

REPRINTED

FILED MAR 13 1997

SENATE FILE 442
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 55)

Passed Senate, Date 3/26/97 (p.820) Passed House, Date 4/17/97 (P.1307)
Vote: Ayes 48 Nays 0 Vote: Ayes 93 Nays 0
Approved May 7, 1997

A BILL FOR

1 An Act relating to the designation of certain correctional
2 facilities.

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

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S.S. 4-4-2

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S.F. 442

FILED

1 Section 1. Section 904.102, subsection 2, Code 1997, is
2 amended to read as follows:

3 2. ~~Iowa~~ Anamosa state men's-reformatory penitentiary.

4 Sec. 2. Section 904.102, subsection 8, Code 1997, is
5 amended to read as follows:

6 8. ~~Correctional-release-facility~~ Riverview correctional
7 facility at Newton.

8 Sec. 3. Section 904.102, Code 1997, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 8A. Fort Dodge correctional facility.

11 Sec. 4. Section 904.206, Code 1997, is amended by striking
12 the section and inserting in lieu thereof the following:

13 904.206 RIVERVIEW CORRECTIONAL FACILITY AT NEWTON.

14 The riverview correctional facility at Newton shall be
15 utilized as a correctional facility for men. The facility
16 shall include minimum security facilities and violator
17 facilities pursuant to section 904.207.

18 Sec. 5. Section 904.904, Code 1997, is amended to read as
19 follows:

20 904.904 HOUSING FACILITIES -- HALFWAY HOUSES.

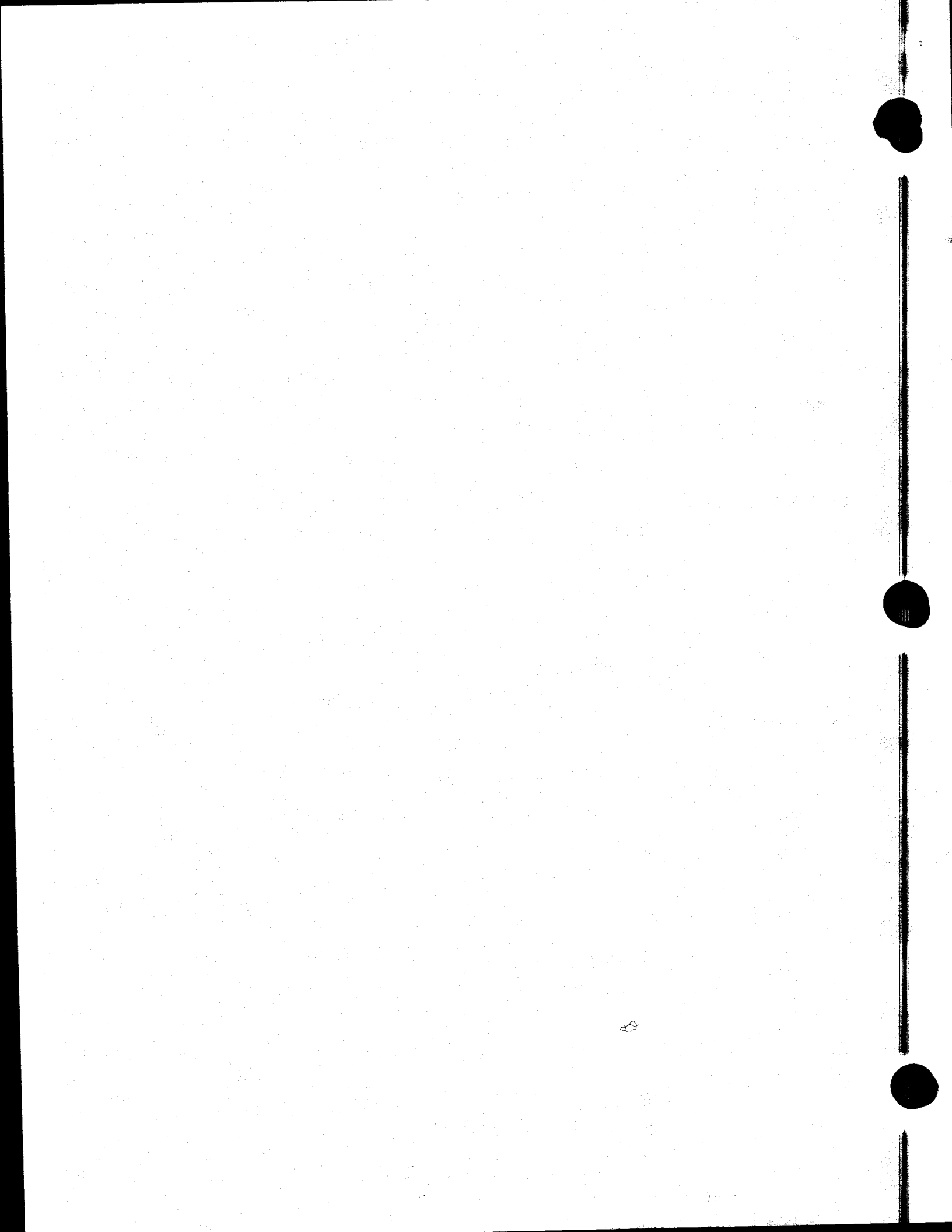
21 Unless the inmate ~~is-transferred-to-the-correctional~~
22 ~~release-center,~~ or returns after working hours to the
23 institution under jurisdiction of the department of
24 corrections, the department of corrections shall contract with
25 a judicial district department of correctional services for
26 the quartering and supervision of the inmate in local housing
27 facilities. The board of parole shall include as a specific
28 term or condition in the work release plan of any inmate the
29 place where the inmate is to be housed when not on the work
30 assignment. The board of parole shall not place an inmate on
31 work release for longer than six months in any twelve-month
32 period unless approval is given by a majority of the full
33 board of parole. Inmates may be temporarily released to the
34 supervision of a responsible person to participate in family
35 and selected community, religious, educational, social, civic,

