGENCY

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 2,174,277 |
| ..... | FTEs | 37.40     |

a. The homeland security and emergency management division or successor agency 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 or successor agency 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. 14. 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, 2013, and ending June 30, 2014, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 4,067,054 |
| ..... | FTEs | 39.00     |

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

|       |      |            |
|-------|------|------------|
| ..... | \$   | 12,933,414 |
| ..... | FTEs | 149.60     |

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

|       |    |         |
|-------|----|---------|
| ..... | \$ | 302,345 |
|-------|----|---------|

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 6,755,855 |
| ..... | FTEs | 66.00     |

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

|       |    |         |
|-------|----|---------|
| ..... | \$ | 109,042 |
|-------|----|---------|

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 4,470,556 |
| ..... | FTEs | 53.00     |

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

|       |      |            |
|-------|------|------------|
| ..... | \$   | 55,536,208 |
| ..... | FTEs | 494.47     |

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 operations, costs, and miscellaneous purposes:

|       |    |           |
|-------|----|-----------|
| ..... | \$ | 1,700,000 |
|-------|----|-----------|

8. 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:

|       |    |         |
|-------|----|---------|
| ..... | \$ | 279,517 |
|-------|----|---------|

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

|       |    |         |
|-------|----|---------|
| ..... | \$ | 725,520 |
|-------|----|---------|

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, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated 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 moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

Sec. 15. 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, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct 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:

|       |      |            |
|-------|------|------------|
| ..... | \$   | 10,898,008 |
| ..... | FTEs | 115.00     |

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, 2013, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2013, and ending June 30, 2014, an additional amount of not more than \$300,000 to be used for not more than 3.00 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2013, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2013. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.



Sec. 16. 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, 2013, and ending June 30, 2014, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 1,297,069 |
| ..... | 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. 17. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 1,260,105 |
| ..... | FTEs | 10.81     |

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION OR SUCCESSOR AGENCY. There is appropriated from the wireless E911 emergency communications fund created in section 34A.7A to the homeland security and emergency management division of the department of public defense or successor agency for the fiscal year beginning July 1, 2013, and ending June 30, 2014, an amount not exceeding \$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.

DIVISION II  
FY 2014-2015  
APPROPRIATIONS

Sec. 19. 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, 2014, and ending June 30, 2015, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 3,983,965 |
| ..... | FTEs | 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:

|       |    |           |
|-------|----|-----------|
| ..... | \$ | 3,367,200 |
|-------|----|-----------|

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.

*\*Notwithstanding section 8.33, moneys appropriated in this lettered paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.\**

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

..... \$ 1,090,281

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2015, 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, 2013, and actual and expected reimbursements for the fiscal year commencing July 1, 2014.

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, 2015.

Sec. 20. 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, 2014, and ending June 30, 2015, 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  
..... FTEs 22.00

Sec. 21. 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, 2014, and ending June 30, 2015, 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:

..... \$ 21,553,567

*\*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, 2015, 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:

..... \$ 16,460,261

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

\* Item veto; see message at end of the Act

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

..... \$ 29,275,062

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

..... \$ 13,563,645

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

..... \$ 12,405,714

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

..... \$ 4,835,574

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

..... \$ 12,620,808

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:

..... \$ 10,802,018

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

..... \$ 14,932,616

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:

..... \$ 537,546

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

..... \$ 242,206

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. 22. 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, 2014, and ending June 30, 2015, 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:

..... \$ 2,540,791

a. 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.

b. 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:

..... \$ 1,304,055

a. 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.

b. 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.

c. 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: | \$ | 1,000,000 |
| 4. For offender mental health and substance abuse treatment:                        | \$ | 11,160    |
| 5. For viral hepatitis prevention and treatment:                                    | \$ | 83,941    |
| 6. For operations costs and miscellaneous purposes:                                 | \$ | 1,285,655 |

7. 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.

