

FILED MAR 25 1971

SENATE FILE 427  
By COMMITTEE ON JUDICIARY

*Failed to*  
Passed Senate, Date 4-8-71 Passed House, Date \_\_\_\_\_  
Vote: Ayes 23 Nays 23 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_  
*Motion to reconsider filed 4/8, lost 5/6*

## A BILL FOR

1 An Act relating to the establishment of area correction  
2 centers, their construction and programs, coordination  
3 of programs of area correction centers with other in-  
4 stitutions under the control of the department of social  
5 services, and providing for amendment of certain penal  
6 statutes presently provided by law.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. CONSTRUCTION AND ESTABLISHMENT OF AREA CORREC-  
2 TION CENTERS. There shall be established no more than eleven  
3 area correction centers at locations determined by the commis-  
4 sioner of social services and approved by the general assembly  
5 pursuant to legislation appropriating funds for the construc-  
6 tion of each area correction center.

7 Sec. 2. PERSONS TO BE CONFINED IN AREA CORRECTION CENTERS.

8 Any person convicted of a crime for which the penalty is im-  
9 prisonment in a county jail may be confined in an area cor-  
10 rection center established to serve the county where the crime  
11 is committed. A person sentenced to serve a jail term in  
12 a city jail may be confined in an area correction center  
13 pursuant to an agreement executed between the department of  
14 social services and a city. Any person sentenced to or  
15 confined in any institution under the control of the department  
16 of social services may be confined in an area correction  
17 center pursuant to rules and regulations promulgated by the  
18 commissioner of social services, however persons sentenced  
19 to a county jail shall be confined in area correction centers  
20 before a person sentenced to another institution under the  
21 control of the department of social services is admitted.  
22 County jails and other adequate facilities may be used for  
23 the confinement of persons awaiting trial or serving short  
24 sentences, however no person shall be confined in a county  
25 or city jail for more than seventy-two hours subsequent to  
26 arraignment if an area correction center is available, unless  
27 the judge of the court having jurisdiction over a particular  
28 person accused of committing a misdemeanor determines that  
29 a county or city jail has proper facilities or programs for  
30 confinement of the accused, or unless the judge in his  
31 discretion determines that the best interests of the accused  
32 or the prosecuting authority would better be served by  
33 confining the accused in a county or city jail.

34 Sec. 3. SERVICES AND FACILITIES TO BE PROVIDED BY AREA  
35 CORRECTION CENTERS. Area correction centers shall provide

1 services and have adequate facilities for the detention,  
2 treatment, and rehabilitation of male, female, and juvenile  
3 prisoners. An area correction center shall be constructed  
4 so that maximum use of the facility may be made for the de-  
5 tention, treatment, and rehabilitation of persons serving  
6 short terms of confinement as well as long terms. The area  
7 correction center shall make use of medical, educational and  
8 rehabilitative community services whenever possible and may  
9 contract with private and public agencies for services and  
10 housing for confined persons. The facilities shall be adequate  
11 for the purpose of providing proper programs for furloughs,  
12 work-release, and preparation for the final release of a  
13 prisoner. Area correction centers shall be constructed so  
14 as to provide maximum security, minimum security, short-term  
15 detention, and proper facilities for females, males, and  
16 juveniles.

17 Persons confined at an area correction center may be em-  
18 ployed at an occupation authorized by chapter two hundred  
19 forty-six (246) of the Code if the person was convicted of  
20 a crime for which the punishment is sentence to the peniten-  
21 tiary, and if the person was convicted of committing a mis-  
22 demeanor such person may be employed at an occupation  
23 authorized by chapter three hundred fifty-six (356) of the  
24 Code.

25 In addition, any person confined at an area correction  
26 center may be employed at any public works project for any  
27 governmental unit under proper supervision, and while en-  
28 gaged in such work the person shall be entitled to an hourly  
29 wage to be set by the director of the division of correc-  
30 tions.

