

McKean  
Angelo  
Fruise

SSB 1007  
Judiciary

SENATE/HOUSE JOINT RESOLUTION \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
CORRECTIONS RESOLUTION)

Succeeded By  
SJSF/HF 3

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

### SENATE/HOUSE JOINT RESOLUTION

- 1 A Joint Resolution authorizing the sixth judicial district  
2 department of correctional services to extend a lease-purchase  
3 agreement and providing an effective date.  
4 WHEREAS, the sixth judicial district department of  
5 correctional services entered into a lease-purchase agreement  
6 with Merchants National Bank of Cedar Rapids on April 1, 1991,  
7 for real property located in Johnson and Linn counties where the  
8 current community-based correctional facilities are now located;  
9 and  
10 WHEREAS, the lease-purchase agreement was assigned to Firststar  
11 Bank of Milwaukee; and  
12 WHEREAS, the sixth judicial district department of  
13 correctional services is desirous to exercise an option in the  
14 lease-purchase agreement to acquire approximately ten acres of  
15 real property located next to the community-based correctional  
16 facility in Cedar Rapids, Iowa; and  
17 WHEREAS, the current lease-purchase agreement is for a term  
18 commencing on April 25, 1991, and ending on June 1, 2006; and  
19 WHEREAS, the sixth judicial district department of  
20 correctional services requests authorization from the general  
21 assembly pursuant to Code section 905.4, subsection 5, for an  
22 extension of the lease-purchase agreement with Firststar Bank of  
23 Milwaukee; and  
24 WHEREAS, the requested extension of the lease-purchase

1 agreement is for a term commencing on June 1, 2006, and ending on  
2 June 1, 2008; and

3 WHEREAS, current funding is adequate to meet the extension of  
4 the lease-purchase obligation and no general fund moneys need to  
5 be appropriated to extend the lease-purchase agreement; NOW  
6 THEREFORE,

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

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1 Section 1. AUTHORIZATION BY GENERAL ASSEMBLY. The general  
 2 assembly pursuant to Code section 905.4, subsection 5,  
 3 authorizes the sixth judicial district department of  
 4 correctional services to extend for a period of two years,  
 5 from June 1, 2006, through June 1, 2008, the lease-purchase  
 6 agreement entered into with Merchants National Bank of Cedar  
 7 Rapids on April 1, 1991, and assigned to Firststar Bank of  
 8 Milwaukee. The general assembly acknowledges that the sixth  
 9 judicial district department of correctional services has  
 10 adequate funding to meet the extension of the lease-purchase  
 11 agreement and that no state general fund appropriations need  
 12 to be made to extend the lease-purchase agreement.

13 Sec. 2. EFFECTIVE DATE. This joint resolution, being  
 14 deemed of immediate importance, takes effect upon enactment.

15 EXPLANATION

16 This joint resolution authorizes the sixth judicial  
 17 district department of correctional services to extend a  
 18 lease-purchase agreement. The resolution provides that the  
 19 sixth judicial district department of correctional services  
 20 may extend a lease-purchase agreement entered into with  
 21 Firststar Bank of Milwaukee to allow for the purchase of  
 22 approximately 10 acres of land adjacent to the community-based  
 23 correctional facility in Cedar Rapids. The resolution states  
 24 that the sixth judicial district has obtained adequate funding  
 25 to extend the lease-purchase agreement and that no general  
 26 fund moneys need to be appropriated.

27 The joint resolution takes effect upon enactment.

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FILED FEB 5 '01

SENATE JOINT RESOLUTION 3  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1007)

Passed Senate, Date <sup>(P. 926)</sup> 4/2/01 Passed House, Date <sup>(P. 1314)</sup> 4/23/01  
Vote: Ayes 48 Nays 0 Vote: Ayes 93 Nays 0

<sup>(P. 1388)</sup> Re Passed <sup>4-30-01</sup> Approved May 7, 2001  
Vote 40-0

