



BILL & AMENDMENT SUMMARY

Justice Systems Budget FY 15 HF 2450

Status of Bill: House Floor
Committee: House Appropriations Committee (14-11)
Lead Democrats: Rep. T. Taylor
Floor Manager: Rep. Worthan
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Bill Summary

The Justice Systems Budget Bill appropriates a total of \$554 million from the general fund for FY 15, which is \$7 million more than FY 14 and \$4 million more than the Governor's proposal for FY 15. The appropriations from the other fund sources (Department of Commerce Revolving Fund and Gaming Enforcement Fund) are status quo at \$14 million. The bill also contains new policy language in Division III of the bill.

The first Division of the bill adds language to last year's bill, specifically the line item for Fort Madison under the Department of Corrections. The language states that of the total amount appropriated \$500,000 may be used to remodel the relocated John Bennett facility and for the demolition of the existing farmhouse which is adjacent to the new Fort Madison. This appropriation is available through the end of FY 15. The Department will be moving the low risk offenders to the John Bennett facility once renovated. This language is effective upon enactment.

Attorney General/Dept. of Justice – The House proposal is lower than the Governor proposal by \$572,376 and \$177,938 lower than FY 14. The Governor recommended an increase of \$175,000 to be used to hire two appellate attorneys; the House proposal does not include this increase, but keeps the operational line item at the FY 14 level. The House proposal reduces the Victim Assistance Grants by close to \$400,000, which was not a recommendation of the Governor. Legal Services receives an increase of \$219,438, which was recommended by the Governor.

Civil Rights Commission – This agency asked for a reduction of 10% that was found through efficiencies and more use of technology. Both the Governor and the House proposal reduce the appropriation to this agency by just under \$130,000 compared to FY 14.

Department of Corrections – The House proposal matches the Governor's recommendations with an overall appropriation of \$376 million which represents an increase of \$1 million compared to FY 14. There were a few one-time costs in last year's bill: \$500,000 for the renovation of a bunkhouse at Ft. Madison, and one-time costs associated with the expansion of the District 8 CBC.

In last year's bill, there was a \$2.6 million line item under Central Office for "department wide duties," and the department spread that money out to some institutions to assist with FY 14 personnel costs in order to avoid reductions in existing staff. Not all institutions were eligible for a portion of the funds: Central Office and CBC districts that received funds in FY 14 to assist with the opening of a new or expanded facility. While the Governor did not recommend this same line item for FY 15, the institutions that received a portion of that line item

had that same amount annualized into their FY 15 line item. For example; Anamosa received \$400,765 of the FY 14 line item and Anamosa's increase for FY 15 is \$400,765.

Public Defender – This office receives a status quo appropriation of \$56 million under both the Governor and the House proposal, but receives 2 additional FTEs to coincide with the Gideon Fellowship program. They asked to receive the 2 FTEs this year and will ask for funding of those FTEs next year. There is a bill regarding this program, HF 2132, and it has been sent to the Governor for his signature.

Iowa Law Enforcement Academy – This agency receives a status quo appropriation of \$1 million compared to FY 14, which is what the Governor recommended.

Board of Parole – This agency receives a status quo appropriation of \$1.2 million compared to FY 14, which is what the Governor recommended.

Department of Defense – This agency receives a status quo appropriation of \$6.5 million compared to FY 14, which is what the Governor recommended.

Department of Public Safety – The Governor recommended an increase of about \$700,000 and the House proposal is an increase of \$6 million compared to FY 14. The increase for state troopers is where the difference in funding is located: the Governor recommended an increase of \$1.1 million and the House proposal has an increase of \$5 million as well as an increase of 33 FTEs. A couple of the same increases in both the Governor's and the House's proposal are an increase of \$100,000 for the training and equipment needs of volunteer fire fighters, and \$327,000 and 2 FTEs for the DCI Crime lab to implement the expanded DNA testing that was passed last year in HF 527 which goes into effect July 1, 2014.