31 A person confined at an area correction center may be  
32 allowed to participate in the work release program authorized  
33 by chapter two hundred forty-seven A (247A) of the Code, and  
34 in such case the provisions of chapter two hundred forty-seven  
35 A (247A) of the Code shall apply to the person confined,

1 except that the provisions of section two hundred forty-seven  
2 A point four (247A.4), requiring approval of the committee  
3 created by section two hundred forty-seven A point three  
4 (247A.3), shall not apply to a person confined at an area  
5 correction center. The approval of the superintendent of  
6 the area correction center shall be sufficient to allow a  
7 person confined in the area correction center to participate  
8 in the work release program.

9 Sec. 4. COUNTY AREAS TO BE SERVED TO BE DESIGNATED--DUTIES  
10 OF DIVISION OF CORRECTIONS. The commissioner of social  
11 services shall designate the counties to be served by each  
12 area correction center. The director of the division of  
13 corrections of the department of social services shall be  
14 primarily responsible for the administration of area correction  
15 centers.

16 Sec. 5. FINANCING OF AREA CORRECTION CENTERS.

17 1. The construction costs, remodeling, or leasing costs,  
18 and all costs of operation of area correction centers shall  
19 be paid from funds appropriated by the general assembly to  
20 the department of social services for such purpose. The  
21 department of social services may accept any private or pub-  
22 lic funds available for the construction of area correction  
23 centers.

24 2. Transportation costs for taking persons to and from  
25 area correction centers shall be the responsibility of the  
26 area correction center.

27 Sec. 6. DUTIES OF COMMISSIONER--AREA CORRECTION CENTERS.

28 The commissioner of the department of social services shall  
29 promulgate and issue rules providing for:

30 1. The transfer of persons to and from area correction  
31 centers.

32 2. The execution of agreements with political subdivi-  
33 sions, the federal government, or other states.

34 3. Presentence investigations.

35 4. The classification of persons to be confined in an

1 area correction center and the administration of separate  
2 or joint facilities for each classification.

3 5. The establishment of educational and rehabilitation  
4 programs, including but not necessarily limited to work release  
5 programs and public works programs for any governmental entity.

6 6. The employment of personnel at area correction centers.

7 7. The general administration of area correction centers  
8 and the coordination of programs with other institutions under  
9 the control of the department of social services and other  
10 state agencies and political subdivisions.

11 Sec. 7. Section two hundred eighteen point one (218.1),  
12 subsections seventeen (17) and eighteen (18), Code 1971, are  
13 amended as follows:

14 17. Area Correction Centers.

15 ~~47~~ 18. Camps.

16 ~~48~~ 19. Other facilities not attached to the campus of  
17 the main institution as program developments require.

18 Sec. 8. Section two hundred eighteen point three (218.3),  
19 subsection three (3), Code 1971, is amended as follows:

20 3. The director of the division of corrections of the  
21 department of social services shall have primary authority  
22 and responsibility relative to the following institutions:  
23 Women's Reformatory, Men's Reformatory, area correction  
24 centers, and State Penitentiary.

25 Sec. 9. Section two hundred eighteen point nine (218.9),  
26 unnumbered paragraph two (2), Code 1971, is amended as follows:

27 The director of the division of corrections of the de-  
28 partment of social services, subject to the approval of the  
29 commissioner of such department, shall appoint the wardens  
30 of the state penitentiary and the men's reformatory, the  
31 superintendents of area correction centers, and the superin-  
32 tendents of the Iowa security medical facility and of the  
33 women's reformatory.

34 Sec. 10. Section two hundred eighteen point thirty-four  
35 (218.34), Code 1971, is amended as follows:

1 218.34 STATE AGENTS. A sufficient number of persons shall  
2 be appointed as state agents for the soldiers' orphans home,  
3 the two training schools, area correction centers, the juvenile  
4 home, and the women's reformatory.

