

MAY 23 1976

HOUSE FILE 1539

APPROPRIATIONS CALENDAR, *Page 3/23*

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 3-26-76 (1450) Passed Senate, Date 5-18-76 (2055)

Vote: Ayes 84 Nays 0 Vote: Ayes 30 Nays 11

Approved 6/18/76

*Motion to reconsider (2055) Lost 5/19 (2092)*

## A BILL FOR

1 An Act to appropriate funds for the purpose of providing a  
2 program to alleviate overcrowded conditions existing and  
3 anticipated in state correctional facilities.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

### *Conference Committee Appointed*

6 *Representatives Cressel, Higgins, Husel, Newbold, Sen Herder 5/25 (3124)*  
7 *Senators Priebe, Schuba, Kinley, Lambers, Schwengel 5/25 (2236)*

### *Second Conference Committee*

10 *Representatives - Same as 1st 5/27 (3262)*  
11 *Senators - Same as 1st 5/27 (2341)*

### *Passed per Conference Committee Report*

14 *House - 5-26-76 (3173) Senate rejected*  
15 *57-35*

### *Passed per Third Conference Committee Report*

17 *House 5-27-76 (3271) Senate 5-28-76 (p. 2439)*  
18 *81-11 37-13*

19 *Motion to reconsider 5/27 (3281)*  
20 *" withdrawn 5/28 (3303)*

1 Section 1. There is appropriated from the general fund  
2 of the state to the department of social services the following  
3 amounts, or so much thereof as is necessary, to be used in  
4 the manner designated:

5 1. For additional personnel for the state  
6 reformatory at Anamosa ..... \$115,700

7 2. For additional personnel for the state  
8 penitentiary at Fort Madison ..... 550,000

9 3. For the riverview release center at  
10 Newton to provide funds for operating  
11 costs associated with assisting, establishing,  
12 and administering community based corrections ... 50,000

13 4. For the riverview release center to  
14 provide funds to bring the center up to  
15 maximum capacity ..... 125,000

16 5. For administration of the community  
17 based corrections program and centers ..... 838,542

18 6. For remodeling and conversion of  
19 physical facilities to provide adequate  
20 community based corrections centers ..... 150,000

21 7. For capital improvements for conversion  
22 of a minimum security dormitory and intake  
23 building at the state penitentiary at Fort  
24 Madison including fifty thousand (50,000)  
25 dollars to convert and improve the dormitory  
26 at farm 3 ..... 300,000

27 8. For the construction of an additional  
28 wing at Oakdale in order to establish a  
29 corrections program for male and female  
30 offenders ..... 500,000

31 9. For increased administration and  
32 operations cost at Oakdale ..... 175,000

33 10. For salaries, support, maintenance,  
34 and miscellaneous parole and probation  
35 purposes ..... 400,000

1 11. For replacement of federal funds for  
2 community based correction programs ..... 1,800,000

3 Sec. 2. There is appropriated from the general fund of  
4 the state to the Iowa drug abuse authority for the fiscal  
5 year beginning July 1, 1976 and ending June 30, 1977 the sum  
6 of two hundred ten thousand (210,000) dollars, or so much  
7 thereof as is necessary to be used for treatment of heroin  
8 addicts who are court referrals.

9 Sec. 3.

10 1. Unencumbered or unobligated funds appropriated pursuant  
11 to subsections one (1), two (2), three (3), four (4), nine  
12 (9), ten (10), and eleven (11) of section one (1) of this  
13 Act remaining on June 30, 1976 shall revert to the general  
14 fund on September 30, 1976.

15 2. Unencumbered or unobligated funds appropriated by  
16 subsections six (6), seven (7), and eight (8) of section one  
17 (1) of this Act remaining on June 30, 1978 shall revert to  
18 the general fund of the state on September 30, 1978.

19 EXPLANATION

20 This bill provides funds for the purpose of alleviating  
21 the overcrowded conditions presently existing and anticipated  
22 in state correctional institutions.

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S-5536 To House File 1539

1 Amend House File as amended and passed by the House  
 2 by striking all after the enacting clause and inserting  
 3 in lieu thereof the following:

4 "Section 1. There is appropriated from the general  
 5 fund of the state to the department of social services,  
 6 division of adult corrections, the following amounts,  
 7 or so much thereof as is necessary, to be used in  
 8 the manner designated:

9 1. To establish or contract for the  
 10 establishment of not less than ten  
 11 residential halfway houses ..... \$911,250

12 Within six months of the establishment of any  
 13 residential halfway house, the division of adult  
 14 corrections shall, if at all practicable, contract  
 15 with the community-based correctional program as  
 16 defined in section two hundred seventeen point twenty-  
 17 four (217.24) of the Code, in the judicial district  
 18 where established for the control and operation of  
 19 that residential facility.

20 2. For additional operating costs for the  
 21 halfway houses established by subsection one  
 22 (1) of this section ..... 77,292

23 3. For additional staff and remodeling of  
 24 the Riverview release center in order to  
 25 develop it to full capacity ..... 158,000

26 4. For conversion of a minimum security  
 27 dormitory and intake building at the state  
 28 penitentiary at Fort Madison including fifty  
 29 thousand (50,000) dollars to convert and  
 30 improve the dormitory at farm 3 ..... 300,000

31 5. For the purchase, maintenance, and  
 32 conversion of the facilities at Denison,  
 33 Iowa to a medium security institution ..... 2,910,000

34 6. For additional probation, parole,  
 35 and clerical staff ..... 400,000

36 7. For additional personnel for the  
 37 state penitentiary at Fort Madison ..... 626,500

38 8. For additional personnel for the  
 39 state reformatory at Anamosa ..... 115,700

40 9. For replacement of federal funds for  
 41 community-based correction programs ..... 1,800,000

42 Sec. 2. There is appropriated from the general  
 43 fund of the state to the Iowa drug abuse authority  
 44 the sum of two hundred ten thousand (210,000) dollars,  
 45 or so much thereof as is necessary, for the fiscal  
 46 year beginning July 1, 1976 and ending June 30, 1977  
 47 to be used to provide aid for the alternatives in  
 48 drug abuse prevention and treatment program.

49 Sec. 3. Unobligated or unencumbered funds remaining  
 50 on June 30, 1980 from the funds appropriated by section

1 one (1) of this Act for capital improvements and used  
2 for such purposes shall revert to the general fund  
3 of the state on September 30, 1980. Unobligated or  
4 unencumbered funds remaining on June 30, 1977 from  
5 funds appropriated by section one (1) of this Act  
6 for staff services, or purposes other than capital  
7 improvements, shall revert to the general fund on  
8 September 30, 1977.

9 Sec. 4. All federal grants to and the federal  
10 receipts of the agencies appropriated funds under  
11 this Act are appropriated for the purposes set forth  
12 in such federal grants or receipts.

13 Sec. 5.

14 1. It is the intent of the general assembly to  
15 seek an analysis of the state's total adult corrections  
16 system, independent of advice thus far received, from  
17 qualified persons chosen by the judicial, executive  
18 and legislative branches of state government, and  
19 to consider this analysis before deciding upon a long-  
20 term program to update the state's prisons and make  
21 their capacity adequate for the actual needs of the  
22 state.

23 2. To carry out the intent expressed in subsection  
24 one (1) of this section, there is created as a  
25 temporary body the advisory commission on corrections  
26 relief composed of six persons, none of whom shall  
27 be members of or candidates for election to the general  
28 assembly during their tenure on the commission, two  
29 of whom shall be appointed by the chief justice of  
30 the Iowa supreme court, two by the governor and two  
31 by the legislative council. The members of the  
32 commission who are not state employees shall be  
33 entitled to receive forty dollars per diem for each  
34 day devoted to their duties as commission members.  
35 All members shall receive reimbursement for expenses  
36 actually and necessarily incurred in discharge of  
37 these duties. Staff assistance shall be provided  
38 to the commission by the legislative service bureau.