1 and recreational activities when it is determined that the
2 participation will directly facilitate the release transition
3 from institution to community. The department of corrections
4 shall provide a copy of the work release plan and a copy of
5 any restitution plan of payment to the judicial district
6 department of correctional services quartering and supervising
7 the inmate.

8 EXPLANATION

9 This bill specifically identifies the Fort Dodge and Newton
10 correctional facilities as institutions under the control of
11 the department of corrections. The bill deletes references to
12 the correctional release center at Newton and provides that
13 the correctional facility at Newton will be named the
14 riverview correctional facility at Newton and shall be
15 utilized as a correctional facility for men that includes
16 minimum security facilities and a violator facility.

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SENATE FILE 442

S-3234

1 Amend Senate File 442 as follows:

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

4 "Sec. 101. Section 602.6201, subsection 3,
5 paragraph b, Code 1997, is amended to read as follows:

6 b. All other judicial election districts are
7 entitled to the number of judgeships equal to the
8 average, rounded to the nearest whole number, of the
9 following two quotients, each rounded to the nearest
10 hundredth:

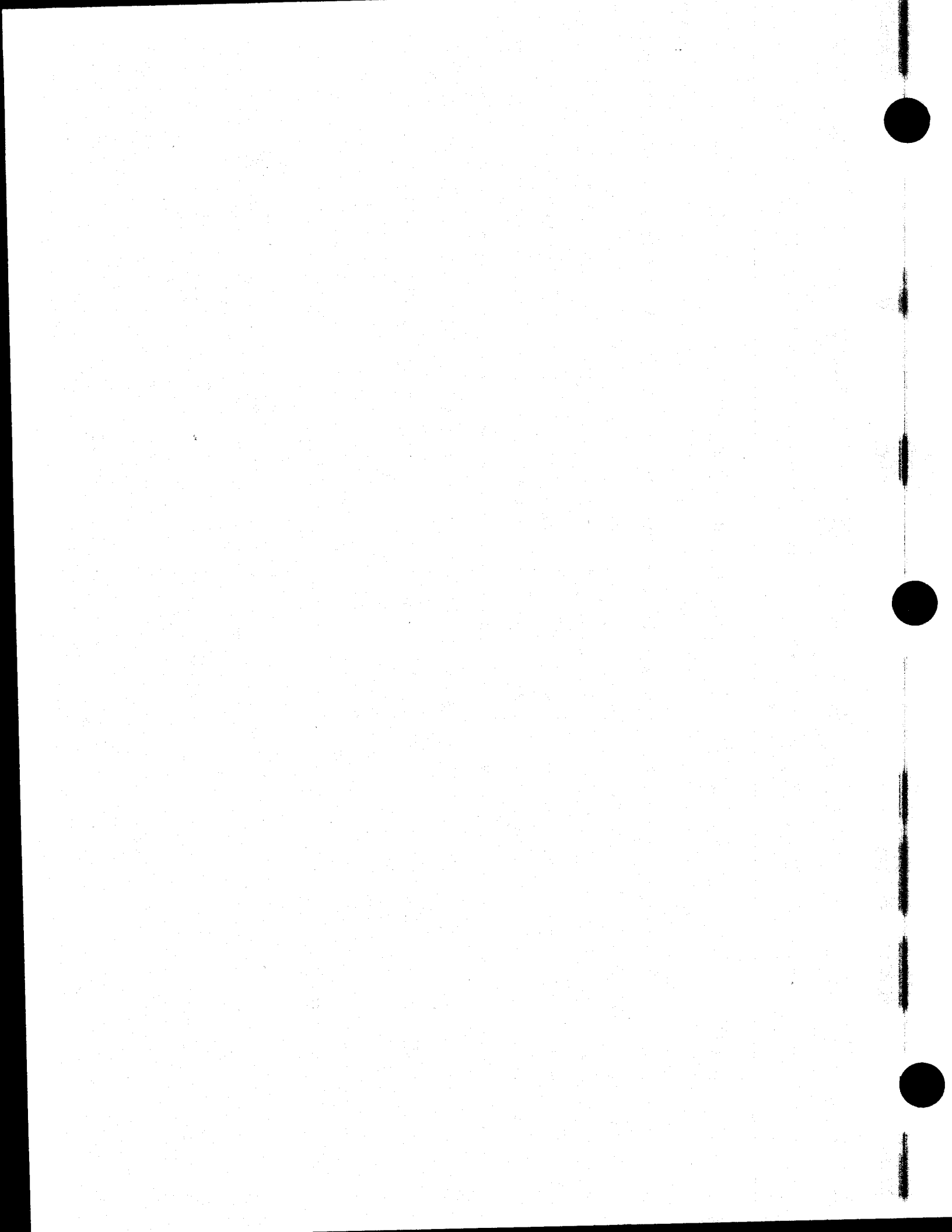
11 (1) The combined civil and criminal filings in the
12 election district divided by four hundred fifty.

13 (2) The election district's population divided by
14 forty thousand.

15 However, the judicial election district in which
16 the Iowa state penitentiary at Fort Madison is located