#### Sec. 23. 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, 2014, and ending June 30, 2015, 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:   | \$ | 7,049,543 |
| b. For the second judicial district department of correctional services:  | \$ | 5,435,213 |
| c. For the third judicial district department of correctional services:   | \$ | 3,552,933 |
| d. For the fourth judicial district department of correctional services:  | \$ | 2,747,655 |
| e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis: | \$ | 9,687,714 |
| f. For the sixth judicial district department of correctional services:   | \$ | 7,319,269 |
| g. For the seventh judicial district department of correctional services:   | \$ | 3,804,891 |
| h. For the eighth judicial district department of correctional services:  | \$ | 4,103,307 |

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

Sec. 25. INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2014, to restore or preserve rural cemeteries and historical landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2014. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. 26. ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2015. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. 27. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

2. State agencies are hereby encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2014, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. 28. 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, 2014, and ending June 30, 2015, 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:

|       |      |         |
|-------|------|---------|
| ..... | \$   | 500,849 |
| ..... | FTEs | 23.88   |

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. 29. 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, 2014, and ending June 30, 2015, 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:

|       |      |            |
|-------|------|------------|
| ..... | \$   | 12,931,091 |
| ..... | FTEs | 219.00     |

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

|       |    |            |
|-------|----|------------|
| ..... | \$ | 14,950,965 |
|-------|----|------------|

Sec. 30. 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, 2014, and ending June 30, 2015, 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:

|       |      |         |
|-------|------|---------|
| ..... | \$   | 601,918 |
| ..... | FTEs | 11.00   |

Sec. 31. 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, 2014, and ending June 30, 2015, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 3,263,521 |
| ..... | FTEs | 293.61    |

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 OR SUCCESSOR AGENCY

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 1,087,139 |
| ..... | FTEs | 37.40     |

a. The homeland security and emergency management division or successor agency 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 or successor agency 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. 32. 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, 2014, and ending June 30, 2015, 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 2,033,527 |
| ..... | FTEs | 39.00     |

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 6,466,707 |
| ..... | FTEs | 149.60    |

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

|       |    |         |
|-------|----|---------|
| ..... | \$ | 151,173 |
|-------|----|---------|

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 3,377,928 |
| ..... | FTEs | 66.00     |

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

|       |    |        |
|-------|----|--------|
| ..... | \$ | 54,521 |
|-------|----|--------|

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

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 2,235,278 |
| ..... | FTEs | 53.00     |

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

|       |      |            |
|-------|------|------------|
| ..... | \$   | 27,768,104 |
| ..... | FTEs | 494.47     |

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 operations costs, and miscellaneous purposes:

|       |    |         |
|-------|----|---------|
| ..... | \$ | 850,000 |
|-------|----|---------|

8. 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 |
|-------|----|---------|

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

|       |    |         |
|-------|----|---------|
| ..... | \$ | 362,760 |
|-------|----|---------|

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, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated 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 moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

Sec. 33. 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, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct 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:

|       |      |           |
|-------|------|-----------|
| ..... | \$   | 5,449,004 |
| ..... | FTEs | 115.00    |

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, 2014, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an additional amount of not more than \$300,000 to be used for not more than 3.00 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2014, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2014. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. 34. 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, 2014, and ending June 30, 2015, 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 |
|-------|----|---------|



..... 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. 35. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated: <sup>2</sup>

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

..... \$ 630,053  
 ..... FTEs 10.81

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 36. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION. There is appropriated from the wireless E911 emergency communications fund created in section 34A.7A to the homeland security and emergency management division or successor agency for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an amount not exceeding \$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.

DIVISION III

PUBLIC SAFETY INTEROPERABLE AND BROADBAND COMMUNICATIONS FUND

Sec. 37. NEW SECTION. 80.44 **Public safety interoperable and broadband communications fund.**

1. A statewide public safety interoperable and broadband communications fund is established in the office of the treasurer of state under the control of the department of public safety. Any moneys annually appropriated, granted, or credited to the fund, including any federal moneys, are appropriated to the department of public safety for the planning and development of a statewide public safety interoperable and broadband communications system.

2. Notwithstanding section 12C.7, subsection 2, interest and earnings on moneys deposited in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys remaining in the fund at the end of the fiscal year shall not revert to any other fund but shall remain available to be used for the purposes specified in subsection 1.

Sec. 38. 2011 Iowa Acts, chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10, is amended to read as follows:

9. For costs associated with the training and operation of the statewide interoperable communications system board ~~excluding salaries and contracts~~ or deposit in the statewide public safety interoperable and broadband communications fund established in section 80.44, as determined by the department:

..... \$ 48,000

Sec. 39. EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this division amending 2011 Iowa Acts, chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10.
2. The section of this division enacting the section tentatively numbered 80.44.

<sup>2</sup> See chapter 140, §85 herein

\*DIVISION IV  
PUBLIC SAFETY AND TRAINING TASK FORCE

*Sec. 40. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.*

1. A public safety training and facilities task force is established. The department of public safety shall provide administrative support for the task force.