39 3. The commission shall make such interim progress  
40 reports as the legislative council may request, and  
41 shall submit a final report not later than March 1,  
42 1977. The final report shall include, but need not  
43 be limited to, information concerning:

44 a. Whether present major correctional facilities  
45 in the state are sufficient to contain and treat  
46 current and foreseeable populations of adult male  
47 and female offenders.

48 b. Whether present community corrections facilities  
49 are sufficient for female offenders.

50 c. The need for one or more new medium security

S-5536  
PAGE 3

1 institutions in this state, in the form of either  
2 new construction or of modification of one or more  
3 existing state facilities.  
4 d. The alternatives to construction as contemplated  
5 by paragraph b of this subsection.  
6 e. The economic and other impacts of construction  
7 of new facilities or modification of existing ones  
8 on community corrections facilities and the philosophy  
9 of community placement in this state.  
10 f. The appropriate actions for the legislative  
11 and executive branches of Iowa government in resolving  
12 the conflicting demands and proposals for relief of  
13 Iowa's corrections problems.

14 4. There is appropriated from the general fund  
15 of the state to the legislative service bureau for  
16 the fiscal period beginning July 1, 1976, to be used  
17 for the per diem and expenses of members of the  
18 advisory commission on corrections relief and for  
19 other expenses incidental for the study, the sum of  
20 ten thousand (10,000) dollars or so much thereof as  
21 may be necessary. The legislative service bureau  
22 may expend other funds available to it to carry out  
23 this Act. The commission is abolished July 1, 1977.

24 Sec. 5. This Act, being deemed of immediate  
25 importance, shall take effect and be in force from  
26 and after its publication in \_\_\_\_\_,  
27 a newspaper published in \_\_\_\_\_, Iowa, and in the  
28 \_\_\_\_\_, a newspaper published in \_\_\_\_\_,  
29 Iowa."

S-5536 FILED. *Adopted as amended*  
APRIL 20, 1976 *5/18 (2054)*

BY COMMITTEE ON APPROPRIATIONS  
WILLIAM D. PALMER, CHAIRPERSON

S-5566

- 1 Amend the Committee on Appropriations amendment,
- 2 S-5536, to House File 1539, as amended and passed by
- 3 the House as follows:
- 4 1. Page 1, line 10, by striking the word "less"
- 5 and inserting in lieu thereof the word "more".
- 6 2. Page 1, line 14, by striking the words ", if
- 7 at all practicable,".

S-5566 FILED - *Out of order with adoption*  
APRIL 22, 1976 *of 5820 5/18*

BY JOHN S. MURRAY

S-5595

- 1 Amend the Committee on Appropriations amendment
- 2 S-5536 to House File 1539 as amended and passed by
- 3 the House as follows:
- 4 1. Page 1, by striking lines 31 through 33 and
- 5 inserting in lieu thereof the following:
- 6 "5. For conversion of a portion of the mental
- 7 health institute at Mount Pleasant to a medium
- 8 security correctional institution ....\$1,000,000".

S-5595 FILED - *Lost 4-36 (p. 1507)*  
APRIL 28, 1976

BY EUGENE HILL

HOUSE FILE 1539

S-5600

1 Amend the Committee on Appropriations amendment  
2 S-5536 to House File 1539 as follows:  
3 1. Page 1, by striking lines 4 through 41 and  
4 inserting in lieu thereof the following:  
5 "Section 1. There is appropriated from the gen-  
6 eral fund of the state to the department of social  
7 services, division of adult corrections, the following  
8 amounts, or so much thereof as is necessary, to be  
9 used in the manner designated:  
10 1. For replacement of federal funds  
11 for community-based correction programs,  
12 the establishment of residential half-  
13 way houses and pre-institutional residential  
14 facilities and for operating costs of such  
15 halfway houses and pre-institutional residential  
16 facilities.....\$2,550,000.  
17 2. For additional staff and remodeling  
18 of the Riverview release center in order  
19 to develop it to full capacity..... 158,000  
20 3. To convert and improve the dormitory  
21 at farm 3..... 50,000  
22 4. For construction and operation of  
23 a medium security facility or acquisition  
24 of a facility to be used or converted into  
25 a medium security facility, located in an  
26 area determined by the department which will  
27 provide access to a merged area school offering  
28 appropriate vocational education courses  
29 designed to provide educational opportunities  
30 to inmates to develop a vocation..... 3,500,000  
31 The department of social services shall  
32 have authority to convert any institution now  
33 under its control to a medium security institution.  
34 5. For additional probation, parole,  
35 and clerical staff..... 400,000  
36 6. For additional personnel for the  
37 state penitentiary at Fort Madison and state  
38 reformatory at Anamosa..... 742,200".  
39 2. By renumbering the remaining sections in the  
40 amendment.

S-5600 FILED & LOST (1506) Vol 20-25  
APRIL 28, 1976

BY WILLIAM D. PALMER  
CLIFTON C. LAMBORN

S-5540

- 1 Amend the Committee on Appropriations amendment,
- 2 S-5536, to House File 1539 as follows:
- 3 1. Page 1, line 1, by inserting after the
- 4 word "File" the figure "1539".
- 5 2. Page 3, line 24, by striking the figure "5"
- 6 and inserting in lieu thereof the figure "6".

S-5540 FILED - *Adopted 4/28 (1504)*  
APRIL 20, 1976

BY WILLIAM E. GLUBA

S-5554

- 1 Amend the Committee on Appropriations amendment
- 2 S-5536 to House File 1539 as amended and passed by
- 3 the House, page 1, by striking lines 31, 32 and 33.

S-5554 FILED - *Out of order with adoption of 5820 5/18*  
APRIL 21, 1976

BY WILLIAM E. GLUBA

S-5555

- 1 Amend the Committee on Appropriations amendment
- 2 S-5536 to House File 1539 as amended and passed by
- 3 the House, page 3, by striking lines 24 through 29
- 4 and inserting in lieu thereof the following:
- 5 "Sec. 5. This Act, being deemed of immediate im-
- 6 portance, shall take effect and be in force from and
- 7 after its publication in The Bancroft Register, a
- 8 newspaper published in Bancroft, Iowa, and in the
- 9 Quad-City Times, a newspaper published in Davenport,
- 10 Iowa."

S-5555 FILED - *Last 5/18 (2053)*  
APRIL 21, 1976

BY WILLIAM E. GLUBA  
BERL E. PRIEBE

S-5556

- 1 Amend the Committee on Appropriations amendment
- 2 S-5536, to House File 1539 as amended and passed by
- 3 the House as follows:
- 4 1. Page 2, line 31, by inserting after the
- 5 word "council." the words "These appointments shall
- 6 be made within thirty days after the effective date
- 7 of this Act."

S-5556 FILED - *Adopted 5/18 (2051)*  
APRIL 21, 1976

BY WILLIAM E. GLUBA

S-5601

- 1 Amend the Committee on Appropriations amend-
- 2 ment, S-5536 to House File 1539 as follows:
- 3 1. Page 1, by striking lines 36 through 39 and
- 4 inserting in lieu thereof the following:
- 5 "\_\_\_\_. For upgrading and additional personnel for
- 6 the state penitentiary at Fort Madison and state
- 7 reformatory at Anamosa..... 742,200".
- 8 2. By renumbering the remaining subsections.