17 is entitled to one additional judgeship."

By O. GENE MADDUX

S-3234 FILED MARCH 26, 1997
ADOPTED (p. 819)



H. 3/27/97 Judiciary
H. 4/10/97 Unfinished Business Calendar

SENATE FILE 442
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 55)

(AS AMENDED AND PASSED BY THE SENATE MARCH 26, 1997)

(p. 1426) - New Language by the Senate
Passed Senate, Date 4/24/97 Passed House, Date 4/17/97 (p. 1307)
Vote: Ayes 45 Nays 0 Vote: Ayes 93 Nays 0
Approved May 7, 1997

A BILL FOR

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2 facilities.

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S.F. 442

SF 442

ec/cc/26

1 Section 1. Section 602.6201, subsection 3, paragraph b,
2 Code 1997, is amended to read as follows:

3 b. All other judicial election districts are entitled to
4 the number of judgeships equal to the average, rounded to the
5 nearest whole number, of the following two quotients, each
6 rounded to the nearest hundredth:

7 (1) The combined civil and criminal filings in the
8 election district divided by four hundred fifty.

9 (2) The election district's population divided by forty
10 thousand.

11 However, the judicial election district in which the Iowa
12 state penitentiary at Fort Madison is located is entitled to
13 one additional judgeship.

14 Sec. 2. Section 904.102, subsection 2, Code 1997, is
15 amended to read as follows:

16 2. ~~Iowa Anamosa state men's-reformatory penitentiary.~~

17 Sec. 3. Section 904.102, subsection 8, Code 1997, is
18 amended to read as follows:

19 ~~8. Correctional-release-facility Riverview correctional~~
20 ~~facility at Newton.~~

21 Sec. 4. Section 904.102, Code 1997, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 8A. Fort Dodge correctional facility.