SENATE JOINT RESOLUTION

1 A Joint Resolution authorizing the sixth judicial district  
2 department of correctional services to extend a lease-purchase  
3 agreement and providing an effective date.  
4 WHEREAS, the sixth judicial district department of  
5 correctional services entered into a lease-purchase agreement  
6 with Merchants National Bank of Cedar Rapids on April 1, 1991,  
7 for real property located in Johnson and Linn counties where the  
8 current community-based correctional facilities are now located;  
9 and  
10 WHEREAS, the lease-purchase agreement was assigned to Firststar  
11 Bank of Milwaukee; and  
12 WHEREAS, the sixth judicial district department of  
13 correctional services is desirous to exercise an option in the  
14 lease-purchase agreement to acquire approximately ten acres of  
15 real property located next to the community-based correctional  
16 facility in Cedar Rapids, Iowa; and  
17 WHEREAS, the current lease-purchase agreement is for a term  
18 commencing on April 25, 1991, and ending on June 1, 2006; and  
19 WHEREAS, the sixth judicial district department of  
20 correctional services requests authorization from the general  
21 assembly pursuant to Code section 905.4, subsection 5, for an  
22 extension of the lease-purchase agreement with Firststar Bank of

SR 3

1 Milwaukee; and

2 WHEREAS, the requested extension of the lease-purchase  
3 agreement is for a term commencing on June 1, 2006, and ending on  
4 June 1, 2008; and

5 WHEREAS, current funding is adequate to meet the extension of  
6 the lease-purchase obligation and no general fund moneys need to  
7 be appropriated to extend the lease-purchase agreement; NOW  
8 THEREFORE,

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

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8 Milwaukee. The general assembly acknowledges that the sixth  
9 judicial district department of correctional services has  
10 adequate funding to meet the extension of the lease-purchase  
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12 to be made to extend the lease-purchase agreement.

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16 This joint resolution authorizes the sixth judicial  
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18 lease-purchase agreement. The resolution provides that the  
19 sixth judicial district department of correctional services  
20 may extend a lease-purchase agreement entered into with  
21 Firststar Bank of Milwaukee to allow for the purchase of  
22 approximately 10 acres of land adjacent to the community-based  
23 correctional facility in Cedar Rapids. The resolution states  
24 that the sixth judicial district has obtained adequate funding  
25 to extend the lease-purchase agreement and that no general  
26 fund moneys need to be appropriated.

27 The joint resolution takes effect upon enactment.

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## SENATE JOINT RESOLUTION 3

H-1489

1 Amend Senate Joint Resolution 3, as passed by the  
2 Senate, as follows:

3 1. Page 1, line 8, by inserting after the word  
4 "Milwaukee" the following: "for the acquisition of  
5 approximately ten acres of real property located next  
6 to the community-based correctional facility in Cedar  
7 Rapids, Iowa. The general assembly also authorizes  
8 the sixth judicial district department of correctional  
9 services, in lieu of extending the current lease-  
10 purchase agreement, to enter into a new lease-purchase  
11 agreement for a period beginning in the year 2001 and  
12 extending through June 1, 2008, for the purpose of  
13 refunding the current lease-purchase agreement and  
14 financing the acquisition of approximately ten acres  
15 of real property located next to the community-based  
16 correctional facility in Cedar Rapids, Iowa".

17 2. Page 1, line 10, by striking the words "of  
18 the" and inserting the following: "or entering into  
19 of a new".

20 3. Page 1, line 12, by striking the word "the"  
21 and inserting the following: "or enter into a new".

22 4. Title, page 1, line 2, by striking the word  
23 "a" and inserting the following: "or enter into a  
24 new".

25 5. Title, page 1, line 16, by inserting after the  
26 word "Iowa" the following: ", or is desirous to enter  
27 into a new lease-purchase agreement to refund the  
28 current lease-purchase agreement and to acquire such  
29 property".

30 6. Title, page 1, by inserting after line 18 the  
31 following:

32 "WHEREAS, if a new lease-purchase agreement is  
33 entered into, the term would commence in the year  
34 2001, and end on June 1, 2008; and".

35 7. Title, page 2, by inserting after line 1 the  
36 following:

37 "WHEREAS, the sixth judicial district department of  
38 correctional services requests authorization to enter  
39 into a new lease-purchase agreement in lieu of  
40 extending the current lease-purchase agreement if the  
41 district department so desires; and".

