

(P. 526) *Deferred*
3/3/98

FILED FEB 25 1998

REPRINTED

SENATE FILE 2331

BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2155)

(P. 567)
Passed Senate, Date 3/4/98 Passed House, Date 4-7-98
Vote: Ayes 50 Nays 0 Vote: Ayes 96 Nays 0
Approved April 21, 1998

A BILL FOR

1 An Act to provide for the sharing of certain habilitative and
2 treatment resources with the department of human services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2331

S-5136

1 Amend Senate File 2331, as follows:
2 1. Page 1, line 29, by inserting after the word
3 "programming." the following: "Not later than twenty
4 days prior to entering into any agreement to utilize
5 mental health institution staff and resources, other
6 than the use of a building or facility, for purposes
7 of providing habilitative and treatment services, as
8 well as other special needs programming, the directors
9 of the departments of corrections and human services
10 shall each notify the chairpersons and ranking members
11 of the joint appropriations subcommittees that last
12 handled the appropriation for their respective
13 departments of the pending agreement. Use of a
14 building or facility shall require approval of the
15 general assembly if the general assembly is in session
16 or, if the general assembly is not in session, the
17 legislative council may grant temporary authority,
18 which shall be subject to final approval of the
19 general assembly during the next succeeding
20 legislative session."

By JEFF ANGELO
TOM VILSACK

S-5136 FILED MARCH 4, 1998
ADOPTED *(P. 567)*

1 Section 1. Section 904.108, subsection 1, paragraph d,
2 Code Supplement 1997, is amended to read as follows:
3 d. Establish and maintain acceptable standards of
4 treatment, training, education, and rehabilitation in the
5 various state penal and corrective institutions which shall
6 include habilitative services and treatment for offenders with
7 mental retardation. For the purposes of this paragraph,
8 "habilitative services and treatment" means medical, mental
9 health, social, educational, counseling, and other services
10 which will assist a person with mental retardation to become
11 self-reliant. However, the director may also provide
12 rehabilitative treatment and services to other persons who
13 require the services. The director shall identify all
14 individuals entering the correctional system who are persons
15 with mental retardation, as defined in section 222.2,
16 subsection 4. Identification shall be made by a qualified
17 professional in the area of mental retardation. In assigning
18 an offender with mental retardation, or an offender with an
19 inadequately developed intelligence or with impaired mental
20 abilities, to a correctional facility, the director shall
21 consider both the program needs and the security needs of the
22 offender. The director shall consult with the department of
23 human services in providing habilitative services and
24 treatment to offenders with mental illness or mental
25 retardation. The director may enter into agreements with the
26 department of human services to utilize mental health
27 institutions and share staff and resources for purposes of
28 providing habilitative and treatment services, as well as
29 providing other special needs programming.

30 EXPLANATION

31 This bill amends Code section 904.108, which specifies the
32 duties and powers of the director of the department of
33 corrections, to provide that the director is authorized to
34 enter into agreements to utilize mental health institutions
35 and share department of human services' staff in order to

1 provide habilitative and treatment services and other special
2 needs programs for inmates in the corrections institutions.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

1 Section 1. Section 904.108, subsection 1, paragraph d,
2 Code Supplement 1997, is amended to read as follows:
3 d. Establish and maintain acceptable standards of
4 treatment, training, education, and rehabilitation in the
5 various state penal and corrective institutions which shall
6 include habilitative services and treatment for offenders with
7 mental retardation. For the purposes of this paragraph,
8 "habilitative services and treatment" means medical, mental
9 health, social, educational, counseling, and other services
10 which will assist a person with mental retardation to become
11 self-reliant. However, the director may also provide
12 rehabilitative treatment and services to other persons who
13 require the services. The director shall identify all
14 individuals entering the correctional system who are persons
15 with mental retardation, as defined in section 222.2,
16 subsection 4. Identification shall be made by a qualified
17 professional in the area of mental retardation. In assigning
18 an offender with mental retardation, or an offender with an
19 inadequately developed intelligence or with impaired mental
20 abilities, to a correctional facility, the director shall
21 consider both the program needs and the security needs of the
22 offender. The director shall consult with the department of
23 human services in providing habilitative services and
24 treatment to offenders with mental illness or mental
25 retardation. The director may enter into agreements with the
26 department of human services to utilize mental health
27 institutions and share staff and resources for purposes of
28 providing habilitative and treatment services, as well as
29 providing other special needs programming. Not later than
30 twenty days prior to entering into any agreement to utilize
31 mental health institution staff and resources, other than the
32 use of a building or facility, for purposes of providing
33 habilitative and treatment services, as well as other special
34 needs programming, the directors of the departments of
35 corrections and human services shall each notify the