24 Sec. 5. Section 904.206, Code 1997, is amended by striking
25 the section and inserting in lieu thereof the following:

26 904.206 RIVERVIEW CORRECTIONAL FACILITY AT NEWTON.

27 The riverview correctional facility at Newton shall be
28 utilized as a correctional facility for men. The facility
29 shall include minimum security facilities and violator
30 facilities pursuant to section 904.207.

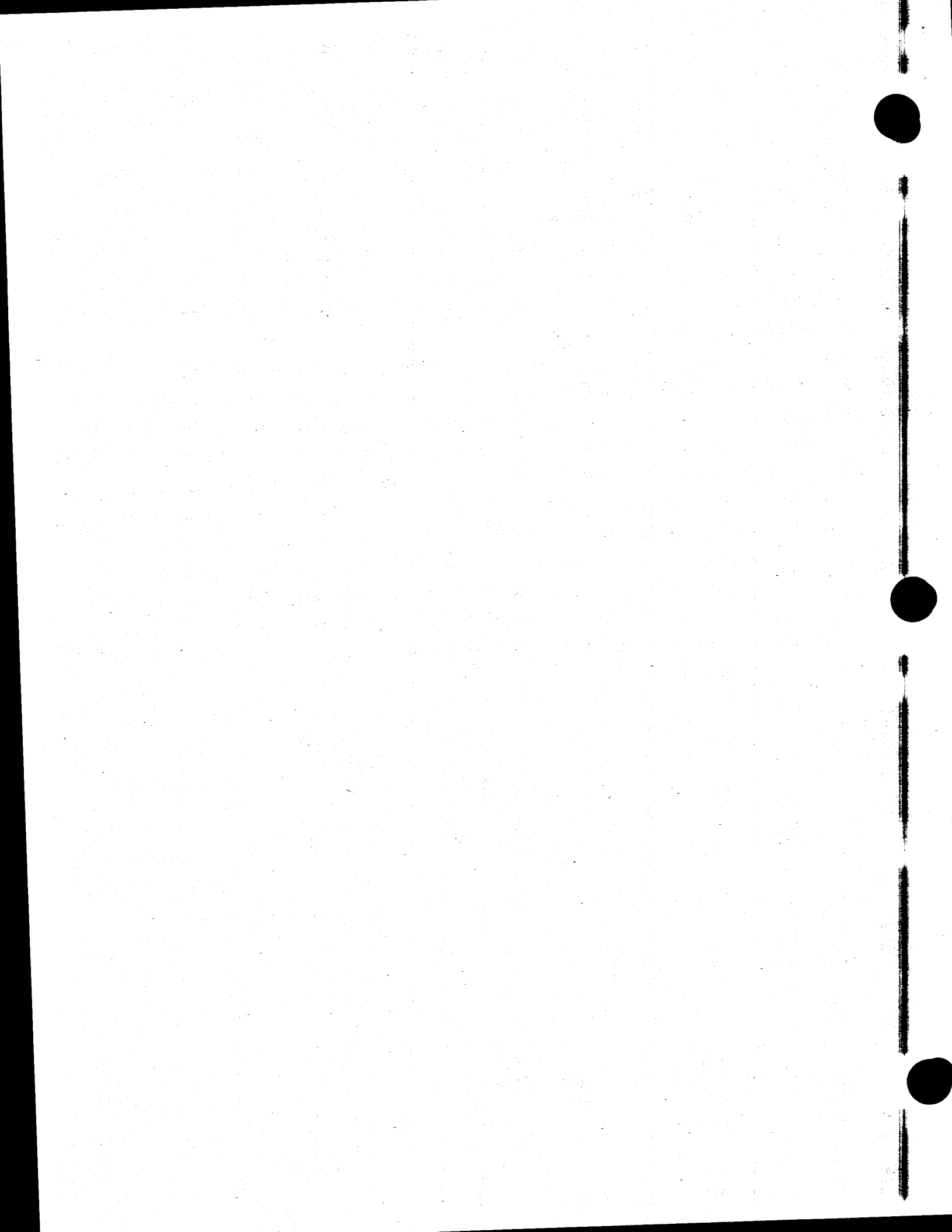
31 Sec. 6. Section 904.904, Code 1997, is amended to read as
32 follows:

33 904.904 HOUSING FACILITIES -- HALFWAY HOUSES.