5 Sec. 11. Section two hundred eighteen point ninety-one  
6 (218.91), Code 1971, is amended as follows:

7 218.91 ~~BOYS-TRANSFERRED-FROM-TRAINING-SCHOOLS-TO-REFORMATORY~~  
8 TRANSFER OF YOUNG MEN AND WOMEN. The director of the division  
9 of child and family services with the consent and approval  
10 of the director of the division of corrections of the  
11 department of social services may order the transfer of inmates  
12 of the training school for boys to the men's reformatory or  
13 an area correction center for custodial care whenever it is  
14 determined that such action will be conducive to the welfare  
15 of the other inmates of the school. Female inmates confined  
16 in any facility under the control of the department of social  
17 services may also be transferred to an area correction center  
18 when it is in the interest of the inmate and the state. Such  
19 A transfer shall be effected by application in writing to  
20 the district court, or any judge thereof, of the county in  
21 which the said training school or facility is situated. Upon  
22 the granting of the order of transfer, the transfer shall  
23 take place. The county attorney of the said county shall  
24 appear in support of such application. The cost of the  
25 transfer shall be paid from the funds of the training school  
26 for boys or the facility. Subsequent to a transfer made under  
27 this section, the person transferred shall be subject to all  
28 the provisions of law and regulations of the institution to  
29 which he is transferred, and for the purposes of chapter 745  
30 such person shall be regarded as having been committed to  
31 the institution.

32 Transfers to an area correction center shall be made only  
33 if there exists enough space in the area correction center  
34 to provide for the confinement of persons sentenced to county  
35 or city jails and the best interests of the boy transferred

1 will be served.

2 Sec. 12. Section two hundred thirty-two point nineteen  
3 (232.19), Code 1971, is amended as follows:

4 232.19 DETENTION IN JAIL--WHEN. No child shall at any  
5 time be confined in a police station, lockup, jail, area  
6 correction center, or prison except that a child may be  
7 detained for the purpose of protective custody for a period  
8 not to exceed twelve hours or a child fourteen years of age  
9 or older may upon the order of the judge be temporarily con-  
10 fined in a room entirely separate from adults in an adult  
11 detention facility. A child may be detained in an adult  
12 detention facility upon order of the judge only if the child  
13 is alleged to be delinquent and has shown by his habits,  
14 conduct, or conditions that he constitutes a menace to him-  
15 self or society to the extent that he cannot be released or  
16 cannot be detained in a place designated in subsections 1,  
17 2, or 3, of section 232.18.

18 Sec. 13. Section two hundred forty-five point four (245.4),  
19 Code 1971, is amended as follows:

20 245.4 COMMITMENTS GENERALLY. All females over eighteen  
21 years of age, and married females under eighteen years of  
22 age, who are convicted in the district court of offenses  
23 punishable by imprisonment in excess of thirty days, shall,  
24 if imprisonment be imposed, be committed to the women's  
25 reformatory, an area correction center, or another adequate  
26 facility.

27 Sec. 14. Section two hundred forty-five point six (245.6),  
28 Code 1971, is amended as follows:

29 245.6 COMMITMENT ON APPEAL. A female over eighteen years  
30 of age, convicted on appeal from a conviction of a  
31 nonindictable offense, may, if imprisonment be imposed, be  
32 committed to the women's reformatory or an area correction  
33 center for an indeterminate period not exceeding ninety days.

34 Sec. 15. Section two hundred forty-five point seven  
35 (245.7), Code 1971, is amended as follows:

1 245.7 TERM OF COMMITMENTS. A female convicted of a felony  
2 shall not be detained in said reformatory or an area  
3 correction center under one commitment for a period longer  
4 than the maximum term of imprisonment provided by law for  
5 said felony. A female convicted of a crime less than felony  
6 shall not be detained therein longer than five years under  
7 one commitment.

8 Sec. 16. Section two hundred forty-five point eight  
9 (245.8), Code 1971, is amended as follows:

10 245.8 MANNER OF COMMITTING FEMALES. Females committed  
11 to said reformatory or an area correction center shall be  
12 taken thereto by some a woman, or by some a peace officer  
13 accompanied by some a woman, appointed by the court. If the  
14 commitment is to an area correction center, the department  
15 of social services shall be responsible for providing the  
16 transportation.