2. The task force shall consist of the following members:

a. One member appointed by the Iowa state sheriffs' and deputies' association.

b. One member appointed by the Iowa police chiefs association.

c. One member who is a fire fighter appointed by the Iowa professional fire fighters association.

d. One member who is the administrator of the Iowa fire service training bureau or the administrator's designee.

e. One member who is a representative of the fire service who is not a fire chief appointed by the Iowa firefighters association.

f. The director of the Iowa law enforcement academy or the director's designee.

g. The commissioner of public safety or the training coordinator of the department of public safety, as designated by the commissioner.

h. The state fire marshal or the state fire marshal's designee.

i. One member appointed by the Iowa state police association.

j. One member who is a fire chief appointed by the Iowa fire chiefs association.

k. One member appointed by the Iowa emergency medical services association.

l. One member appointed by the Iowa emergency management association.

m. One member who is a fire chief appointed by the Iowa association of professional fire chiefs.

n. One member who is a member of the office of motor vehicle enforcement of the department of transportation appointed by the director of the department of transportation.

o. Four members of the general assembly serving as *ex officio*, nonvoting members, one representative to be appointed by the speaker of the house of representatives, one representative to be appointed by the minority leader of the house of representatives, one senator to be appointed by the majority leader of the senate, and one senator to be appointed by the minority leader of the senate.

3. The members of the task force shall select one chairperson and one vice chairperson. The vice chairperson shall preside in the absence of the chairperson. Section 69.16A shall apply to the voting members of the task force.

4. It is the intent of the general assembly in establishing this task force that the task force develop a coordinated plan amongst all public safety disciplines that would oversee the construction of a consolidated fire and police public safety training facility, provide for the establishment of a governance board for the public safety disciplines and the consolidated facility, and to establish a consistent and steady funding mechanism to defray public safety training costs on an ongoing basis.

5. The task force shall seek and consider input from all interested stakeholders and members of the public and shall include an emphasis on receiving input from fire service, law enforcement, and emergency medical services personnel. The task force shall consider and develop strategies relating to public safety training facility governance with the goal of all public safety disciplines being represented. Each public safety discipline shall advise the task force by developing individual training policies as determined by the discipline's governing bodies. The task force shall also develop a proposal for a joint public safety training facility, a budget for construction and future operation of the facility, financing options, including possible public-private partnerships, for construction and operation of the facility, and potential locations for the facility that are centrally located in this state.

6. a. The task force shall provide interim reports to the general assembly by December 31 of each year concerning the activities of the task force and shall submit its final report, including its findings and recommendations, to the general assembly by December 31, 2016.

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\* Item veto; see message at end of the Act

*b. The final report shall include but not be limited to recommendations concerning the following:*

*(1) Consolidation of public safety governance within a single board and the membership of the board. Board duties would include overseeing the construction and maintenance of a consolidated fire and police public safety training facility.*

*(2) Development of a consolidated fire and police public safety training facility, including possible locations, building recommendations, and financing options.*

*(3) Any other recommendations relating to public safety training and facilities requirements.\**

DIVISION V  
CIGARETTE FIRE SAFETY STANDARD FUND — APPROPRIATION

Sec. 41. Section 101B.5, subsection 5, Code 2013, is amended to read as follows:

5. For each cigarette listed in a certification, a manufacturer shall pay a fee of one hundred dollars to the department. The department shall deposit all fees received pursuant to this subsection with the treasurer of state for credit to the general fund of the state.

Sec. 42. Section 101B.8, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall deposit any moneys received from civil penalties assessed pursuant to this section with the treasurer of state for credit to the general fund of the state.

Sec. 43. Section 101B.9, Code 2013, is amended to read as follows:

**101B.9 Cigarette fire safety standard fund.**

A cigarette fire safety standard fund is created as a special fund in the state treasury under the control of the department of public safety. The fund shall consist of all moneys recovered from the assessment of civil penalties or certification fees under this chapter. ~~The moneys in the fund shall, in~~ In addition to any moneys made available for such purpose, ~~be available, subject to appropriation,~~ moneys in the fund are appropriated to the department of public safety for the purpose of fire safety and prevention programs, including for entry level fire fighter training, equipment, and operations.

Sec. 44. REPEAL. Section 101B.9, Code 2013, is repealed.

*\*Sec. 45. CIGARETTE FIRE SAFETY STANDARD FUND. Any remaining balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012, is transferred to the department of justice and is appropriated for use during the fiscal year beginning July 1, 2013, and ending June 30, 2014, for victim assistance grants.\**

Sec. 46. EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section amending section 101B.9.