34 Unless the inmate ~~is-transferred-to-the-correctional~~
35 ~~release-center,--or~~ returns after working hours to the

1 institution under jurisdiction of the department of
2 corrections, the department of corrections shall contract with
3 a judicial district department of correctional services for
4 the quartering and supervision of the inmate in local housing
5 facilities. The board of parole shall include as a specific
6 term or condition in the work release plan of any inmate the
7 place where the inmate is to be housed when not on the work
8 assignment. The board of parole shall not place an inmate on
9 work release for longer than six months in any twelve-month
10 period unless approval is given by a majority of the full
11 board of parole. Inmates may be temporarily released to the
12 supervision of a responsible person to participate in family
13 and selected community, religious, educational, social, civic,
14 and recreational activities when it is determined that the
15 participation will directly facilitate the release transition
16 from institution to community. The department of corrections
17 shall provide a copy of the work release plan and a copy of
18 any restitution plan of payment to the judicial district
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20 the inmate.

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SENATE FILE 442

H-1560

- 1 Amend Senate File 442, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 19 and 20 and
- 4 inserting the following:
- 5 "8. ~~Correctional-release~~ Newton correctional
- 6 facility."
- 7 2. Page 1, line 26, by striking the word
- 8 "RIVERVIEW" and inserting the following: "NEWTON".
- 9 3. Page 1, line 26, by striking the words "AT
- 10 NEWTON".
- 11 4. Page 1, line 27, by striking the word
- 12 "riverview".
- 13 5. Page 1, line 28, by striking the words "for
- 14 men".

By COMMITTEE ON JUDICIARY
LAMBERTI of Polk, Chairperson

H-1560 FILED APRIL 7, 1997

Adopted 4-17-97 (p. 1307)