17 Sec. 17. Section two hundred forty-five point ten (245.10),  
18 Code 1971, is amended as follows:

19 245.10 TRANSFER OF INMATES--COSTS. The state director  
20 in co-operation with the commissioner of the department of  
21 social services and the directors of the other divisions of  
22 the department of social services may transfer inmates from  
23 the said reformatory to the training school for girls or an  
24 area correction center, and from such training school or an  
25 area correction center to such reformatory, whenever such  
26 course will be conducive to the welfare of the institution  
27 or of the other inmates therein, or of the inmates so  
28 transferred. The costs of such transfer shall be paid from  
29 the funds of the institution from which the transfer is made.

30 Sec. 18. Section two hundred forty-five point eleven  
31 (245.11), Code 1971, is amended as follows:

32 245.11 EFFECT OF TRANSFER. After a transfer to either  
33 an institution is made, under section 245.10, the person  
34 transferred shall be subject to all the provisions of law  
35 and regulations of the institution to which she is transferred,

1 and for the purposes of chapter 745, a person transferred  
2 from the training school for girls to the women's reformatory  
3 or an area correction center shall be regarded as having been  
4 committed thereto.

5 Sec. 19. Section two hundred forty-five point twelve  
6 (245.12), Code 1971, is amended as follows:

7 245.12 TRANSFER OF MENTALLY ILL. The said state director  
8 may cause initiate the procedures for commitment of mentally  
9 ill persons as provided in chapter 229 when any woman committed  
10 to said reformatory or an area correction center and is  
11 ~~suspected of being mentally ill to be examined by one of the~~  
12 ~~superintendents or his qualified designee of a state hospital~~  
13 ~~for the mentally ill or transferred to the Iowa security~~  
14 ~~medical facility for examination;--if the woman is found to~~  
15 ~~be mentally ill; the department may order such woman~~  
16 ~~transferred to or retained at a state hospital or the Iowa~~  
17 ~~security medical facility where she shall thereafter be~~  
18 ~~maintained and treated at the expense of the state until such~~  
19 ~~time as she regains her good mental health when she shall~~  
20 ~~be returned to said reformatory. The cost of such transfer~~  
21 ~~and return shall be paid as heretofore provided for other~~  
22 ~~transfers.~~ Time spent at a facility for treatment of mental  
23 illness shall be credited against an inmate's sentence. All  
24 costs incurred for treating the mental illness shall be borne  
25 by the state.

26 Sec. 20. Section two hundred forty-five point fifteen  
27 (245.15), Code 1971, is amended as follows:

28 245.15 ESCAPE--REWARD. Any inmate of said the reformatory  
29 or an area correction center who shall escape therefrom may  
30 be arrested and returned to said reformatory or area  
31 correction center, by an officer or employee thereof without  
32 any other authority than this chapter, and by any peace officer  
33 or other person on the request in writing of the superintendent  
34 or the state director. For the apprehension and delivery  
35 of any such inmate, the superintendent may offer a reward,

1 not to exceed fifty dollars, to be paid by the state in the  
2 same manner as provided for the payment of rewards for escaped  
3 convicts.

4 Sec. 21. Section two hundred forty-six point three (246.3),  
5 unnumbered paragraph one (1), is amended as follows:

6 The warden, deputy warden, superintendent, assistant deputy  
7 warden, chief clerk, chaplain, additional chaplain, physician,  
8 storekeeper, record clerk, and receiving officer of the  
9 penitentiary, area correction centers, and men's reformatory  
10 shall receive such salaries as shall be determined by the  
11 state director subject to the provisions of chapter 19A.