S-5601 FILED - *Out of order with adoption*  
APRIL 28, 1976 *of 5820 5/18*

BY MINNETTE DODERER

S-5602

- 1 Amend the Committee on Appropriations amendment,
- 2 S-5536, to House File 1539, as follows:
- 3 1. Page 1, by inserting after line 41 the
- 4 following:
- 5 "Sec. \_\_\_\_\_. None of the state's regional mental
- 6 health facilities shall be converted to a medium
- 7 security correctional facility within three years after
- 8 the date on which this Act becomes effective."
- 9 2. Renumber the sections as necessary.

S-5602 FILED - *Withdrawn 5/18 (2045)*  
APRIL 28, 1976

BY FORREST SCHWENGELS  
LOWELL JUNKINS  
CHARLES MILLER

S-5604

- 1 Amend the Committee on Appropriations amendment,
- 2 S-5536, to House File 1539, as follows:
- 3 1. Page 1, by striking lines 31 through 33.
- 4 2. Page 1, by inserting after line 41 the fol-
- 5 lowing:
- 6 " \_\_\_\_\_. For hiring professional corrections con-
- 7 sultants to evaluate the state's correctional
- 8 needs.....\$100,000
- 9 The evaluation established by this subsection shall
- 10 include, but shall not be limited to, a study of the
- 11 achievement of correctional objectives and physical
- 12 facilities of the state's existing correctional faci-
- 13 lities, and recommendations concerning the upgrading
- 14 and improvement of same. This evaluation shall be
- 15 completed and submitted to the legislative council
- 16 no later than January 1, 1977."
- 17 3. Renumber the subsections as necessary.

S-5604 FILED - *Out of order with adoption*  
APRIL 28, 1976 *of 5820 5/18*

BY E. KEVIN KELLY

HOUSE FILE 1539

S-5607

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:

3 1. Page 2, by striking lines 13 through 38  
4 and inserting in lieu thereof the following:

5 "Sec. 5.

6 1. It is the intent of the general assembly  
7 to seek analysis of the state's total adult corrections  
8 system from qualified persons and to consider this  
9 analysis before deciding upon a long-term program to  
10 update the state's adult penal corrections system to  
11 meet the actual needs of the state with special emphasis  
12 placed upon the future capacity of the state's prisons.

13 2. To carry out the intent expressed in sub-  
14 section one (1) of this section, there is created  
15 as a temporary body an advisory commission on correc-  
16 tions relief composed of five members, none of whom  
17 shall be members of, or candidates for election to  
18 the general assembly during their tenure in the  
19 commission. No more than half of the members plus  
20 one shall be of the same political party. The  
21 members of the commission shall be appointed by the  
22 governor from the qualified electors of this state  
23 who are knowledgable by either experience or occupa-  
24 tion in the field of adult penal corrections. The  
25 members of the commission who are not state employees  
26 shall be entitled to receive forty dollars per diem  
27 for each day devoted to their duties as commission  
28 members. All members shall receive reimbursement for  
29 expenses actually and necessarily incurred in dis-  
30 charge of these duties. Staff assistance shall be  
31 provided to the commission by the legislative service  
32 bureau."

S-5607 FILED - *Lost 5/18 (2049)*  
APRIL 28, 1976

BY JAMES M. REDMOND

S-5608

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:

3 1. Page 1, by inserting after line 41 the  
4 following:

5 " . For the construction of an additional  
6 wing at the Iowa security medical facility in order  
7 to establish a correction program for male and female  
8 offenders and for administrative support and staffing  
9 thereof.....1,011,839.88"

10 2. Renumber the subsections as necessary.

S-5608 FILED - *Lost 5/18 (2046)*  
APRIL 28, 1976

BY MINNETTE F. DODERER  
WILLIAM E. GLUBA

S-5609

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:  
3 1. Page 1, by inserting after line 33 the  
4 following:  
5 "The medium security institution authorized by  
6 this subsection shall not exceed a residential cap-  
7 acity of two hundred inmates."

S-5609 FILED - *Out of order with adoption*  
APRIL 28, 1976 *of 5820 5/18*

BY WILLIAM E. GLUBA  
LOUIS P. CULVER

S-5611

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:  
3 1. Page 1, by inserting after line 3 the  
4 following:  
5 "Sec. \_\_\_\_ . None of the state's regional mental  
6 health facilities shall be converted to a medium  
7 security correctional facility within two years after  
8 the date on which this Act becomes effective."  
9 2. Renumber the sections as necessary.

S-5611 FILED - *Withdrawn 5/18 (2045)*  
APRIL 28, 1976

BY FORREST SCHWENGELS  
LOWELL JUNKINS  
CHARLES MILLER

S-5612

1 Amend the Committee on Appropriations amendment,  
2 S-5536 to House File 1539, as amended and passed  
3 by the House, as follows:  
4 1. Page 1, by striking lines 31 through 33 and  
5 inserting in lieu thereof the following:  
6 "5. For the conversion and construction  
7 of facilities on the grounds of the Training  
8 School for Girls at Mitchellville, Iowa, to  
9 a medium security institution and for the  
10 maintenance and operation of such facili-  
11 ties..... 3,500,000  
12 The department of social services shall have  
13 authority to convert the institution at Mitchellville  
14 to a medium security facility."

S-5612 FILED - *Out of order with adoption*  
APRIL 28, 1976 *of 5820 5/18*

BY ROBERT CARR  
GEORGE R. KINLEY  
WILLIAM D. PALMER  
CLIFTON C. LAMBORN

S-5614

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:  
3 1. Page 1, line 11, by inserting after the  
4 word "houses" the words "and pre-institutional re-  
5 sidential facilities".  
6 2. Page 1, line 13, by inserting after the  
7 word "house" the words "or pre-institutional re-  
8 sidential facility".

S-5614 FILED - *Out of order with adoption*  
APRIL 28, 1976 *of 5820 5/18*

BY BERL E. PRIEBE  
WILLIAM E. GLUBA

S-5615

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as follows:  
3 1. Page 2, line 28, by striking the word "two" A  
4 and inserting in lieu thereof the word "one".  
5 2. Page 2, line 30, by inserting after the word  
6 "court," the words "one by the attorney general,"  
7 3. Page 2, line 49, by inserting after the word B  
8 "for" the words "male or".

S-5615 FILED *A-Not, B-Adopted 5/18 (2050)*  
APRIL 28, 1976

BY RICHARD R. RAMSEY  
FPRREST V. SCHWENGELS  
DALE L. TIEDEN  
ELIZABETH R. MILLER

HOUSE FILE 1539

S-5620

1 Amend the Committee on Appropriation's amend-  
2 ment, S-5536, to House File 1539 as follows:  
3 1. Page 1, by striking lines 31 through 33. A  
4 2. Page 2, by inserting after line 38 the following: B  
5 "To further carry out the intent expressed in  
6 subsection one (1) of this section, the advisory com-  
7 mission shall hire professional corrections consultants  
8 to evaluate the state's correctional needs. For that  
9 purpose there is appropriated from the general fund of  
10 the state to the advisory commission on corrections  
11 relief the sum of, or so much thereof as is necessary,  
12 one hundred thousand (100,000) dollars. Unobligated  
13 or unencumbered funds remaining on January 1, 1977  
14 from this appropriation shall revert to the general  
15 fund of the state forthwith. The evaluation establish-  
16 ed by this subsection shall include, but need not be  
17 limited to, the information sought by subsection three  
18 (3) of this section. This evaluation shall be completed  
19 and submitted to the legislative council by January 1,  
20 1977, and it shall be submitted along with the final  
21 report required by subsection three (3) of this section."