2. The section providing for transfer of any remaining balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012.

3. The section providing for retroactive applicability.

Sec. 47. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to July 1, 2007:

1. The section of this division amending section 101B.9.

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\* Item veto; see message at end of the Act

DIVISION VI  
SPECIAL AGENTS — GAMING

Sec. 48. Section 99D.14, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. (1) A licensee shall pay a regulatory fee to be charged as provided in this section. In determining the regulatory fee to be charged as provided under this section, the commission shall use the amount appropriated to the commission plus the cost of salaries for no more than two ~~three~~ special agents for each racetrack that has not been issued a table games license under chapter 99F or no more than three special agents for each racetrack that has been issued a table games license under chapter 99F, plus any direct and indirect support costs for the agents, for the division of criminal investigation's racetrack activities, as the basis for determining the amount of revenue to be raised from the regulatory fee.

(2) Indirect support costs under this section shall be calculated at the same rate used in accordance with the federal office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

Sec. 49. Section 99D.14, subsection 2, Code 2013, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 and 99F.20 during that previous fiscal year.

NEW PARAGRAPH. e. By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each racetrack enclosure.

NEW PARAGRAPH. f. The division of criminal investigation shall conduct a review relating to the number of special agents permitted for each racetrack under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99F.10, subsection 4, paragraph "g". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. 50. Section 99F.10, subsection 4, Code 2013, is amended to read as follows:

4. a. In determining the license fees and state regulatory fees to be charged as provided under section 99F.4 and this section, the commission shall use as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees the amount appropriated to the commission plus the following as applicable:

(1) Prior to July 1, 2016, the cost of salaries for no more than two special agents for each excursion gambling boat or gambling structure and no more than four gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of less than two thousand persons or no more than five gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of at least two thousand persons, 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. However, the division of criminal investigation may add one additional special agent to the number of special agents specified in this subparagraph for each excursion gambling boat or gambling structure if at least two gaming enforcement officer full-time equivalent positions are vacant. Otherwise, the division of criminal investigation shall not fill vacant gaming enforcement officer positions.

(2) On or after July 1, 2016, the cost of salaries for no more than three special agents for each excursion gambling boat or gambling structure, plus any direct and indirect support

costs for the agents, for the division of criminal investigation's excursion gambling boat or gambling structure activities.

*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 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.

*c.* Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of the commission shall not be deposited in the general fund of the state but instead shall be deposited into the gaming regulatory revolving fund established in section 99F.20.

*d.* Indirect support costs under paragraph "a" shall be calculated at the same rate used in accordance with the federal office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

*e.* The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 or<sup>3</sup> 99F.20 during that previous fiscal year.

*f.* By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each excursion gambling boat and gambling structure.

*g.* The division of criminal investigation shall review the number of special agents permitted for each excursion gambling boat or gambling structure under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99D.14, subsection 2, paragraph "f". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. 51. GAMING ENFORCEMENT STUDY. The division of criminal investigation of the department of public safety and the Iowa gaming association shall jointly or separately file a report with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by December 15, 2013, detailing the activities of gaming enforcement officers and special agents working at excursion gambling boats, gambling structures, and racetrack enclosures. The report shall include the number of incidences the gaming enforcement officers handle versus private security, the number of fraud investigations and background checks performed by the special agents, and the percentage of time gaming enforcement officers and special agents work on gaming-related and nongaming-related cases. The report shall also include the time periods each excursion gambling boat, gambling structure, and racetrack enclosure are not staffed by at least one gaming enforcement officer or special agent.

#### DIVISION VII JUDICIAL COMPENSATION — STUDY

Sec. 52. JUDICIAL COMPENSATION — INTERIM STUDY COMMITTEE.

1. The legislative council is requested to authorize an interim committee to study judicial compensation during the 2013 legislative interim.

2. The committee shall be composed of the following:

<sup>3</sup> According to enrolled Act; the word "and" probably intended

- a. Three members of the senate.
- b. Three members of the house of representatives.
- c. A member appointed by the governor.
- d. A supreme court justice.
- e. A district judge.
- f. A district associate judge.
- g. A magistrate.
- h. The state court administrator.