1 chairpersons and ranking members of the joint appropriations
2 subcommittees that last handled the appropriation for their
3 respective departments of the pending agreement. Use of a
4 building or facility shall require approval of the general
5 assembly if the general assembly is in session or, if the
6 general assembly is not in session, the legislative council
7 may grant temporary authority, which shall be subject to final
8 approval of the general assembly during the next succeeding
9 legislative session.

- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

SENATE FILE 2331

H-8622

1 Amend the amendment, H-8594, to Senate File 2331,
2 as amended, passed, and reprinted by the Senate as
3 follows:

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

6 "Section 1. NEW SECTION. 80.42 STANDARDS FOR
7 PERSONS PROVIDING PRIVATE TRANSPORTATION OF PRISONERS.

8 The department of public safety shall adopt rules
9 which establish standards for persons engaged in this
10 state in the business of transporting prisoners under
11 a contract with the Iowa department of corrections or
12 a county sheriff, a similar agency from another state,
13 or the federal government. The rules shall include,
14 but are not limited to, rules which establish age and
15 character requirements and govern the carrying of
16 weapons by persons transporting prisoners."

17 2. Page 1, line 23, by inserting before the word
18 "requirements" the following: "statutory".

19 3. Page 1, by inserting after line 28, the
20 following:

21 "____. Title page, line 2, by inserting after the
22 word "services" the following: "and providing for the
23 adoption of rules"."

By BERNAU of Story

H-8622 FILED MARCH 24, 1998

W/D 4-7-98
(p. 1341)

SENATE FILE 2331

H-8594

1 Amend Senate File 2331, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Section 1. Section 80A.2, Code 1997, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 9. A person engaged in the
8 business of transporting prisoners under a contract
9 with the Iowa department of corrections or a county
10 sheriff, a similar agency from another state, or the
11 federal government.

12 Sec. . Section 724.4, subsection 4, Code 1997,
13 is amended by adding the following new paragraph:

14 NEW PARAGRAPH. k. A person engaged in the
15 business of transporting prisoners under a contract
16 with the Iowa department of corrections or a county
17 sheriff, a similar agency from another state, or the
18 federal government."

19 2. Title page, line 1, by striking the words "to
20 provide" and inserting the following: "relating to
21 agreements for the provision of services, by excluding
22 persons who provide transportation of prisoners from
23 requirements pertaining to private investigators or
24 security agents and the carrying of weapons, and
25 providing".

26 3. Title page, line 2, by inserting after the
27 word "resources" the following: "by the department of
28 corrections".

29 4. By renumbering as necessary.

By KREMER of Buchanan

H-8594 FILED MARCH 23, 1998

adapted 4-7-98
(p. 1343)

SENATE FILE 2331

H-8593

1 Amend Senate File 2331, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 29, by inserting after the word
4 "programming." the following: "Any agreement to
5 utilize mental health institutions and to share staff
6 and resources shall provide that the costs of the
7 habilitative and treatment services shall be paid from
8 state funds."

By KREMER of Buchanan

H-8593 FILED MARCH 23, 1998

adapted
4-7-98
(p. 1342)

APRIL 8, 1998

S-5551 Amend Senate File 2331, as amended, passed, and
reprinted by the Senate, as follows:
1. page 1, by inserting before line 1, the

following:
"Section 1. Section 80A.2, Code 1997, is amended
with the following new subsection:
9. A person engaged in the
business of transporting prisoners under a contract
sheriff, a similar agency from another state, or the
federal government. 356.50 PRIVATE

NEW SUBSECTION.
TRANSPORTATION OF PRISONERS.