42 8. Title, page 2, line 6, by striking the word  
43 "the" and inserting the following: "or entering into  
44 a new".

45 9. Title, page 2, line 7, by striking the word  
46 "the" and inserting the following: "or enter into a  
47 new".

By KETTERING of Sac

H-1489 FILED APRIL 11, 2001

*Adopted*

*4/23/01*

*(p. 1313)*

**HOUSE AMENDMENT TO  
SENATE JOINT RESOLUTION 3**

S-3425

- 1 Amend Senate Joint Resolution 3, as passed by the  
2 Senate, as follows:
- 3 1. Page 1, line 8, by inserting after the word  
4 "Milwaukee" the following: "for the acquisition of  
5 approximately ten acres of real property located next  
6 to the community-based correctional facility in Cedar  
7 Rapids, Iowa. The general assembly also authorizes  
8 the sixth judicial district department of correctional  
9 services, in lieu of extending the current lease-  
10 purchase agreement, to enter into a new lease-purchase  
11 agreement for a period beginning in the year 2001 and  
12 extending through June 1, 2008, for the purpose of  
13 refunding the current lease-purchase agreement and  
14 financing the acquisition of approximately ten acres  
15 of real property located next to the community-based  
16 correctional facility in Cedar Rapids, Iowa".
- 17 2. Page 1, line 10, by striking the words "of  
18 the" and inserting the following: "or entering into  
19 of a new".
- 20 3. Page 1, line 12, by striking the word "the"  
21 and inserting the following: "or enter into a new".
- 22 4. Title, page 1, line 2, by striking the word  
23 "a" and inserting the following: "or enter into a  
24 new".
- 25 5. Title, page 1, line 16, by inserting after the  
26 word "Iowa" the following: ", or is desirous to enter  
27 into a new lease-purchase agreement to refund the  
28 current lease-purchase agreement and to acquire such  
29 property".
- 30 6. Title, page 1, by inserting after line 18 the  
31 following:  
32 "WHEREAS, if a new lease-purchase agreement is  
33 entered into, the term would commence in the year  
34 2001, and end on June 1, 2008; and".
- 35 7. Title, page 2, by inserting after line 1 the  
36 following:  
37 "WHEREAS, the sixth judicial district department of  
38 correctional services requests authorization to enter  
39 into a new lease-purchase agreement in lieu of  
40 extending the current lease-purchase agreement if the  
41 district department so desires; and".
- 42 8. Title, page 2, line 6, by striking the word  
43 "the" and inserting the following: "or entering into  
44 a new".
- 45 9. Title, page 2, line 7, by striking the word  
46 "the" and inserting the following: "or enter into a  
47 new".

RECEIVED FROM THE HOUSE

S-3425 FILED APRIL 23, 2001

*Senate Concurred*  
4-20/01 (P.1387)

**SENATE JOINT RESOLUTION 3  
FISCAL NOTE**

The estimate for **Senate Joint Resolution 3** is hereby submitted as a fiscal note pursuant to Joint Rule 17. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate Joint Resolution 3 authorizes the extension of a lease-purchase agreement by the Sixth Judicial District Department of Correctional Services, as required by Section 905.4(5), Code of Iowa.

**ASSUMPTIONS**

1. Current funding is adequate to meet the lease-purchase obligation.
2. The current lease-purchase costs approximately \$125,000 annually.
3. The proposed extension will increase costs. The District Department will use local funds, rather than the General Fund appropriation, for these costs.
4. The proposed two-year extension of the lease-purchase agreement will increase costs by \$10,000 annually from FY 2002 through FY 2006 (\$50,000 total).
5. Refinancing of the agreement will be \$20,000 annually for FY 2007 and FY 2008 (\$40,000 total).
6. The District Department will incur two more years of the current lease-purchase cost (\$125,000 annually).
7. Total costs for FY 2007 and FY 2008 are \$145,000 annually (\$290,000 total).