*A-Filed out of order*  
S-5620 FILED *B-Adopted 5/18 (2045)*  
APRIL 29, 1976

BY E. KEVIN KELLY  
GEORGE R. KINLEY  
CLIFTON C. LAMBORN

HOUSE FILE 1539

S-5596

1 Amend Senate amendment S-5536 to House File 1539  
2 as follows:  
3 1. Page 1, line 48, by inserting after the word  
4 "program" the words "which shall accept drug de-  
5 pendent individuals on a statewide basis".

S-5596 FILED *Withdrawn 5/18 (2042)*  
APRIL 38, 1976

BY BERL E. PRIEBE

H-6781

1 Amend House File 1539 as amended and passed by  
 2 the House by striking all after the enacting clause  
 3 and inserting in lieu thereof the following:

4 "Section 1. There is appropriated from the general  
 5 fund of the state to the department of social services,  
 6 division of adult corrections, the following amounts,  
 7 or so much thereof as is necessary, to be used in  
 8 the manner designated:

9 1. For replacement of federal funds for community-  
 10 based correction programs, the establishment of  
 11 residential half-way houses and pre-institutional  
 12 residential facilities and for operating costs of  
 13 such half-way houses and pre-institutional residential  
 14 facilities..... \$2,750,000

15 2. For additional staff and remodeling of the  
 16 Riverview Release Center in order to develop it to  
 17 full capacity..... \$ 158,000

18 3. To convert and improve the dormitory at farm  
 19 3 at the State Penitentiary, Fort Madison.... \$ 50,000

20 4. For construction of a medium security faci-  
 21 lity on state-owned land at Oakdale on and immediately  
 22 adjacent to the grounds of the Iowa Security Medical  
 23 Facility..... \$5,536,000

24 5. For the maintenance and operation of the medium  
 25 security facility at Oakdale ..... \$1,100,000

26 6. For additional probation, parole and clerical  
 27 staff..... \$ 400,000

28 7. For additional personnel for the State  
 29 Penitentiary at Fort Madison..... \$ 537,000

30 8. For additional personnel for the State Re-  
 31 formatory at Anamosa..... \$ 205,200

32 Sec. 2. There is appropriated from the general  
 33 fund of the state to the Iowa drug abuse authority  
 34 the sum of two hundred ten thousand (210,000) dollars,  
 35 or so much thereof as is necessary, for the fiscal  
 36 year beginning July 1, 1976 and ending June 30, 1977  
 37 to be used to provide aid for the alternatives in  
 38 drug abuse prevention and treatment program.

39 Sec. 3. Within six months of the establishment  
 40 of any residential half-way house or pre-institutional  
 41 residential facility pursuant to subsection 1 of  
 42 section 1 of this Act, the division of adult  
 43 corrections shall, if at all practicable, contract  
 44 with the community-based correctional program as  
 45 defined in section two hundred seventeen point twenty-  
 46 four (217.24) of the Code, in the judicial district  
 47 where established, for the control and operation of  
 48 that house or facility.

49 Sec. 4. Unobligated or unencumbered funds remaining  
 50 on June 30, 1980 from the funds appropriated by section

1 one (1) of this Act for capital improvements and used  
2 for such purposes shall revert to the general fund  
3 of the state on September 30, 1980. Unobligated or  
4 unencumbered funds remaining on June 30, 1977 from  
5 funds appropriated by section one (1) of this Act  
6 for staff services, or purposes other than capital  
7 improvements, shall revert to the general fund on  
8 September 30, 1977.

9 Sec. 5. All federal grants to and the federal  
10 receipts of the agencies appropriated funds under  
11 this Act are appropriated for the purposes set forth  
12 in such federal grants or receipts.

13 Sec. 6.

14 1. It is the intent of the general assembly to  
15 seek an analysis of the state's total adult corrections  
16 system, independent of advice thus far received, from  
17 qualified persons chosen by the judicial, executive  
18 and legislative branches of state government, and  
19 to consider this analysis before deciding upon a long-  
20 term program to update the state's prisons and make  
21 their capacity adequate for the actual needs of the  
22 state.

23 2. To carry out the intent expressed in subsection  
24 one (1) of this section, there is created as a  
25 temporary body the advisory commission on corrections  
26 relief composed of six persons, none of whom shall  
27 be members of or candidates for election to the general  
28 assembly during their tenure on the commission, two  
29 of whom shall be appointed by the chief justice of  
30 the Iowa supreme court, two by the governor and two  
31 by the legislative council. These appointments shall  
32 be made within thirty days after the effective date  
33 of this Act. The members of the commission who are  
34 not state employees shall be entitled to receive forty  
35 dollars per diem for each day devoted to their duties  
36 as commission members. All members shall receive  
37 reimbursement for expenses actually and necessarily  
38 incurred in discharge of these duties. Staff  
39 assistance shall be provided to the commission by  
40 the legislative service bureau.

41 To further carry out the intent expressed in  
42 subsection one (1) of this section, the advisory com-  
43 mission shall hire professional corrections consultants  
44 to evaluate the state's correctional needs. For that  
45 purpose there is appropriated from the general fund  
46 of the state to the advisory commission on corrections  
47 relief the sum of, or so much thereof as is necessary,  
48 one hundred thousand (100,000) dollars. Unobligated  
49 or unencumbered funds remaining on January 1, 1977  
50 from this appropriation shall revert to the general

1 fund of the state forthwith. The evaluation establish-  
 2 ed by this subsection shall include, but need not  
 3 be limited to, the information sought by subsection  
 4 three (3) of this section. This evaluation shall  
 5 be completed and submitted to the legislative council  
 6 by January 1, 1977, and it shall be submitted along  
 7 with the final report required by subsection three  
 8 (3) of this section.

9 3. The commission shall make such interim progress  
 10 reports as the legislative council may request, and  
 11 shall submit a final report not later than March 1,  
 12 1977. The final report shall include, but need not  
 13 be limited to, information concerning:

14 a. Whether present major correctional facilities  
 15 in the state are sufficient to contain and treat  
 16 current and foreseeable populations of adult male  
 17 and female offenders.

18 b. Whether present community corrections facilities  
 19 are sufficient for male or female offenders.

20 c. The need for more medium security institutions  
 21 in this state, in the form of either new construction  
 22 or of modification of one or more existing state  
 23 facilities.

24 d. The alternatives to construction as contemplated  
 25 by paragraph b of this subsection.

26 e. The economic and other impacts of construction  
 27 of new facilities or modification of existing ones  
 28 on community corrections facilities and the philosophy  
 29 of community placement in this state.

30 f. The appropriate actions for the legislative  
 31 and executive branches of Iowa government in resolving  
 32 the conflicting demands and proposals for relief of  
 33 Iowa's corrections problems.

34 4. There is appropriated from the general fund  
 35 of the state to the legislative service bureau for  
 36 the fiscal period beginning July 1, 1976, to be used  
 37 for the per diem and expenses of members of the  
 38 advisory commission on corrections relief and for  
 39 other expenses incidental for the study, the sum of  
 40 ten thousand (10,000) dollars or so much thereof as  
 41 may be necessary. The legislative service bureau  
 42 may expend other funds available to it to carry out  
 43 this Act. The commission is abolished July 1, 1977.

44 Sec. 7. The department of social services, division  
 45 of community services, shall fully terminate the  
 46 program at the state juvenile home at Toledo not later  
 47 than January 1, 1978. Program alternatives shall  
 48 be developed at the community level and at private  
 49 treatment centers. The department is instructed to  
 50 submit to the general assembly not later than February

Page 4

1 15, 1977 a plan to accomplish this change which shall  
 2 identify alternative programs to be utilized, a dis-  
 3 position plan for the Toledo campus and funding re-  
 4 quirements to implement the plan."