If a county sheriff contracts with a private person
or entity for the transportation of prisoners to or
from a county jail, the contract shall include
provisions which require the following:
1. The private person or any officers or employees
of the private person or private entity shall not have
been convicted of any of the following:

- a. A felony.
- b. Within the three-year period immediately
preceding the date of the execution of the contract, a
violation of the laws pertaining to operation of motor
vehicles punishable as a serious misdemeanor or
greater offense.
- c. Domestic abuse assault in which bodily injury
was inflicted or attempted to be inflicted.
- d. A crime involving illegal manufacture, use,
possession, sale, or an attempt to illegally
manufacture, use, possess, or sell alcohol or a
controlled substance or other drug.

2. The person or persons actually transported
into the contract for transportation and use secur
prisoners shall only possess and use secur
restraint equipment, including any firearm
issued by the private entity.
3. Any employees of a private entity who
enter into the contract for transportation and use secur
prisoners shall be trained and proficient in t
use of firearms.

4. The person or persons actually transported
into the contract for transportation and use secur
prisoners shall be trained and proficient in t
use of firearms.

5. The person or persons actually transported
into the contract for transportation and use secur
prisoners shall be trained and proficient in t
use of firearms.

6. The person or persons actually transported
into the contract for transportation and use secur
prisoners shall be trained and proficient in t
use of firearms.

7. The person or persons actually transported
into the contract for transportation and use secur
prisoners shall be trained and proficient in t
use of firearms.

S-5551

Page 2

1 business of transporting prisoners under a contract
2 with the Iowa department of corrections or a county
3 sheriff, a similar agency from another state, or the
4 federal government."

5 2. Page 1, line 29, by inserting after the word
6 "programming." the following: "Any agreement to
7 utilize mental health institutions and to share staff
8 and resources shall provide that the costs of the
9 habilitative and treatment services shall be paid from
10 state funds."

11 3. Page 2, by inserting after line 9, the
12 following:

13 "Sec. ____ . NEW SECTION. 904.320 PRIVATE
14 TRANSPORTATION OF PRISONERS.

15 1. If the director contracts with a private person
16 or entity for the transportation of inmates to or from
17 an institution, the contract shall include provisions
18 which require the following:

19 a. The private person or any officers or employees
20 of the private person or private entity shall not have
21 been convicted of any of the following:

22 (1) A felony.

23 (2) Within the three-year period immediately
24 preceding the date of the execution of the contract, a
25 violation of the laws pertaining to operation of motor
26 vehicles punishable as a serious misdemeanor or
27 greater offense.

28 (3) Domestic abuse assault in which bodily injury
29 was inflicted or attempted to be inflicted.

30 (4) A crime involving illegal manufacture, use,
31 possession, sale, or an attempt to illegally
32 manufacture, use, possess, or sell alcohol or a
33 controlled substance or other drug.

34 b. The person or persons actually transporting the
35 prisoners shall be trained and proficient in the safe
36 use of firearms.

37 c. Any employees of a private entity which has
38 entered into the contract for transportation of
39 prisoners shall only possess and use security and
40 restraint equipment, including any firearms, which has
41 been issued by the private entity.

42 d. The person or persons actually transporting the
43 prisoners shall be trained and proficient in
44 appropriate transportation procedures.

45 e. The person or entity complies, within one year
46 of publication, with any applicable standards for the
47 transportation of prisoners promulgated by the
48 American corrections association.

49 2. The department shall adopt rules pertaining to
50 contracts with private persons or entities providing

S-5551

S-5551

Page 3

1 transportation of inmates of institutions under the
2 control of the department."

3 4. Title page, line 1, by striking the words "to
4 provide" and inserting the following: "relating to
5 agreements for the provision of services, by excluding
6 persons who provide transportation of prisoners from
7 statutory requirements pertaining to private
8 investigators or security agents and the carrying of
9 weapons, and providing".