12 Sec. 22. Section two hundred forty-six point twelve  
13 (246.12), Code 1971, is amended as follows:

14 246.12 TRANSFERS FROM PENITENTIARY. The state director  
15 may transfer first term and promising prisoners from the  
16 penitentiary to unoccupied rooms in the men's reformatory  
17 or to an area correction center whenever the number of inmates  
18 in the penitentiary exceeds the number of cells therein.  
19 He may also transfer ~~to the men's reformatory~~ other prisoners  
20 when satisfied that such transfer will be to the best interest  
21 of the institutions and of the prisoners.

22 Sec. 23. Section two hundred forty-six point sixteen  
23 (246.16), Code 1971, is amended as follows:

24 246.16 TRANSFER OF MENTALLY ILL. When the said state  
25 director has cause to believe that a prisoner in the peni-  
26 tentiary, or area correction center, or reformatory is mentally  
27 ill, the department may ~~cause~~ have such prisoner to be  
28 determined to be mentally ill pursuant to chapter 299 and  
29 if found to be mentally ill to be transferred to the Iowa  
30 security medical facility or other state institution for  
31 ~~examination, diagnosis, or~~ treatment. The prisoner shall  
32 be confined at ~~such an~~ an institution ~~or a state hospital~~ for  
33 the mentally ill until the expiration of his sentence or until  
34 he is pronounced in good mental health. If the prisoner is  
35 pronounced in good mental health before the expiration of

1 his sentence, he shall be returned to the penitentiary, an  
2 area correction center, or reformatory until the expiration  
3 of his sentence.

4 Sec. 24. Section two hundred forty-six point seventeen  
5 (246.17), Code 1971, is amended as follows:

6 246.17 DISCHARGE OF MENTALLY ILL. When the state di-  
7 rector has reason to believe that a prisoner in the peni-  
8 tentiary, an area correction center, or said reformatory,  
9 whose sentence has expired, is mentally ill, ~~it~~ he shall  
10 ~~cause-examination-to-be-made-of-such-prisoner-by competent-~~  
11 ~~physicians-who~~ initiate the procedures provided in chapter  
12 229 and shall certify to the state director whether such  
13 prisoner is in good mental health or mentally ill. The state  
14 director ~~may-make-further-investigation-and-if-satisfied-that-~~  
15 ~~he-is-mentally-ill;-~~ he may cause ~~him~~ the prisoner to be  
16 transferred to one of the hospitals for the mentally ill,  
17 or may order him to be confined in the Iowa security medical  
18 facility.

19 Sec. 25. Section two hundred forty-six point thirty-four  
20 (246.34), Code 1971, is amended as follows:

21 246.34 ESCAPE OF PRISONER. If a convict escapes from  
22 the penitentiary, an area correction center, or the men's  
23 reformatory, the warden or superintendent shall take all  
24 proper measures for his apprehension; and for that purpose  
25 he may offer a reward, not exceeding fifty dollars, to be  
26 paid by the state, for the apprehension and delivery of such  
27 convict.

28 Sec. 26. Section two hundred forty-six point thirty-eight  
29 (246.38), Code 1971, is amended as follows:

30 246.38 TIME TO BE SERVED--CREDIT. No convict person shall  
31 be discharged from the penitentiary, an area correction center,  
32 or the men's reformatory until he has served the full term  
33 for which he was sentenced, less good time earned and not  
34 forfeited, unless he be pardoned or otherwise legally released.  
35 He shall be deemed to be serving his sentence from the day

1 on which he is received into the institution, but not while  
2 in solitary confinement for violation of the rules of the  
3 institution; provided, however, if a convict person had been  
4 confined to a county jail, an area correction center, or other  
5 correctional or mental institution at any time prior to  
6 sentencing, or after sentencing but prior to his case having  
7 been decided on appeal, because of failure to furnish bail  
8 or because of being charged with a nonbailable offense, he  
9 shall be given credit for such days already served ~~in-jail~~  
10 upon the term of his sentence. The clerk of the district  
11 court of the county from which the convict person was  
12 sentenced, shall certify to the warden the number of days  
13 so served.