H-5996

- 1 Amend House File 1539 as follows:
- 2 1. Page 2, line 11, by inserting after the numeral
- 3 "(4)," the word and numeral "five (5),".
- 4 2. Page 2, line 13, by striking the numeral "1976"
- 5 and inserting in lieu thereof the numeral "1977".
- 6 3. Page 2, line 14, by striking the numeral "1976"
- 7 and inserting in lieu thereof the numeral "1977".

H-5996 FILED-*adopted* BY CUSACK of Scott  
MARCH 25, 1976 *3/26 (1447)*

H-6006

- 1 Amend House File 1539 as follows:
- 2 1. Page 2, by inserting after line 2 the
- 3 following new section: *a portion of*
- 4 "Sec. 2. ~~The department of social services~~
- 5 *MAY* shall designate each of the mental health institutes
- 6 ~~as a community based corrections center.~~ *for minimum security*
- 7 2. By renumbering subsequent provisions to *inmates*
- 8 conform with this amendment.

H-6006 FILED, LOST BY VARLEY of Adair  
MARCH 26, 1976 *33-55(1450)* DUNTON of Keokuk

H-6009

- 1 Amend amendment H6006 to House File 1539 as
- 2 follows:
- 3 1. Page 1, line 5, by inserting after the
- 4 word "designate" the words "a portion of".

H-6009 FILED, ADOPTED BY DAGGETT of Adams  
MARCH 26, 1976 *53-26(1447)*

H-6010

- 1 Amend amendment H6006 to House File 1539 as
- 2 follows:
- 3 1. Page 1, by striking all of line 6, and
- 4 inserting in lieu thereof "for minimum security
- 5 inmates".

H-6010 FILED-*Adopted* BY DAGGETT of Adams  
MARCH 26, 1976 *39-24*  
*3/26*

H-6011

- 1 Amend amendment H-6006 to House File 1539 as
- 2 follows:
- 3 1. Page 1, line 5, by striking the word
- 4 "shall" and inserting in lieu thereof the word
- 5 "may".

H-6011 FILED, ADOPTED BY GRIFFEE of Chickasaw  
MARCH 26, 1976 *51-33(1448)* HANSEN of O'Brien

S-5825

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:  
3 1. Page 1, by striking lines 4 through 41 and  
4 inserting in lieu thereof the following:  
5 "Section 1. There is appropriated from the  
6 general fund of the state to the department of social  
7 services, division of adult corrections, the fol-  
8 lowing amounts, or so much thereof as is necessary, to  
9 be used in the manner designated:  
10 1. For replacement of federal funds for com-  
11 munity-based correction programs, the establishment of  
12 residential half-way houses and pre-institutional  
13 residential facilities and for operating costs of such  
14 half-way houses and pre-institutional residential  
15 facilities.....\$2,750,000.  
16 2. For additional staff and remodeling of the  
17 Riverview Release Center in order to develop it to  
18 full capacity.....\$ 158,000.  
19 3. To convert and improve the dormitory at  
20 farm 3 at the State Penitentiary, Fort Madison...  
21 .....\$ 50,000.  
22 4. For construction and operation of a medium  
23 security facility or acquisition of a facility to be  
24 used or converted into a medium security facility,  
25 located in Denison, Iowa.....\$2,900,000.  
26 5. For additional probation, parole and clerical  
27 staff.....\$ 400,000.  
28 6. For additional personnel for the State  
29 Penitentiary at Fort Madison.....\$ 537,000.  
30 7. For additional personnel for the State  
31 Reformatory at Anamosa.....\$ 205,200."

S-5825 FILED & WITHDRAWN (2043) BY LOUIS CULVER  
MAY 18, 1976 EUGENE HILL

S-5824

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:

3 1. Page 1, by striking lines 4 through 41 and  
4 inserting in lieu thereof the following:

5 "Section 1. There is appropriated from the  
6 general fund of the state to the department of social  
7 services, division of adult corrections, the fol-  
8 lowing amounts, or so much thereof as is necessary, to  
9 be used in the manner designated:

10 1. For replacement of federal funds for com-  
11 munity-based correction programs, the establishment of  
12 residential half-way houses and pre-institutional  
13 residential facilities and for operating costs of such  
14 half-way houses and pre-institutional residential  
15 facilities.....\$2,750,000.

16 2. For additional staff and remodeling of the  
17 Riverview Release Center in order to develop it to  
18 full capacity.....\$ 158,000.

19 3. To convert and improve the dormitory at  
20 farm 3 at the State Penitentiary, Fort Madison...  
21 .....\$ 50,000.

22 4. For construction and operation of a medium  
23 security facility or acquisition of a facility to be  
24 used or converted into a medium security facility,  
25 located in Denison, Iowa.....\$2,900,000.

26 The department of social services shall have  
27 authority to convert any institution now under its  
28 control to a minimum security institution.

29 5. For additional probation, parole and clerical  
30 staff.....\$ 400,000.

31 6. For additional personnel for the State  
32 Penitentiary at Fort Madison.....\$ 537,000.

33 7. For additional personnel for the State  
34 Reformatory at Anamosa.....\$ 205,200."

S-5824 FILED & WITHDRAWN (2043) BY LOUIS P. CULVER  
MAY 18, 1976 EUGENE HILL

S-5826

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:

3 1. Page 1, by inserting after line 41 the  
4 following:

5 "Sec. \_\_\_\_\_. None of the state's regional mental  
6 health facilities shall be converted to a medium  
7 security correctional facility within two years after  
8 the date on which this Act becomes effective."

9 2. Renumber the sections as necessary.

BY FORREST SCHWENGELS

LOWELL JUNKINS

CHARLES MILLER

S-5826 FILED & LOST (2046)  
MAY 18, 1976

S-5827

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539, as follows:

3 1. Page 3, by adding after line 23 the fol-  
4 lowing:

5 "Sec. \_\_\_\_\_. The department of social services,  
6 division of community services, shall fully terminate  
7 the program at the state juvenile home at Toledo not  
8 later than January 1, 1978. Program alternatives shall  
9 be developed at the community level and at private  
10 treatment centers. The department is instructed to  
11 submit to the general assembly not later than February  
12 15, 1977 a plan to accomplish this change which shall  
13 identify alternative programs to be utilized, a dis-  
14 position plan for the Toledo campus and funding re-  
15 quirements to implement the plan."

S-5827 FILED & ADOPTED (2052)  
MAY 18, 1976

BY CLIFTON C. LAMBORN

S-5828

1 Amend the Committee on Appropriations amendment,  
2 S5536, to House File 1539 as follows:

3 1. Page 1, by inserting after line 41 the fol-  
4 lowing subseciton:

5 " \_\_\_\_\_. For the purchase, main-  
6 tenance and operation of one self-  
7 contained mobile unit designed for  
8 human habitation to be used to house  
9 six or more minimum security inmates  
10 and three security officers at state  
11 or county parks for the purpose of  
12 carrying out an experimental pro-  
13 gram to assist in the establishment,  
14 maintenance or beautification of such  
15 parks.....\$60,000.".