10 5. Title page, line 2, by inserting after the
11 word "resources" the following: "by the department of
12 corrections".

13 6. Title page, line 2, by inserting after the
14 word "services" the following: "and providing for
15 certain contractual requirements and the adoption of
16 rules by the department of corrections".

17 7. By renumbering, relettering, or redesignating
18 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5551 FILED APRIL 7, 1998

Senate Concurred

4-9-98

(p. 1166)

SENATE FILE 2331

a-8787

1 Amend the amendment, H-8594, to Senate File 2331,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 11, the
5 following:

6 "Sec. ____ . NEW SECTION. 356.50 PRIVATE
7 TRANSPORTATION OF PRISONERS.

8 If a county sheriff contracts with a private person
9 or entity for the transportation of prisoners to or
10 from a county jail, the contract shall include
11 provisions which require the following:

12 1. The private person or any officers or employees
13 of the private person or private entity shall not have
14 been convicted of any of the following:

15 a. A felony.

16 b. Within the three-year period immediately
17 preceding the date of the execution of the contract, a
18 violation of the laws pertaining to operation of motor
19 vehicles punishable as a serious misdemeanor or
20 greater offense.

21 c. Domestic abuse assault in which bodily injury
22 was inflicted or attempted to be inflicted.

23 d. A crime involving illegal manufacture, use,
24 possession, sale, or an attempt to illegally
25 manufacture, use, possess, or sell alcohol or a
26 controlled substance or other drug.

27 2. The person or persons actually transporting the
28 prisoners shall be trained and proficient in the safe
29 use of firearms.

30 3. Any employees of a private entity which has
31 entered into the contract for transportation of
32 prisoners shall only possess and use security and
33 restraint equipment, including any firearms, which has
34 been issued by the private entity.

35 4. The person or persons actually transporting the
36 prisoners shall be trained and proficient in
37 appropriate transportation procedures.

38 5. The person or entity complies, within one year
39 of publication, with any applicable standards for the
40 transportation of prisoners promulgated by the
41 American corrections association."

42 2. Page 1, by inserting after line 18, the
43 following:

44 " ____ . Page 2, by inserting after line 9, the
45 following:

46 "Sec. ____ . NEW SECTION. 904.320 PRIVATE
47 TRANSPORTATION OF PRISONERS.

48 1. If the director contracts with a private person
49 or entity for the transportation of inmates to or from
50 an institution, the contract shall include provisions

a-8787

H-8787

Page 2

1 which require the following:

2 a. The private person or any officers or employees
3 of the private person or private entity shall not have
4 been convicted of any of the following:

5 (1) A felony.

6 (2) Within the three-year period immediately
7 preceding the date of the execution of the contract, a
8 violation of the laws pertaining to operation of motor
9 vehicles punishable as a serious misdemeanor or
10 greater offense.

11 (3) Domestic abuse assault in which bodily injury
12 was inflicted or attempted to be inflicted.

13 (4) A crime involving illegal manufacture, use,
14 possession, sale, or an attempt to illegally
15 manufacture, use, possess, or sell alcohol or a
16 controlled substance or other drug.

17 b. The person or persons actually transporting the
18 prisoners shall be trained and proficient in the safe
19 use of firearms.

20 c. Any employees of a private entity which has
21 entered into the contract for transportation of
22 prisoners shall only possess and use security and
23 restraint equipment, including any firearms, which has
24 been issued by the private entity.

25 d. The person or persons actually transporting the
26 prisoners shall be trained and proficient in
27 appropriate transportation procedures.

28 e. The person or entity complies, within one year
29 of publication, with any applicable standards for the
30 transportation of prisoners promulgated by the
31 American corrections association.

32 2. The department shall adopt rules pertaining to
33 contracts with private persons or entities providing
34 transportation of inmates of institutions under the
35 control of the department."

36 3. Page 1, line 23, by inserting before the word
37 "requirements" the following: "statutory".