14 Sec. 27. Section two hundred forty-six point thirty-nine  
15 (246.39), Code 1971, is amended as follows:

16 246.39 REDUCTION OF SENTENCE. Each prisoner who shall  
17 have no infraction of the rules of discipline of the peni-  
18 tentiary, an area correction center, or the men's or women's  
19 reformatory or laws of the state, recorded against him, and  
20 who performs in a faithful manner the duties assigned to him,  
21 shall be entitled to a reduction of sentence as follows, and  
22 if the sentence be for less than a year, then the pro rata  
23 part thereof:

- 24 1. On the first year, one month.
- 25 2. On the second year, two months.
- 26 3. On the third year, three months.
- 27 4. On the fourth year, four months.
- 28 5. On the fifth year, five months.
- 29 6. On each year subsequent to the fifth year, six months.

30 Sec. 28. Section two hundred forty-six point forty-three  
31 (246.43), Code 1971, is amended as follows:

32 246.43 SPECIAL REDUCTION. Any prisoner ~~in-either-of said-~~  
33 ~~institutions~~ who may be employed in any service outside the  
34 walls of the an institution under the control of the  
35 department of social services, or who may be listed as a

1 trusty, may, with the approval of the state director, be  
2 granted a special reduction of sentence, in addition to the  
3 reduction heretofore authorized, at the rate of ten days for  
4 each month so served.

5 Sec. 29. Section three hundred fifty-six point one (356.1),  
6 Code 1971, is amended as follows:

7 356.1 HOW USED. The jails in the several counties in  
8 the state shall be in charge of the respective sheriffs and  
9 used as prisons:

10 1. For the detention of persons charged with an offense  
11 and committed for trial or examination except as otherwise  
12 provided in section 2 of this Act.

13 2. For the detention of persons who may be committed to  
14 secure their attendance as witnesses on the trial of a criminal  
15 cause except as otherwise provided in section 2 of this Act.

16 3. For the confinement of persons under sentence, upon  
17 conviction for any offense, and of all other persons committed  
18 for any cause authorized by law except as otherwise provided  
19 in section 2 of this Act.

20 The provisions of this section extend to persons detained  
21 or committed by authority of the courts of the United States  
22 as well as of this state.

23 Sec. 30. Section three hundred fifty-six point two (356.2),  
24 Code 1971, is amended as follows:

25 356.2 DUTY. The sheriff shall have charge and custody  
26 of the prisoners in the jail or other prisons of his county,  
27 and shall receive those lawfully committed, and keep them  
28 until discharged by law except as otherwise provided by section  
29 2 of this Act.

30 Sec. 31. Section six hundred two point twenty-eight  
31 (602.28), Code 1971, is amended as follows:

32 602.28 CRIMINAL ACTIONS--HOW TRIED. All criminal actions  
33 for the violation of city ordinances shall be tried summarily  
34 and without a jury. All other criminal actions shall, except  
35 as otherwise provided in this chapter, be triable in the same

1 manner as criminal actions in justice of the peace or other  
2 courts having jurisdiction thereof. Prisoners may be com-  
3 mitted to either the city or county jail or an area correction  
4 center as provided in section 2 of this Act. The judges shall  
5 have the same powers of parole and suspension of sentences  
6 as are possessed by the judges of the district court.

7 Misdemeanor cases in which the punishment exceeds a fine  
8 of one hundred dollars or exceeds imprisonment for thirty  
9 days shall be tried in the same manner as like cases in the  
10 district court.

11 Sec. 32. Section six hundred three point thirteen (603.13),  
12 Code 1971, is amended as follows:

13 603.13 COMMITMENTS. Parties may be committed to the city  
14 prison for confinement or punishment instead of the county  
15 jail or an area correction center, at the ~~option~~ discretion  
16 of the judge.