S-5828 FILED - *Act 5/15(2047)*  
MAY 18, 1976

BY BERL E. PRIEBE

S-5829

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as follows:  
3 1. Page 3, by adding after line 23 the fol-  
4 lowing:  
5 "Sec. \_\_\_\_\_. The department of social services,  
6 division of adult corrections, shall submit to the  
7 General Assembly no later than January 1, 1978 a plan  
8 for phasing out and eliminating the use of the state  
9 penitentiary at Fort Madison and substituting there-  
10 for a number of medium security correctional facili-  
11 ties not to exceed a residential capacity of two hun-  
12 dred fifty inmates to be located in various locations  
13 throughout the state."

S-5829 FILED & LOST (2052)  
MAY 18, 1976

BY WILLIAM E. GLUBA  
ROBERT M. CARR

S-5830

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as follows:  
3 1. Page 2, line 50, by striking the words  
4 "one or" .  
5 2. Page 2, line 50, by striking the word "new".

S-5830 FILED & ADOPTED (2051)  
MAY 18, 1976

BY WILLIAM E. GLUBA

HOUSE FILE 1539

S-5831

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as follows:  
3 1. Page 1, by adding after line 41 the fol-  
4 lowing:  
5 "Sec. \_\_\_\_\_. Any medium security correctional  
6 facility to be constructed with funds appropriated by  
7 this Act shall not exceed a residential capacity  
8 of two hundred fifty inmates."

S-5831 FILED & LOST (2048)  
MAY 18, 1976

BY WILLIAM E. GLUBA

S-5845

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as follows:  
3 1. Page 3, by striking lines 24 through 29.

S-5845 FILED & ADOPTED (2054)  
MAY 18, 1976

BY PHILIP HILL

S-5832

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as amended and passed by  
3 the House as follows:  
4 1. Page 1, by inserting after line 48 the  
5 following new section:  
6 "Sec. \_\_\_\_\_. Within six months of the establishment  
7 of any residential halfway house or pre-institutional  
8 residential facility pursuant to subsection 1 of Section  
9 1 of this Act, the division of adult corrections shall  
10 contract with the community-based correctional program  
11 as defined in section two hundred seventeen point  
12 twenty-four (217.24) of the Code, in the judicial  
13 district where established, for the control and  
14 operation of that house or facility."

15 2. By renumbering the sections as necessary.

S-5832 FILED - *Withdrawn 5/18 (2054)*

MAY 18, 1976

BY JOHN S. MURRAY

S-5842

1 Amend the Committee on Appropriations amendment,  
2 S-5536, to House File 1539 as amended and passed by  
3 the House as follows:  
4 1. Page 1, by inserting after line 48 the  
5 following new section:  
6 "Sec. \_\_\_\_\_. Within six months of the establishment  
7 of any residential half-way house or pre-institutional  
8 residential facility pursuant to subsection 1 of section  
9 1 of this Act, the division of adult corrections shall,  
10 if at all practicable, contract with the community-  
11 based correctional program as defined in section two  
12 hundred seventeen point twenty-four (217.24) of the  
13 Code, in the judicial district where established, for  
14 the control and operation of that house or facility."  
15 2. By renumbering the sections as necessary.

S-5842 FILED & ADOPTED (2054) BY WILLIAM E. GLUBA

MAY 18, 1976

CLIFTON C. LAMBORN

HOUSE FILE 1539

S-5857

1 Amend the Lamborn amendment, S-5827, to the  
2 Committee on Appropriations amendment, S-5536, to  
3 House File 1539 as follows:  
4 1. Page 1, line 8, by inserting after the  
5 figure "1978" the words "or until the department can,  
6 using reasonable diligence, place all residents of  
7 that home in suitable programs which may include, but  
8 need not be limited to, other state facilities, group  
9 homes, or foster homes. The department shall be pro-  
10 hibited from allowing a private agency to take over  
11 and service the state juvenile home at Toledo".  
12 2. Page 1, lines 9 and 10 by striking the words  
13 "and at private treatment centers".

S-5857 FILED - *Out of order when  
Motion to reconsider  
bill lost. 5/19 (2093)*

MAY 19, 1976

BY JOAN ORR

HOUSE FILE 1539

S-5820

- 1 Amend the Committee on Appropriations amendment,  
 2 S-5536, to House File 1539 as follows:  
 3 1. Page 1, by striking lines 4 through 41 and  
 4 inserting in lieu thereof the following:  
 5 "Section 1. There is appropriated from the  
 6 general fund of the state to the department of social  
 7 services, division of adult corrections, the fol-  
 8 lowing amounts, or so much thereof as is necessary, to  
 9 be used in the manner designated:  
 10 1. For replacement of federal funds for com-  
 11 munity-based correction programs, the establishment of  
 12 residential half-way houses and pre-institutional  
 13 residential facilities and for operating costs of such  
 14 half-way houses and pre-institutional residential  
 15 facilities.....\$2,750,000.  
 16 2. For additional staff and remodeling of the  
 17 Riverview Release Center in order to develop it to  
 18 full capacity.....\$ 158,000.  
 19 3. To convert and improve the dormitory at  
 20 farm 3 at the State Penitentiary, Fort Madison....  
 21 .....\$ 50,000.  
 22 4. For construction of a medium security faci-  
 23 lity on state-owned land at Oakdale on and immediately  
 24 adjacent to the grounds of the Iowa Security Medical  
 25 Facility.....\$5,536,000.  
 26 5. For the maintenance and operation of the  
 27 medium security facility at Oakdale.....\$1,100,000.  
 28 6. For additional probation, parole and clerical  
 29 staff.....\$ 400,000.  
 30 7. For additional personnel for the State  
 31 Penitentiary at Fort Madison.....\$ 537,000.  
 32 8. For additional personnel for the State Re-  
 33 formatory at Anamosa.....\$ 205,200."

BY CLIFTON C. LAMBORN

S-5820 FILED & ADOPTED (2042) E. KEVIN KELLY  
MAY 18, 1976 JOHN N. NYSTROM

S-5795

- 1 Amend Senate amendment S-5536 to House File 1539  
 2 as follows:  
 3 1. Page 1, line 48, by inserting after the word  
 4 "program" the words "which shall accept drug de-  
 5 pendent individuals on a statewide basis".

S-5795 FILED - Withdrawn 5/18 (2048)  
MAY 13, 1976

BY BERL E. PRIEBE

REPORT OF THE SECOND CONFERENCE COMMITTEE  
ON HOUSE FILE 1539

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the second conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 1539, a bill for an Act to appropriate funds for the purpose of providing a program to alleviate overcrowded conditions existing and anticipated in state correctional facilities, respectfully make the following report:

1. That the Senate amendment H-6781 to House File 1539 as amended and passed by the House be amended as follows:

1. Page 1, by striking lines 20 through 25 and inserting in lieu thereof the following:

"4. For use, at the option of the department of social services, to convert the existing minimum security dormitory located outside the walls of the Fort Madison penitentiary to either a minimum or medium security facility..... \$250,000"

2. By renumbering the succeeding subsections of section 1 of the Senate amendment in accordance with the foregoing amendment.

3. Page 2, line 15, by inserting after the word "adult" the words "and juvenile".

4. Page 2, line 49, by striking the word "January" and inserting in lieu thereof the word "March".

5. Page 3, line 6, by striking the word "January" and inserting in lieu thereof the word "March".

6. Page 3, line 23, by inserting after the word "facilities" the words ", including those not now used as penal institutions".

7. Page 3, by inserting after line 33 the following new subsection:

"4. To help insure that the general assembly is knowledgeable of the commission's work and of the background of the report submitted by it, the joint human resources subcommittees of the senate and house committees on appropriations shall meet periodically with the commission. No more than four such meetings shall be held during the interval between adjournment of the 1976 Session of the Sixty-sixth General Assembly and convening of the 1977 Session of the Sixty-seventh General Assembly. The joint human resources subcommittee shall not have authority to mandate, alter or reject any comment or recommendation in the report required of the commission by subsection three (3) of this section."