38 4. Page 1, by inserting after line 28, the
39 following:

40 "____. Title page, line 2, by inserting after the
41 word "services" the following: "and providing for
42 certain contractual requirements and the adoption of
43 rules by the department of corrections"."

44 5. By numbering and renumbering as necessary.

By BERNAU of Story

H-8787 FILED MARCH 30, 1998

*Adopted
4-7-98
(p. 1343)*

Angelo
Maddox
Halvorson

SS B 2155
Judiciary
Succeeded By

SENATE FILE SP/HF 2331
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON MCKEAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to provide for the sharing of certain habilitative and
2 treatment resources with the department of human services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1 Section 1. Section 904.108, subsection 1, paragraph d,
2 Code Supplement 1997, is amended to read as follows:
3 d. Establish and maintain acceptable standards of
4 treatment, training, education, and rehabilitation in the
5 various state penal and corrective institutions which shall
6 include habilitative services and treatment for offenders with
7 mental retardation. For the purposes of this paragraph,
8 "habilitative services and treatment" means medical, mental
9 health, social, educational, counseling, and other services
10 which will assist a person with mental retardation to become
11 self-reliant. However, the director may also provide
12 rehabilitative treatment and services to other persons who
13 require the services. The director shall identify all
14 individuals entering the correctional system who are persons
15 with mental retardation, as defined in section 222.2,
16 subsection 4. Identification shall be made by a qualified
17 professional in the area of mental retardation. In assigning
18 an offender with mental retardation, or an offender with an
19 inadequately developed intelligence or with impaired mental
20 abilities, to a correctional facility, the director shall
21 consider both the program needs and the security needs of the
22 offender. The director shall consult with the department of
23 human services in providing habilitative services and
24 treatment to offenders with mental illness or mental
25 retardation. The director may enter into agreements with the
26 department of human services to utilize mental health
27 institutions and share staff and resources for purposes of
28 providing habilitative and treatment services, as well as
29 providing other special needs programming.

30 EXPLANATION

31 This bill amends Code section 904.108, which specifies the
32 duties and powers of the director of the department of
33 corrections, to provide that the director is authorized to
34 enter into agreements to utilize mental health institutions
35 and share department of human services' staff in order to

2155

S.F. _____ H.F. _____

1 provide habilitative and treatment services and other special
2 needs programs for inmates in the corrections institutions.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

LSB 4347SC 77

lh/jw/5

SENATE FILE 2331

AN ACT

RELATING TO AGREEMENTS FOR THE PROVISION OF SERVICES, BY EXCLUDING PERSONS WHO PROVIDE TRANSPORTATION OF PRISONERS FROM STATUTORY REQUIREMENTS PERTAINING TO PRIVATE INVESTIGATORS OR SECURITY AGENTS AND THE CARRYING OF WEAPONS, AND PROVIDING FOR THE SHARING OF CERTAIN HABILITATIVE AND TREATMENT RESOURCES BY THE DEPARTMENT OF CORRECTIONS WITH THE DEPARTMENT OF HUMAN SERVICES AND PROVIDING FOR CERTAIN CONTRACTUAL REQUIREMENTS AND THE ADOPTION OF RULES BY THE DEPARTMENT OF CORRECTIONS.

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

Section 1. Section 80A.2, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 9. A person engaged in the business of transporting prisoners under a contract with the Iowa department of corrections or a county sheriff, a similar agency from another state, or the federal government.

Sec. 2. NEW SECTION. 356.50 PRIVATE TRANSPORTATION OF PRISONERS.

If a county sheriff contracts with a private person or entity for the transportation of prisoners to or from a county jail, the contract shall include provisions which require the following:

1. The private person or any officers or employees of the private person or private entity shall not have been convicted of any of the following:

a. A felony.

b. Within the three-year period immediately preceding the date of the execution of the contract, a violation of the laws pertaining to operation of motor vehicles punishable as a serious misdemeanor or greater offense.

c. Domestic abuse assault in which bodily injury was inflicted or attempted to be inflicted.

d. A crime involving illegal manufacture, use, possession, sale, or an attempt to illegally manufacture, use, possess, or sell alcohol or a controlled substance or other drug.