HOUSE AMENDMENT TO
SENATE FILE 442

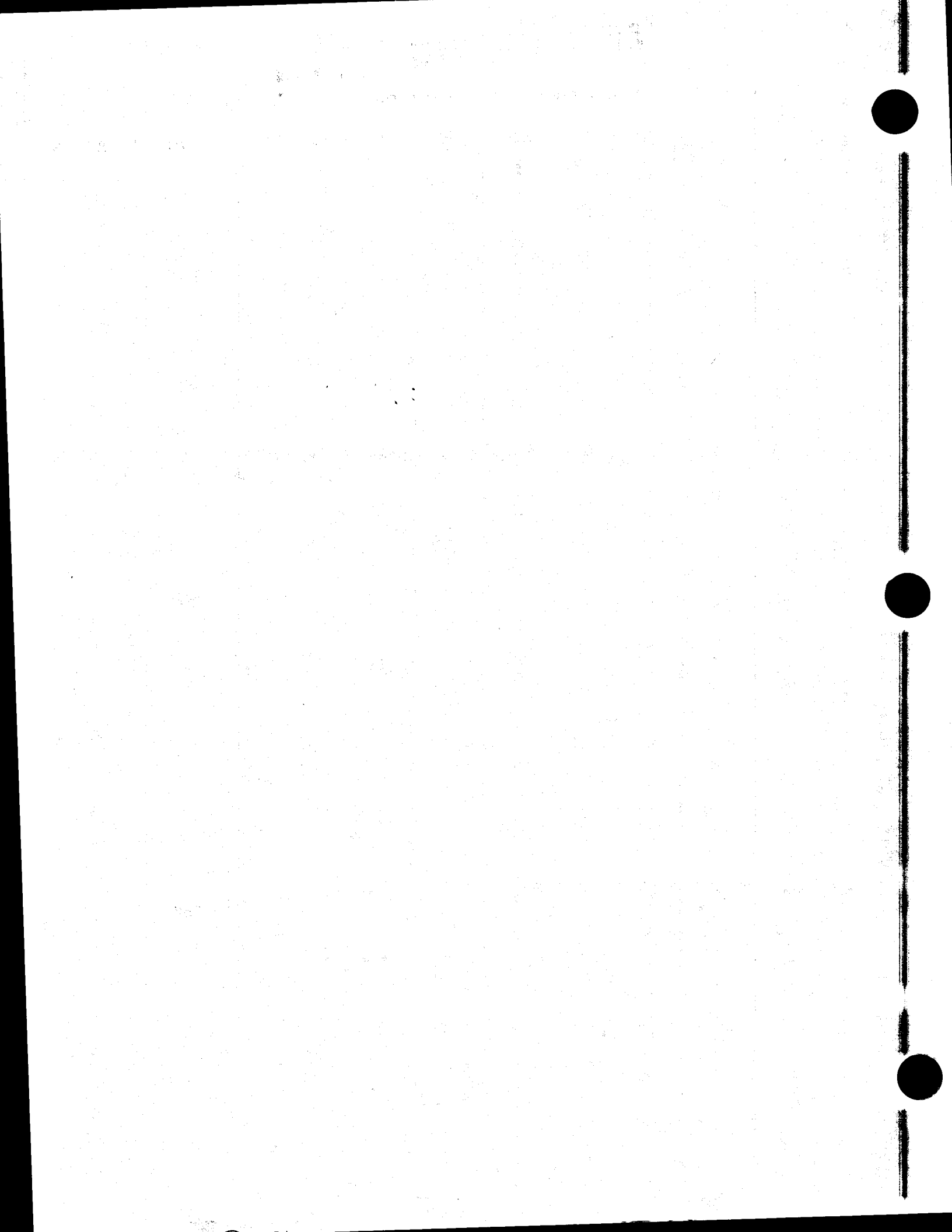
S-3572

- 1 Amend Senate File 442, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 19 and 20 and
- 4 inserting the following:
- 5 "8. ~~Correctional-release~~ Newton correctional
- 6 facility."
- 7 2. Page 1, line 26, by striking the word
- 8 "RIVERVIEW" and inserting the following: "NEWTON".
- 9 3. Page 1, line 26, by striking the words "AT
- 10 NEWTON".
- 11 4. Page 1, line 27, by striking the word
- 12 "riverview".
- 13 5. Page 1, line 28, by striking the words "for
- 14 men".

Senate Concurred 4/24/97 (p. 1425)

RECEIVED FROM THE HOUSE

S-3572 FILED APRIL 17, 1997



Salverson, Chair
Frais
McKeon

SSB 55
Judiciary
Succeeded By
SF/HF 442

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

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

A BILL FOR

1 An Act relating to the designation of certain correctional
2 facilities.

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

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1 Section 1. Section 904.102, subsection 8, Code 1997, is
2 amended to read as follows:

3 8. ~~Correctional-release-center~~ Newton correctional
4 facility.

5 Sec. 2. Section 904.102, Code 1997, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 8A. Fort Dodge correctional facility.

8 Sec. 3. Section 904.206, Code 1997, is amended by striking
9 the section and inserting in lieu thereof the following:

10 904.206 NEWTON CORRECTIONAL FACILITY.

11 The correctional facility at Newton shall be utilized as a
12 correctional facility for men. The facility shall include
13 minimum security facilities and facilities established under
14 section 904.207.