8. By renumbering the succeeding subsection of section 6 of the Senate amendment.

9. Strike page 3, line 44 through page 4, line 4, and insert in lieu thereof the following:

"Sec. 7. The department of social services, division of mental health services, shall prepare and submit to the legislative council for transmission to the first session of the Sixty-seventh General Assembly recommendations relative to the future utilization, conversion or discontinuation and disposition of the state mental health institutes at Cherokee, Clarinda, Independence and Mount Pleasant.

Sec. 8. Anything in chapter two hundred forty-two (242) of the Code to the contrary notwithstanding, the department of social services may at its option initiate and maintain co-educational programs and services at the state training school at Eldora during the fiscal period for which appropriations for operating expenses are made by this Act. The legislative service bureau shall report to the legislative council prior to the convening of the first session of the Sixty-seventh General Assembly such amendments to chapter two hundred forty-two (242) of the Code and other statutes as may be needed to permit continuation of co-educational programs and services at the state training school at Eldora."

ON THE PART OF THE HOUSE:

Gregory D. Cusack, Chair  
Elmer H. Den Herder  
Thomas J. Higgins  
Emil J. Husak  
Scott D. Newhard

ON THE PART OF THE SENATE:

Berl E. Priebe, Chair  
William E. Gluba  
George R. Kinley  
Clifton C. Lamborn  
Forrest V. Schwengels

*House adopted 5/27/76 (p. 22)*  
*Senate adopted 5/28 (p. 2438)*

as expeditiously as possible, and operation of the medium security correctional facility at the Mitchellville site;  
or

b. Modification of building 20 at the mental health institute at Mount Pleasant for use as a medium security correctional facility, and operation of the facility, without discontinuing any of the mental health programs now offered at that institute and without intent on the part of the general assembly to influence or to restrict the scope of the recommendations relative to future utilization, conversion or discontinuation of the state mental health institutes which the department is required by this Act to prepare; or

c. Conversion of the physical plant formerly occupied by Midwestern college at Denison to a medium security correctional facility, and operation of the facility.

If the governor elects to direct the department to implement one of the foregoing options, the facility so converted or modified shall under no circumstances have a capacity in excess of one hundred fifty prisoners, and shall not be operated for more than two years after the effective date of this Act without specific extension by the general assembly of authority to operate the facility. Notwithstanding the provisions of section four (4) of this Act relative to reversion of capital funds, any unencumbered balance of the money appropriated by this subsection shall revert to the general fund on June 30, 1977."

3. Page 2, line 15, by inserting after the word "adult" the words "and juvenile".

4. Page 2, line 49, by striking the word "January" and inserting in lieu thereof the word "March".

5. Page 3, line 6, by striking the word "January" and inserting in lieu thereof the word "March".

6. Page 3, line 23, by inserting after the word "facilities" the words ", including those not now used as penal institutions".

7. Page 3, by inserting after line 33 the following new subsection:

REPORT OF THE THIRD CONFERENCE COMMITTEE  
ON HOUSE FILE 1539

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the third conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 1539, a bill for an Act to appropriate funds for the purpose of providing a program to alleviate overcrowded conditions existing and anticipated in state correctional facilities, respectfully make the following report:

1. That the Senate amendment H-6781 to House File 1539 as amended and passed by the House be amended as follows:

1. Page 1, by striking line 14 and inserting in lieu thereof the words "facilities, provided that if the department deems it appropriate up to one hundred thousand (100,000) dollars of the amount appropriated by this subsection may be used for such programs within state mental health institutes ..... \$2,850,000".

2. Page 1, by striking lines 20 through 25 and inserting in lieu thereof the following:

"4. For use, at the option of the department of social services, to convert the existing minimum security dormitory located outside the walls of the Fort Madison penitentiary to either a minimum or medium security facility ... \$ 250,000

5. The sum of one million three hundred fifty thousand (1,350,000) dollars to be used for any one--but only one-- of the three following options which the governor, in consultation with the commissioner of social services, may direct the department to implement:

a. Conversion of the physical plant now occupied by the state training school for girls at Mitchellville to a medium security correctional facility, transfer of the persons under care and custody at that training school to the state juvenile home at Toledo or to an appropriate community facility pursuant to suitable arrangements to permit the transfer to be made

"4. To help insure that the general assembly is knowledgeable of the commission's work and of the background of the report submitted by it, the joint human resources subcommittees of the senate and house committees on appropriations shall meet periodically with the commission. No more than four such meetings shall be held during the interval between adjournment of the 1976 Session of the Sixty-sixth General Assembly and convening of the 1977 Session of the Sixty-seventh General Assembly. The joint human resources subcommittee shall not have authority to mandate, alter or reject any comment or recommendation in the report required of the commission by subsection three (3) of this section."

4. By renumbering the succeeding subsection of section 6 of the Senate amendment.

5. Strike page 3, line 44 through page 4, line 4, and insert in lieu thereof the following:

"Sec. 7. The department of social services, division of mental health services, shall prepare and submit to the legislative council for transmission to the first session of the Sixty-seventh General Assembly recommendations relative to the future utilization, conversion or discontinuation and disposition of the state mental health institutes at Cherokee, Clarinda, Independence and Mount Pleasant.

Sec. 8. Anything in chapter two hundred forty-two (242) of the Code to the contrary notwithstanding, the department of social services may at its option initiate and maintain co-educational programs and services at the state training school at Eldora during the fiscal period for which appropriations for operating expenses are made by this Act. The legislative service bureau shall report to the legislative council prior to the convening of the first session of the Sixty-seventh General Assembly such amendments to chapter two hundred forty-two (242) of the Code

MAY 26, 1976  
PAGE 25

Page 3

and other statutes as may be needed to permit continuation of co-educational programs and services at the state training school at Eldora."

ON THE PART OF THE SENATE:

Berl E. Priebe, Chair  
William E. Gluba  
George R. Kinley

ON THE PART OF THE HOUSE:

Gregory D. Cusack, Chair  
Elmer H. Den Herder  
Thomas J. Higgins  
Emil J. Husak

FILED  
MAY 25, 1976

*House adopted 5/26 (3173)  
Senate failed to adopt 5/27 (2337)*

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 1539  
TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE  
OF REPRESENTATIVES:

We, the undersigned members of the first conference committee appointed to consider the differences between the Senate and House of Representatives on House File 1539, a bill for an Act to appropriate funds for the purpose of providing a program to alleviate overcrowded conditions existing and anticipated in state correctional facilities.