Like the Department of Corrections, the Department of Public Safety received a "department wide duties" line item in last year's budget totaling \$1.7 million. That money was spread out to five divisions: Administration, Criminal Investigation, Narcotics Enforcement, State Fire Marshal, and State Patrol, and like DOC, the amounts were annualized into those divisions for FY 15.

There is \$155,000 appropriation to the Public Safety Interoperable and Broadband Communications Fund, which last received funding in FY 13.

A new appropriation of \$25,000 for the review, training, information dissemination, and implementation of the endangered person advisory alert system.

Criminal Juvenile Justice Planning Division/Department of Human Rights – Both the Governor and the House proposal recommend a decrease of \$160,000, which would put the agency back to the FY 13 funding amount of \$1.1 million.

Department of Homeland Security and Emergency Management – Both the Governor and the House proposal recommend an increase of \$400,000 for the statewide mass communication system. The policy language for this communication system is found in HF 2371 and SF 2232, and both bills are in the House Appropriations Committee. According to information from the Department it will cost \$400,000 annually to operate this system, but it has the potential of saving 53 counties a total of \$637,000.

Division III – Policy Language

Sections 17 and 18 of the bill will require the Attorney General's Office to do two things regarding settlements:

Submit a report to the co-chairs and ranking members of the Justice Systems Budget Subcommittee by January 15 of every year detailing the amount of annual receipts generated by each settlement, judgment, or forfeiture collected pursuant to legal proceedings under chapters 455B (Jurisdiction of the Department of Natu-

ral Resources), chapter 537 (Consumer Credit Code), chapter 553 (Iowa Competition Law), chapter 714 (Theft, Fraud, and Related Offenses), chapter 809A (Forfeiture Reform Act). The report must include the name of the civil or criminal case, the court of jurisdiction, the settlement amount including the state's share of the settlement, the name of the fund in which the receipts were deposited, and the planned use of the moneys. Requires the AG to provide documentation to the Executive Council prior to the acceptance of any settlement under chapter 455B (Jurisdiction of the Department of Natural Resources), chapter 553 (Iowa Competition Law), and chapter 714 (Theft, Fraud, and Related Offenses), and language in section 22 states that the Executive Council must approve settlements under those chapters before the AG can accept a settlement.

Section 19 of the bill makes changes to reimbursements regarding the Victim Assistance Program. The language states that prior to payment for a contract under the Victim Assistance Program, the Department of Justice must file an itemized voucher with the Department of Administrative Services (DAS) along with the claimant's original invoice. Requires DAS to adopt rules specifying the form and contents for invoices by the claimant. Requires the invoice submitted by the claimant show the date and amount of time spent on each activity, and that time must be reported in tenths or hundredths of an hour, have individual receipts for each reimbursement, etc.

Amendment Summary

H-8168 by Rep. T. Taylor (D) - Appropriates \$2 million to the Dept. of Corrections for additional correctional officers throughout each of the facilities.

H-8192 by Rep. Isenhardt (D) - Requires \$189,200 of the total amount appropriated to the First Judicial District/CBC be used to reestablish the drug court in Black Hawk county and to fund the drug court in Dubuque County.

H-8179 by Rep. Dawson (D) - Establishes a statewide sobriety and drug monitoring pilot program under the Department of Public Health and in collaboration with the Department of Corrections, and requires counties to apply in order to participate. The program would require a person to be subject to sobriety testing twice-a-day. An approved program will begin on January 15, 2015, or upon the effective date of the rules adopted by the Dept. of Public Health, whichever is earlier. Results of the program will be submitted to the General Assembly by December 15, 2016.