17 Sec. 33. Section seven hundred forty-five point one  
18 (745.1), Code 1971, is amended as follows:

19 745.1 PRISON BREACH--ESCAPE--PUNISHMENT. If any person  
20 committed to the penitentiary or to the men's or women's  
21 reformatory shall break such prison and escape therefrom or  
22 shall escape from or leave without due authority any build-  
23 ing, camp, area correction center, farm, garden, city, town,  
24 road, street, or any place whatsoever in which he is placed  
25 or to which he is directed to go or in which he is allowed  
26 to be by the warden or any officer or employee of the prison  
27 whether inside or outside of the prison walls, he shall be  
28 deemed guilty of an escape from said penitentiary, ~~or~~  
29 reformatory or an area correction center and shall be punished  
30 by imprisonment in said penitentiary or reformatory for a  
31 term not to exceed five years, to commence from and after  
32 the expiration of the term of his previous sentence.

33 EXPLANATION

34 This bill provides for the establishment of not more than  
35 eleven area correction centers within the state at locations

1 determined by the commissioner of social services and approved  
2 by the general assembly. It anticipates that the actual  
3 approval by the general assembly will be in the appropriation  
4 bill providing construction funds for the establishment of  
5 each area correction center. No appropriation section is  
6 provided in this bill. All costs of maintenance of the centers  
7 will be borne by the state.

8 Persons confined in the correction centers would be persons  
9 detained in a county or city jail, if a regional correction  
10 center is established for that particular area. Any person  
11 who would normally serve more than 72 hours in a county or  
12 city jail would be transferred to a correction center and  
13 other persons could be transferred to a correction center,  
14 although persons serving short sentences or being held a short  
15 time prior to trial might be maintained in a local jail.  
16 If a local jail provides adequate facilities as the court  
17 so orders, a person could be confined in such facilities for  
18 more than 72 hours.

19 Persons confined in other institutions under the control  
20 of the department of social services (penitentiary, men's  
21 reformatory, women's reformatory, and juvenile detention  
22 facilities) could be transferred to a correction center if  
23 their best interests would be served by such transfer.

24 It is anticipated that educational and rehabilitation  
25 services would be available within each regional correction  
26 center or through use of other services and facilities pro-  
27 vided by the department of social services. Provisions for  
28 transfer of inmates within institutions under the control  
29 of the department of social services are provided.

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1 Amend Senate File 427, page 2, line 2, by striking the  
2 word "eleven" and inserting in lieu thereof the word "three".

Filed - *Last 4/7*  
March 30, 1971

By POTGETER

1 Amend Senate File 427, page 2, line 2, by striking the  
2 word "eleven" and inserting in lieu thereof the word "five".

Filed - *Last 4/7*  
April 5, 1971

By SMITH

1 Amend Senate File 427 as follows:  
2 Page 4, by striking all of lines 17 through 26 and inserting:  
3 #1. The construction costs of regional correction centers  
4 shall be paid from funds appropriated by the general assembly  
5 to the department of social services for such purpose. The  
6 department of social services may accept any private or pub-  
7 lic funds available for the construction of regional correc-  
8 tion centers.  
9 2. The commissioner of social services and the director  
10 of the division of corrections shall establish monetary rates  
11 to be charged to political subdivisions and the state for  
12 the detention of persons at a regional correction center.  
13 The rates shall not exceed the average per diem cost for  
14 operating the regional correction centers. The commissioner  
15 of social services and the director of the division of  
16 corrections shall establish billing procedures and an adequate  
17 accounting system for the purpose of determining charges to  
18 be made for the confinement of persons at a regional correction  
19 center and making timely billings to the proper level of  
20 government. In establishing the billing procedures and  
21 accounting system the commissioner of social services and  
22 director of the division of corrections shall consult with  
23 the auditor of state.  
24 3. Transportation costs for taking persons to and from  
25 regional correction centers shall be the responsibility of  
Page 2  
1 the governmental unit responsible for the person being con-  
2 fined".

*Div. 1*

*Div. 2*

Filed - *Div. 1 adopted 4/7*  
April 6, 1971

By SMITH

1 Amend Senate File 427, page 2, line 29, by striking  
2 the second word "or" and inserting in lieu thereof  
3 the word "and".