1. That the Senate and House conferees failed to reach an agreement.

ON THE PART OF THE SENATE:

Berl E. Priebe, Chair  
William E. Gluba  
Clifton C. Lamborn  
Forrest V. Schwengels

ON THE PART OF THE HOUSE:

Gregory Cusack, Chair  
Thomas J. Higgins  
Emil J. Husak  
Scott D. Newhard  
Elmer H. Den Herder

FILED  
MAY 25, 1976

AN ACT

TO APPROPRIATE FUNDS FOR THE PURPOSE OF PROVIDING A PROGRAM TO ALLEVIATE OVERCROWDED CONDITIONS EXISTING AND ANTICIPATED IN STATE CORRECTIONAL FACILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. There is appropriated from the general fund of the state to the department of social services, division of adult corrections, the following amounts, or so much thereof as is necessary, to be used in the manner designated:

1. For replacement of federal funds for community-based correction programs, the establishment of residential halfway houses and pre-institutional residential facilities and for operating costs of such halfway houses and pre-institutional residential facilities, provided that if the department deems it appropriate up to one hundred thousand (100,000) dollars of the amount appropriated by this subsection may be used for such programs within state mental health institutes ....\$2,850,000

2. For additional staff and remodeling of the Riverview Release Center in order to develop it to full capacity .....\$ 158,000

3. To convert and improve the dormitory at farm 3 at the State Penitentiary, Fort Madison .....\$ 50,000

4. For use, at the option of the department of social services, to convert the existing minimum security dormitory located outside the walls of the Fort Madison penitentiary to either a minimum or medium security facility .....\$ 250,000

5. The sum of one million three hundred fifty thousand (1,350,000) dollars to be used for any one--but only one-- of the three following options which the governor, in

consultation with the commissioner of social services, may direct the department to implement:

a. Conversion of the physical plant now occupied by the state training school for girls at Mitchellville to a medium security correctional facility, transfer of the persons under care and custody at that training school to the state juvenile home at Toledo or to an appropriate community facility pursuant to suitable arrangements to permit the transfer to be made as expeditiously as possible, and operation of the medium security correctional facility at the Mitchellville site; or

b. Modification of building 20 at the mental health institute at Mount Pleasant for use as a medium security correctional facility, and operation of the facility, without discontinuing any of the mental health programs now offered at that institute and without intent on the part of the general assembly to influence or to restrict the scope of the recommendations relative to future utilization, conversion or discontinuation of the state mental health institutes which the department is required by this Act to prepare; or

c. Conversion of the physical plant formerly occupied by Midwestern college at Denison to a medium security correctional facility, and operation of the facility.

If the governor elects to direct the department to implement one of the foregoing options, the facility so converted or modified shall under no circumstances have a capacity in excess of one hundred fifty prisoners, and shall not be operated for more than two years after the effective date of this Act without specific extension by the general assembly of authority to operate the facility. Notwithstanding the provisions of section four (4) of this Act relative to reversion of capital funds, any unencumbered balance of the money appropriated by this subsection shall revert to the general fund on June 30, 1977.

6. For additional probation, parole and clerical

staff.....\$ 400,000

7. For additional personnel for the State Penitentiary at Fort Madison.....\$ 537,000

8. For additional personnel for the State Reformatory at Anamosa.....\$ 205,200

Sec. 2. There is appropriated from the general fund of the state to the Iowa drug abuse authority the sum of two hundred ten thousand (210,000) dollars, or so much thereof as is necessary, for the fiscal year beginning July 1, 1976 and ending June 30, 1977 to be used to provide aid for the alternatives in drug abuse prevention and treatment program.

Sec. 3. Within six months of the establishment of any residential halfway house or pre-institutional residential facility pursuant to subsection one (1) of section one (1) of this Act, the division of adult corrections shall, if at all practicable, contract with the community-based correctional program as defined in section two hundred seventeen point twenty-four (217.24) of the Code, in the judicial district where established, for the control and operation of that house or facility.

Sec. 4. Unobligated or unencumbered funds remaining on June 30, 1980 from the funds appropriated by section one (1) of this Act for capital improvements and used for such purposes shall revert to the general fund of the state on September 30, 1980. Unobligated or unencumbered funds remaining on June 30, 1977 from funds appropriated by section one (1) of this Act for staff services, or purposes other than capital improvements, shall revert to the general fund on September 30, 1977.

Sec. 5. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 6.

1. It is the intent of the general assembly to seek an

analysis of the state's total adult and juvenile corrections system, independent of advice thus far received, from qualified persons chosen by the judicial, executive and legislative branches of state government, and to consider this analysis before deciding upon a long-term program to update the state's prisons and make their capacity adequate for the actual needs of the state.

2. To carry out the intent expressed in subsection one (1) of this section, there is created as a temporary body the advisory commission on corrections relief composed of six persons, none of whom shall be members of or candidates for election to the general assembly during their tenure on the commission, two of whom shall be appointed by the chief justice of the Iowa supreme court, two by the governor and two by the legislative council. These appointments shall be made within thirty days after the effective date of this Act. The members of the commission who are not state employees shall be entitled to receive forty dollars per diem for each day devoted to their duties as commission members. All members shall receive reimbursement for expenses actually and necessarily incurred in discharge of these duties. Staff assistance shall be provided to the commission by the legislative service bureau.

To further carry out the intent expressed in subsection one (1) of this section, the advisory commission shall hire professional corrections consultants to evaluate the state's correctional needs. For that purpose there is appropriated from the general fund of the state to the advisory commission on corrections relief the sum of, or so much thereof as is necessary, one hundred thousand (100,000) dollars. Unobligated or unencumbered funds remaining on March 1, 1977 from this appropriation shall revert to the general fund of the state forthwith. The evaluation established by this subsection

shall include, but need not be limited to, the information sought by subsection three (3) of this section. This evaluation shall be completed and submitted to the legislative council by March 1, 1977, and it shall be submitted along with the final report required by subsection three (3) of this section.

3. The commission shall make such interim progress reports as the legislative council may request, and shall submit a final report not later than March 1, 1977. The final report shall include, but need not be limited to, information concerning:

a. Whether present major correctional facilities in the state are sufficient to contain and treat current and foreseeable populations of adult male and female offenders.

b. Whether present community corrections facilities are sufficient for male or female offenders.

c. The need for more medium security institutions in this state, in the form of either new construction or of modification of one or more existing state facilities, including those not now used as penal institutions.

d. The alternatives to construction as contemplated by paragraph b of this subsection.

e. The economic and other impacts of construction of new facilities or modification of existing ones on community corrections facilities and the philosophy of community placement in this state.

f. The appropriate actions for the legislative and executive branches of Iowa government in resolving the conflicting demands and proposals for relief of Iowa's corrections problems.

4. To help insure that the general assembly is knowledgeable of the commission's work and of the background of the report submitted by it, the joint human resources subcommittees

of the senate and house committees on appropriations shall meet periodically with the commission. No more than four such meetings shall be held during the interval between adjournment of the 1976 Session of the Sixty-sixth General Assembly and convening of the 1977 Session of the Sixty-seventh General Assembly. The joint human resources subcommittee shall not have authority to mandate, alter or reject any comment or recommendation in the report required of the commission by subsection three (3) of this section.

5. There is appropriated from the general fund of the state to the legislative service bureau for the fiscal period beginning July 1, 1976, to be used for the per diem and expenses of members of the advisory commission on corrections relief and for other expenses incidental for the study, the sum of ten thousand (10,000) dollars or so much thereof as may be necessary. The legislative service bureau may expend other funds available to it to carry out this Act. The commission is abolished July 1, 1977.

Sec. 7. The department of social services, division of mental health services, shall prepare and submit to the legislative council for transmission to the first session of the Sixty-seventh General Assembly recommendations relative to the future utilization, conversion or discontinuation and disposition of the state mental health institutes at Cherokee, Clarinda, Independence and Mount Pleasant.

Sec. 8. Anything in chapter two hundred forty-two (242) of the Code to the contrary notwithstanding, the department of social services may at its option initiate and maintain co-educational programs and services at the state training school at Eldora during the fiscal period for which appropriations for operating expenses are made by this Act. The legislative service bureau shall report to the legislative council prior to the convening of the first session of the

Sixty-seventh General Assembly such amendments to chapter two hundred forty-two (242) of the Code and other statutes as may be needed to permit continuation of co-educational programs and services at the state training school at Eldora.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1539, Sixty-sixth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved \_\_\_\_\_, 1976

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ROBERT D. RAY  
Governor