H-8197 by Rep. Worthan (R) - Includes a presumption of cancer and infectious disease for accidental disability benefits in the POR System. Recommended by members of the Peace Officers' Retirement System (PORS), and supported by the PORS board, the amendment includes a presumption of cancer and infectious disease for accidental disability benefits for PORS members. This is similar to what members of the 411 system (Municipal Fire and Police Retirement System of Iowa) receive, which was passed in 2009. The amendment is prospective only (not retroactive) and is financed by an initial increase in the contribution rate of PORS members by .05 percent, subject to future modification based on the actual cost of the benefit. The members want this benefit and are willing to pay for it with their contribution rate. The PORS pension system provides retirement benefits for Department of Public Safety employees including state troopers, criminal investigators, drug enforcement officers, casino law enforcement officers, and other state peace officers. PORS also provides disability benefits to its members who do not otherwise qualify for Social Security or workers compensation benefits. (MB)

	Actual FY 13	Estimated FY 14	Gov Rec FY 15	HF 2450 FY 15	HF 2450 v FY 14
Justice, Department of					
A.G., General Office	\$ 7,792,930	\$ 7,989,905	\$ 8,164,905	\$ 7,989,905	\$ -
Victim Assistance Grants	\$ 2,876,400	\$ 6,734,400	\$ 6,734,400	\$ 6,337,024	\$ (397,376)
Legal Services Poverty Grants	\$ 1,814,831	\$ 2,180,562	\$ 2,400,000	\$ 2,400,000	\$ 219,438
Consumer Advocate*	\$ 3,136,136	\$ 3,136,136	\$ 3,136,136	\$ 3,136,136	\$ -
Total Justice, Department of	\$ 15,620,297	\$ 20,041,003	\$ 20,435,441	\$ 19,863,065	\$ (177,938)
Civil Rights Commission					
Civil Rights Commission	\$ 1,297,069	\$ 1,299,247	\$ 1,169,540	\$ 1,169,540	\$ (129,707)
Corrections, Dept. of					
Ft. Madison Institution	\$ 42,686,899	\$ 43,135,932	\$ 42,655,684	\$ 42,655,684	\$ (480,248)
Anamosa Institution	\$ 32,920,521	\$ 32,943,488	\$ 33,344,253	\$ 33,344,253	\$ 400,765
Oakdale Institution	\$ 57,950,613	\$ 58,607,768	\$ 59,132,786	\$ 59,132,786	\$ 525,018
Newton Institution	\$ 27,127,290	\$ 27,146,108	\$ 27,464,108	\$ 27,464,108	\$ 318,000
Mt. Pleasant Inst.	\$ 26,751,707	\$ 24,832,135	\$ 24,982,135	\$ 24,982,135	\$ 150,000
Rockwell City Institution	\$ 9,671,148	\$ 9,678,353	\$ 9,728,353	\$ 9,728,353	\$ 50,000
Clarinda Institution	\$ 25,241,616	\$ 25,259,319	\$ 25,717,430	\$ 25,717,430	\$ 458,111
Mitchellville Institution	\$ 16,341,725	\$ 21,617,466	\$ 21,937,970	\$ 21,937,970	\$ 320,504
Ft. Dodge Institution	\$ 29,865,232	\$ 29,883,648	\$ 29,989,648	\$ 29,989,648	\$ 106,000
Central Office	\$ 9,613,758	\$ 14,022,931	\$ 11,459,941	\$ 11,459,941	\$ (2,562,990)
Community Based Corrections					
CBC District I	\$ 12,958,763	\$ 14,099,085	\$ 14,653,677	\$ 14,653,677	\$ 554,592
CBC District II	\$ 10,870,425	\$ 10,870,425	\$ 11,098,361	\$ 11,098,361	\$ 227,936
CBC District III	\$ 6,238,455	\$ 7,105,865	\$ 7,241,257	\$ 7,241,257	\$ 135,392
CBC District IV	\$ 5,495,309	\$ 5,495,309	\$ 5,608,005	\$ 5,608,005	\$ 112,696
CBC District V	\$ 19,375,428	\$ 19,375,428	\$ 19,817,516	\$ 19,817,516	\$ 442,088
CBC District VI	\$ 14,095,408	\$ 14,638,537	\$ 14,833,623	\$ 14,833,623	\$ 195,086
CBC District VII	\$ 6,895,634	\$ 7,609,781	\$ 7,745,173	\$ 7,745,173	\$ 135,392
CBC District VIII	\$ 7,518,935	\$ 8,206,613	\$ 8,133,194	\$ 8,133,194	\$ (73,419)
Total Corrections, Dept. of	\$ 361,618,866	\$ 374,528,191	\$ 375,543,114	\$ 375,543,114	\$ 1,014,923
Inspections & Appeals, Dept. of					
Public Defender	\$ 25,862,182	\$ 25,882,243	\$ 25,882,243	\$ 25,882,243	\$ -
Indigent Defense Appropriation	\$ 29,901,929	\$ 29,901,929	\$ 29,901,929	\$ 29,901,929	\$ -
Total Inspections & Appeals, Dept. of	\$ 55,764,111	\$ 55,784,172	\$ 55,784,172	\$ 55,784,172	\$ -
Law Enforcement Academy					
Law Enforcement Academy	\$ 968,698	\$ 1,003,214	\$ 1,003,214	\$ 1,003,214	\$ -