Filed - *Adopted 4/8*  
April 7, 1971

By DeKOSTER

Senate 4  
April 8, 1971

SENATE FILE 427

1 Amend Senate File 427, page 4, line 26, by adding  
2 thereafter the following new subsection:  
3 "3. Charges made to the various counties shall be  
4 levied as part of and paid out of the court fund estab-  
5 lished by section four hundred forty-four point ten  
6 (444.10), of the Code. Initially the county shall issue  
7 anticipatory warrants to pay such charges, if payment of  
8 such charges was not included in the county budget. Pay-  
9 ment for such anticipatory warrants shall be part of the  
10 next levy only, pursuant to this subsection."

Filed - *adopted 4/8*  
April 7, 1971

By GAUDINEER

SENATE FILE 427

1 Amend Senate File 427, page 4, before line 27, by  
2 inserting the following new subsection:  
3 "4. Leasing of suitable existing facilities shall be  
4 specifically authorized and the cost of such leasing  
5 shall be considered in determining the rates to be charged  
6 under subsection 2 of this section."

Filed - *Adopted 4/8*  
April 7, 1971

By DeKOSTER

SENATE FILE 427

1 Amend Senate File 427 as follows:  
2 1. Page 2, by striking from line 3 the words "at  
3 locations determined by the commis-".  
4 2. Page 2, by striking lines 4 through 6, inclusive,  
5 and inserting in lieu thereof the following:  
6 "the first three to be located in the counties of  
7 Carroll, Linn, and Polk. The remaining eight area cor-  
8 rection centers shall be constructed at locations de-  
9 termined by the commissioner of social services subject  
10 to the approval of the Sixty-fifth General Assembly  
11 pursuant to legislation appropriating funds for such  
12 area correction centers. However, the area correction  
13 centers to be located in the counties of Carroll, Linn,  
14 and Polk shall not be authorized until the general  
15 assembly appropriates funds for their construction."

Filed - *adopted 4/8, Reconsidered*  
April 7, 1971 *and lost 4/8*

By LAMBORN

1 Amend Senate File 427 ay adding thereto the following  
 2 new section:  
 3 "Sec. \_\_\_\_ . There is appropriated from the general  
 4 fund of the state to the department of social services  
 5 for the construction, salaries, support, and maintenance  
 6 of area correction centers to be constructed in Dubuque,  
 7 Polk, and Pottawattmie counties, the sums herein desig-  
 8 nated, or so much thereof as may be necessary:  
 9 1. CAPITAL EXPENDITURES-FISCAL BIENNIUM 1971-73  
 10 Dubuque County.....\$174,000.00  
 11 Polk County.....\$730,000.00  
 12 Pottawattmie County.....\$219,000.00  
 13 2. OPERATIONAL COSTS-FISCAL YEAR 1972-73  
 14 For salaries, support, and maintenance:  
 15 Dubuque area correction center...\$174,000.00  
 16 Polk area correction center.....\$730,000.00  
 17 Pottawattmie area correction  
 18 center.....\$219,000.00  
 19 Total capital appropriations.....\$3,170,000.00  
 20 Total operational appropriations.....\$1,123,000.00  
 21 Total appropriations.....\$4,293,000.00"

Filed, Amended and Lost By BASS and HILL  
 April 8, 1971

1 Amend the Bass-Hill amendment filed April 8, 1971 to Senate File  
 2 427 by striking lines 10 through 12 and inserting in lieu thereof  
 3 the following:  
 4 Pottawattmie County.....\$ 663,000.00  
 5 Polk County.....2,027,000.00  
 6 Dubuque County.....480,000.00

Filed and Adopted By BASS and HILL  
 April 8, 1971

1 Amend Senate File 427, page 3, line 13, by striking the  
 2 word "shall" and inserting in lieu thereof the word  
 3 "may".

Filed and Adopted By ARBUCKLE and BASS  
 April 8, 1971