DIVISION VIII  
MISCELLANEOUS CODE CHANGES

Sec. 53. Section 85.67, Code 2013, is amended to read as follows:

**85.67 Administration of fund — special counsel — payment of award.**

The attorney general shall appoint a staff member to represent the treasurer of state and the fund in all proceedings and matters arising under this division. The attorney general shall be reimbursed up to ~~one hundred fifty~~ two hundred fifteen thousand dollars annually from the fund for services provided related to the fund. The commissioner of insurance shall consider the reimbursement to the attorney general as an outstanding liability when making a determination of funding availability under section 85.65A, subsection 2. In making an award under this division, the workers' compensation commissioner shall specifically find the amount the injured employee shall be paid weekly, the number of weeks of compensation which shall be paid by the employer, the date upon which payments out of the fund shall begin, and, if possible, the length of time the payments shall continue.

Sec. 54. Section 654.4B, subsection 2, paragraph b, Code 2013, is amended by striking the paragraph.

*\*Sec. 55. Section 714.16C, subsection 2, Code 2013, is amended to read as follows:*

*2. For each fiscal year, not more than one million ~~one hundred twenty-five~~ eight hundred seventy-five thousand dollars is appropriated from the fund to the department of justice to be used for public education relating to consumer fraud and for enforcement of section 714.16 and federal consumer laws, and not more than ~~seventy-five~~ one hundred twenty-five thousand dollars is appropriated from the fund to the department of justice to be used for investigation, prosecution, and consumer education relating to consumer and criminal fraud committed against older Iowans.\**

Sec. 56. IOWA CORRECTIONS OFFENDER NETWORK — FUND. Notwithstanding any provision of law to the contrary, the unencumbered or unobligated balance of the Iowa corrections offender network fund at the close of the fiscal year beginning July 1, 2012, or the close of any succeeding fiscal year that would otherwise be required by law to revert to, be deposited in, or to be credited to the Iowa offender network fund shall instead be credited to the general fund of the state.

Sec. 57. REPEAL. Section 904.118, Code 2013, is repealed.

*Approved June 20, 2013, with exceptions noted.*

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 447, an Act relating to appropriations to the justice system and including effective dates.

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\* Item veto; see message at end of the Act

Senate File 447 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the designated portion of the item designated as Section 1, subsection 1, lettered paragraph b. This item unduly restricts the Department of Justice from closing facilities and transitioning to new, more effective community-based services for victims. The program must have the flexibility to provide services to victims in the most efficient and effective way possible.

I am unable to approve the designated portion of the item designated as Section 1, subsection 1, lettered paragraph b. This item creates carry-forward language which is unnecessary for the Department of Justice. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the designated portion of the item designated as Section 3, subsection 1, lettered paragraph a. This item requires the Department of Corrections to submit a report to the legislature regarding plans for the Fort Madison Correctional Facility. Although I support transparency efforts, this requirement is redundant as this report was submitted on January 15, 2013 and is already available to the legislature.

I am unable to approve the item designated as Section 4, subsection 1, lettered paragraph a. This item contains policy language pertaining to the Department of Corrections entering into a new contract in excess of \$100,000 for privatized services during fiscal year 2014 without prior notification of the legislature and employee organizations. However, this item allows the department to renew existing contracts without notification. This item would prevent the department from obtaining services for inmates in an effective and efficient manner. This notification unnecessarily impedes on the department's management authority.

I am unable to approve the designated portion of the item designated as Section 19, subsection 1, lettered paragraph b. This item creates carry-forward language which is unnecessary for the Department of Justice. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the designated portion of the item designated as Section 21, subsection 1, lettered paragraph a. This item requires the Department of Corrections to submit a report to the legislature regarding plans for the Fort Madison Correctional Facility. Although I support transparency efforts, this requirement is redundant as this report was submitted on January 15, 2013 and is already available to the legislature.

I am unable to approve the item designated as Division IV in its entirety. This item creates a task force to study the creation of a consolidated fire and police public safety training facility. Iowa is fortunate to have dedicated firefighters and police officers. These Iowans dedicate their lives to protecting the safety and welfare of Iowans. The Department of Public Safety and the Iowa Law Enforcement Academy will continue to work to improve our system. It is my administration's goal to reduce the size and cost of government by 15% and as such, I believe this issue can be reviewed without growing the size and cost of government.

I am unable to approve the item designated as Section 45 in its entirety. This item creates carry-forward language from the balance of the Cigarette Fire Safety Standard fund to the Victim Assistance Grants program. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the item designated as Section 55 in its entirety. This item permanently increases the standing limited appropriation of \$1.2 million for the Consumer Education and Litigation Fund to \$2 million. Currently, any increase over the current standing limited appropriation is reviewed by the legislature and additional funds are provided annually based on need. Before this automatic increase is made permanent, further review by the legislature needs to be conducted.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 447 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, *Governor*