	Actual FY 13	Estimated FY 14	Gov Rec FY 15	HF 2450 FY 15	HF 2450 v FY 14
<u>Parole, Board of</u>					
Parole Board	\$ 1,203,835	\$ 1,204,583	\$ 1,204,583	\$ 1,204,583	\$ -
<u>Human Rights, Dept. of</u>					
Criminal & Juvenile Justice	\$ 1,100,105	\$ 1,260,105	\$ 1,100,105	\$ 1,100,105	\$ (160,000)
<u>Homeland Security, Dept. of</u>					
Homeland Security & Emerm Mgmt.	\$ 1,836,877	\$ 2,229,623	\$ 2,629,623	\$ 2,629,623	\$ 400,000
<u>Public Defense, Dept. of</u>					
Public Defense, Department of	\$ 5,527,042	\$ 6,554,478	\$ 6,554,478	\$ 6,554,478	\$ -
<u>Public Safety, Department of</u>					
Public Safety Administration	\$ 4,007,075	\$ 4,154,349	\$ 4,183,349	\$ 4,183,349	\$ 29,000
Public Safety DCI	\$ 12,533,931	\$ 12,933,414	\$ 13,625,414	\$ 13,625,414	\$ 692,000
DCI - Crime Lab Equipment/Training	\$ 302,345	\$ 302,345	\$ 302,345	\$ 302,345	\$ -
Narcotics Enforcement	\$ 6,429,884	\$ 6,755,855	\$ 6,919,855	\$ 6,919,855	\$ 164,000
Public Safety Undercover Funds	\$ 109,042	\$ 109,042	\$ 109,042	\$ 109,042	\$ -
DPS Fire Marshal	\$ 4,298,707	\$ 4,470,556	\$ 4,590,556	\$ 4,590,556	\$ 120,000
Endangered Person Alert System	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000
Iowa State Patrol	\$ 53,493,490	\$ 55,536,208	\$ 56,698,208	\$ 61,645,291	\$ 6,109,083
DPS/SPOC Sick Leave Payout	\$ 279,517	\$ 279,517	\$ 279,517	\$ 279,517	\$ -
Fire Fighter Training	\$ 725,520	\$ 725,520	\$ 825,520	\$ 825,520	\$ 100,000
Department Public Wide Duties		\$ 1,700,000	\$ -	\$ -	\$ (1,700,000)
Interoperability Communications	\$ 48,000	\$ -	\$ 154,661	\$ 154,661	\$ 154,661
DPS Gaming Enforcement*	\$ 10,898,008	\$ 10,898,008	\$ 10,898,008	\$ 10,898,008	\$ -
Total Public Safety, Department of	\$ 93,125,519	\$ 97,864,814	\$ 98,586,475	\$ 103,558,558	\$ 5,693,744
Total Justice System	\$ 538,062,419	\$ 561,769,430	\$ 564,010,745	\$ 568,410,452	\$ 6,641,022
* The Consumer Advocate is funded by the Department of Commerce revolving fund, and the Gaming Enforcement Officers are funded by the gaming enforcement fund.					