2. The person or persons actually transporting the prisoners shall be trained and proficient in the safe use of firearms.

3. Any employees of a private entity which has entered into the contract for transportation of prisoners shall only possess and use security and restraint equipment, including any firearms, which has been issued by the private entity.

4. The person or persons actually transporting the prisoners shall be trained and proficient in appropriate transportation procedures.

5. The person or entity complies, within one year of publication, with any applicable standards for the transportation of prisoners promulgated by the American corrections association.

Sec. 3. Section 724.4, subsection 4, Code 1997, is amended by adding the following new paragraph:

NEW PARAGRAPH. k. A person engaged in the business of transporting prisoners under a contract with the Iowa department of corrections or a county sheriff, a similar agency from another state, or the federal government.

Sec. 4. Section 904.108, subsection 1, paragraph d, Code Supplement 1997, is amended to read as follows:

d. Establish and maintain acceptable standards of treatment, training, education, and rehabilitation in the various state penal and corrective institutions which shall include rehabilitative services and treatment for offenders with mental retardation. For the purposes of this paragraph, "rehabilitative services and treatment" means medical, mental health, social, educational, counseling, and other services which will assist a person with mental retardation to become

self-reliant. However, the director may also provide rehabilitative treatment and services to other persons who require the services. The director shall identify all individuals entering the correctional system who are persons with mental retardation, as defined in section 222.2, subsection 4. Identification shall be made by a qualified professional in the area of mental retardation. In assigning an offender with mental retardation, or an offender with an inadequately developed intelligence or with impaired mental abilities, to a correctional facility, the director shall consider both the program needs and the security needs of the offender. The director shall consult with the department of human services in providing habilitative services and treatment to offenders with mental illness or mental retardation. The director may enter into agreements with the department of human services to utilize mental health institutions and share staff and resources for purposes of providing habilitative and treatment services, as well as providing other special needs programming. Any agreement to utilize mental health institutions and to share staff and resources shall provide that the costs of the habilitative and treatment services shall be paid from state funds. Not later than twenty days prior to entering into any agreement to utilize mental health institution staff and resources, other than the use of a building or facility, for purposes of providing habilitative and treatment services, as well as other special needs programming, the directors of the departments of corrections and human services shall each notify the chairpersons and ranking members of the joint appropriations subcommittees that last handled the appropriation for their respective departments of the pending agreement. Use of a building or facility shall require approval of the general assembly if the general assembly is in session or, if the general assembly is not in session, the legislative council may grant temporary authority, which shall

be subject to final approval of the general assembly during the next succeeding legislative session.

Sec. 5. NEW SECTION. 904.320 PRIVATE TRANSPORTATION OF PRISONERS.

1. If the director contracts with a private person or entity for the transportation of inmates to or from an institution, the contract shall include provisions which require the following:
 - a. The private person or any officers or employees of the private person or private entity shall not have been convicted of any of the following:
 - (1) A felony.
 - (2) Within the three-year period immediately preceding the date of the execution of the contract, a violation of the laws pertaining to operation of motor vehicles punishable as a serious misdemeanor or greater offense.
 - (3) Domestic abuse assault in which bodily injury was inflicted or attempted to be inflicted.
 - (4) A crime involving illegal manufacture, use, possession, sale, or an attempt to illegally manufacture, use, possess, or sell alcohol or a controlled substance or other drug.
 - b. The person or persons actually transporting the prisoners shall be trained and proficient in the safe use of firearms.
 - c. Any employees of a private entity which has entered into the contract for transportation of prisoners shall only possess and use security and restraint equipment, including any firearms, which has been issued by the private entity.
 - d. The person or persons actually transporting the prisoners shall be trained and proficient in appropriate transportation procedures.
 - e. The person or entity complies, within one year of publication, with any applicable standards for the transportation of prisoners promulgated by the American corrections association.

2. The department shall adopt rules pertaining to contracts with private persons or entities providing transportation of inmates of institutions under the control of the department.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2331, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved April 21, 1998

TERRY E. BRANSTAD
Governor