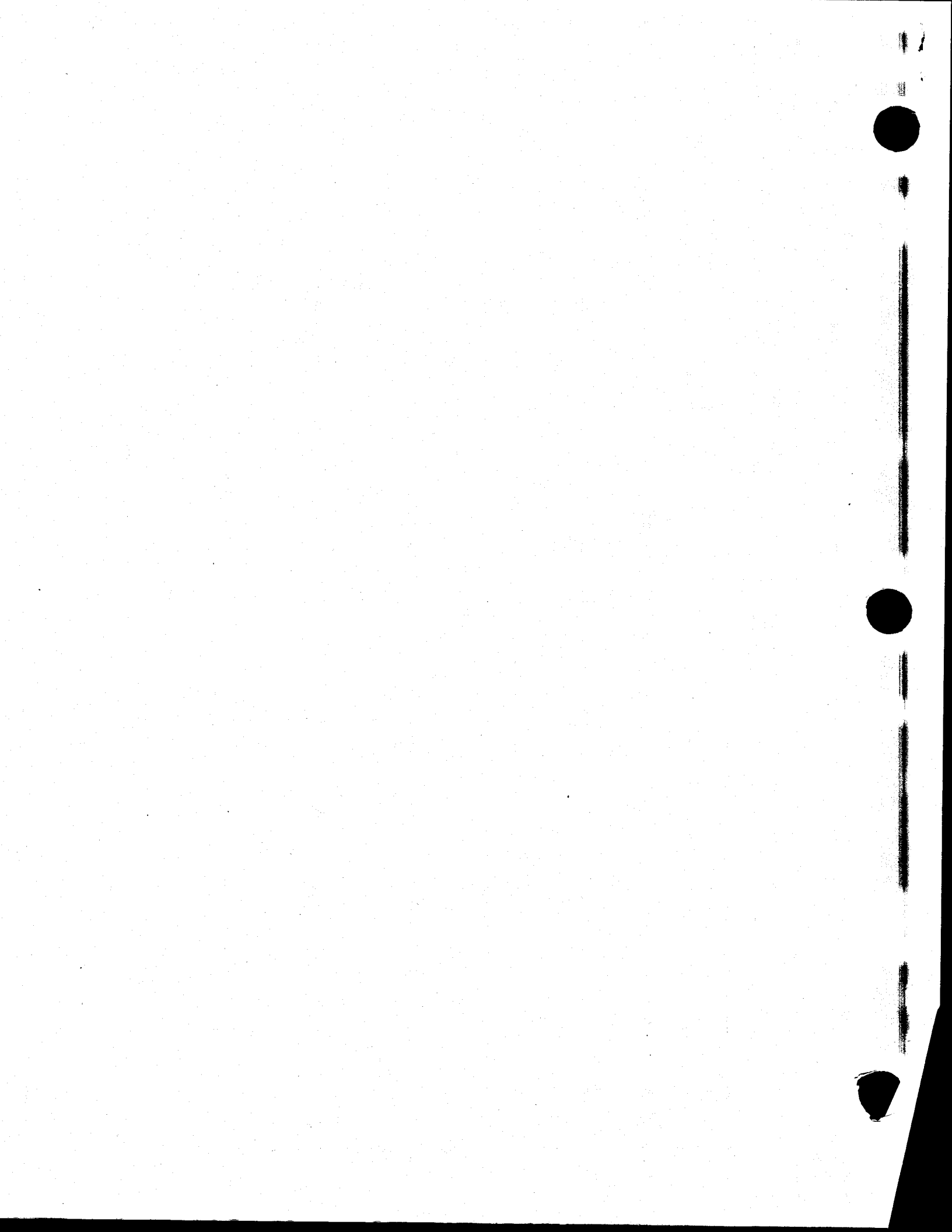
15 EXPLANATION

16 This bill specifically identifies the Fort Dodge and Newton
17 correctional facilities as institutions under the control of
18 the department of corrections. The bill deletes reference to
19 the correctional release center at Newton and provides that
20 the Newton correctional facility shall be utilized as a
21 correctional facility for men that includes minimum security
22 facilities and a violator facility.

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RATIONALE FOR CHANGE:

The opening of the new Newton Correctional facility renders the current code language pertaining to this facility obsolete. The revised language more accurately describes the current operation and conforms the language to that describing similar institutions. The Ft. Dodge Correctional Facility is a newly established institution which needs to be included in the list of facilities under the Department's jurisdiction.



SENATE FILE 442

AN ACT

RELATING TO THE DESIGNATION OF CERTAIN CORRECTIONAL FACILITIES.

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

Section 1. Section 602.6201, subsection 3, paragraph b, Code 1997, is amended to read as follows:

b. All other judicial election districts are entitled to the number of judgeships equal to the average, rounded to the nearest whole number, of the following two quotients, each rounded to the nearest hundredth:

(1) The combined civil and criminal filings in the election district divided by four hundred fifty.

(2) The election district's population divided by forty thousand.

However, the judicial election district in which the Iowa state penitentiary at Fort Madison is located is entitled to one additional judgeship.

Sec. 2. Section 904.102, subsection 2, Code 1997, is amended to read as follows:

2. ~~Iowa Anamosa state men's-reformatory penitentiary.~~

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any restitution plan of payment to the judicial district
department of correctional services quartering and supervising
the inmate.

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 442, Seventy-seventh General Assembly.

Approved May 7, 1997

MARY PAT GUNDERSON
Secretary of the Senate

TERRY E. BRANSTAD
Governor