**FISCAL IMPACT**

The fiscal impact of Senate Joint Resolution 3 for the extension of the lease-purchase agreement by the Sixth Judicial District Department of Correctional Services is as follows:

Fiscal Year Cost	Current Law Cost	Proposed Cost 2-Year Extension	Increased Cost From Current Law
2002	\$125,000	\$135,000	\$ 10,000
2003	125,000	135,000	10,000
2004	125,000	135,000	10,000
2005	125,000	135,000	10,000
2006	125,000	135,000	10,000
2007	0	145,000	145,000
2008	0	145,000	145,000
Total	\$625,000	\$965,000	\$340,000

**SOURCE**

Iowa Department of Corrections

(LSB 1133SV, BAL)

SENATE JOINT RESOLUTION 3

A JOINT RESOLUTION

AUTHORIZING THE SIXTH JUDICIAL DISTRICT DEPARTMENT OF  
CORRECTIONAL SERVICES TO EXTEND OR ENTER INTO A NEW  
LEASE-PURCHASE AGREEMENT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the sixth judicial district department of  
correctional services entered into a lease-purchase agreement  
with Merchants National Bank of Cedar Rapids on April 1, 1991,  
for real property located in Johnson and Linn counties where  
the current community-based correctional facilities are now  
located; and

WHEREAS, the lease-purchase agreement was assigned to  
Firstar Bank of Milwaukee; and

WHEREAS, the sixth judicial district department of  
correctional services is desirous to exercise an option in the  
lease-purchase agreement to acquire approximately ten acres of  
real property located next to the community-based correctional  
facility in Cedar Rapids, Iowa, or is desirous to enter into a  
new lease-purchase agreement to refund the current lease-  
purchase agreement and to acquire such property; and

WHEREAS, the current lease-purchase agreement is for a term  
commencing on April 25, 1991, and ending on June 1, 2006; and

WHEREAS, if a new lease-purchase agreement is entered into,  
the term would commence in the year 2001, and end on June 1,  
2008; and

WHEREAS, the sixth judicial district department of  
correctional services requests authorization from the general  
assembly pursuant to Code section 905.4, subsection 5, for an  
extension of the lease-purchase agreement with Firstar Bank of  
Milwaukee; and

WHEREAS, the sixth judicial district department of  
correctional services requests authorization to enter into a  
new lease-purchase agreement in lieu of extending the current

lease-purchase agreement if the district department so  
desires; and

WHEREAS, the requested extension of the lease-purchase  
agreement is for a term commencing on June 1, 2006, and ending  
on June 1, 2008; and

WHEREAS, current funding is adequate to meet the extension  
of or entering into a new lease-purchase obligation and no  
general fund moneys need to be appropriated to extend or enter  
into a new lease-purchase agreement; NOW THEREFORE,

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

Section 1. AUTHORIZATION BY GENERAL ASSEMBLY. The general  
assembly pursuant to Code section 905.4, subsection 5,  
authorizes the sixth judicial district department of  
correctional services to extend for a period of two years,  
from June 1, 2006, through June 1, 2008, the lease-purchase  
agreement entered into with Merchants National Bank of Cedar  
Rapids on April 1, 1991, and assigned to Firstar Bank of  
Milwaukee for the acquisition of approximately ten acres of  
real property located next to the community-based correctional  
facility in Cedar Rapids, Iowa. The general assembly also  
authorizes the sixth judicial district department of  
correctional services, in lieu of extending the current lease-  
purchase agreement, to enter into a new lease-purchase  
agreement for a period beginning in the year 2001 and  
extending through June 1, 2008, for the purpose of refunding  
the current lease-purchase agreement and financing the  
acquisition of approximately ten acres of real property  
located next to the community-based correctional facility in  
Cedar Rapids, Iowa. The general assembly acknowledges that  
the sixth judicial district department of correctional  
services has adequate funding to meet the extension or  
entering into of a new lease-purchase agreement and that no  
state general fund appropriations need to be made to extend or  
enter into a new lease-purchase agreement.

Sec. 2. EFFECTIVE DATE. This joint resolution, being deemed of immediate importance, takes effect upon enactment.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this resolution originated in the Senate and is known as Senate Joint Resolution 3, Seventy-ninth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved May 7, 2001

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THOMAS J. VILSACK  
Governor