

CHAPTER 151
SOCIAL WELFARE ACT

S. F. 373

AN ACT to create a state department of social welfare; to create a state board of social welfare and fix the amount and method of compensation for the five members thereof; to create county boards of social welfare and fix their powers, functions and duties; to fix the manner and amount of compensation for said county board members; to regulate and fix the manner of employing the officers and employees of the state board and the various county boards; and to prescribe the source of compensation of the state board members and their employees and the county board members and their employees; to create divisions within the state department to administer old age assistance, emergency relief, aid to the blind, aid to dependent children, and child welfare; and to make appropriation of federal funds made available for carrying out the purposes of this act.

Be It Enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Definitions.** As used in this act: "State department"
2 means the state department of social welfare; "state board" means
3 the state board of social welfare; "county board" means the county
4 board of social welfare.

1 **SEC. 2. State department of social welfare.** There is hereby created
2 a state department of social welfare which shall consist of a state
3 board of social welfare, and such other officers and employees as may
4 be hereafter provided.

1 **SEC. 3. State board of social welfare.** The state board of social
2 welfare shall consist of five members appointed by the governor, sub-
3 ject to the approval of a two-thirds vote of the members of the senate
4 in executive session. At least one member of the state board shall
5 be a woman, not more than three members shall be of the same
6 political party, and not more than one member shall be from any one
7 congressional district. Each member shall serve for a term of four
8 years, or until his successor is appointed and qualified, except that the
9 terms of the members first appointed shall expire, as designated by
10 the governor at the time of appointment, three terms on June 30,
11 1939, and two terms on June 30, 1941. Within sixty days after the
12 convening of the general assembly, the governor shall appoint suc-
13 cessors to the members of said board whose terms expire on the follow-
14 ing June thirtieth.

1 **SEC. 4. Vacancies.** Vacancies occurring while the general assembly
2 is in session shall be filled for the unexpired portion of the term in
3 the same manner as full term appointments are made. Vacancies
4 occurring while the general assembly is not in session shall be filled
5 by the governor and shall be approved by the executive council, but
6 such appointments shall terminate at the end of thirty days after the
7 convening of the next general assembly.

1 **SEC. 5. Compensation.** Each member of the state board shall be
2 entitled to receive as compensation for his services the sum of fifteen
3 dollars per day for each and every day which he devotes to the actual
4 performance of his duties, as prescribed in this act, but the total
5 amount of such compensation shall not exceed the sum of twelve hun-
6 dred dollars per year. In addition to the compensation hereinbefore

7 prescribed, each member of the state board shall be entitled to receive
8 the amount of his traveling and other necessary expenses actually in-
9 curred while engaged in the performance of his official duties.

1 **SEC. 6. Powers and duties of the state board.** The state board shall
2 be vested with the authority to administer old age assistance, aid to
3 the blind, aid to dependent children, child welfare and emergency re-
4 lief. To this end it shall perform such duties, formulate and make
5 such rules and regulations as may be necessary; shall outline such
6 policies, dictate such procedure and delegate such powers as may be
7 necessary to carry out the provisions and purposes of chapter two
8 hundred sixty-six-f one (266-f1), code, 1935, as hereafter amended,
9 senate file three hundred seventy-four (374), senate file three hun-
10 dred seventy-five (375), and senate file three hundred seventy-seven
11 (377), and senate file four hundred fifty-one (451), acts of the forty-
12 seventh general assembly.

13 The state board shall:

14 1. Within ninety days after the close of each fiscal year, prepare
15 and print for said year a report to the governor which shall include a
16 full account of the operation of the acts under its control, adequate
17 and complete statistical reports by counties and for the state as a
18 whole concerning all payments made under its administration, and
19 such other information as it may deem advisable, or which may be
20 requested by the governor or by the general assembly.

21 2. Cooperate with the federal social security board created by title
22 VII of the social security act, public No. 271, enacted by the 74th
23 congress of the United States and approved August 14, 1935, or other
24 agency of the federal government for public welfare assistance, in
25 such reasonable manner as may be necessary to qualify for federal aid,
26 including the making of such reports in such form and containing
27 such information as the federal social security board, from time to
28 time, may require, and to comply with such regulations as such federal
29 social security board, from time to time, may find necessary to assure
30 the correctness and verification of such reports.

31 3. Exercise general supervision over the county boards of social
32 welfare and their employees.

33 4. Furnish information to acquaint the public generally with the
34 operation of the acts under the jurisdiction of the state board.

1 **SEC. 7. Secretary.** The state board shall appoint a secretary who
2 shall serve at its pleasure and shall perform such duties as it may
3 require. He shall receive a salary not in excess of three thousand
4 dollars per year.

1 **SEC. 8. State board employees.** All employees of the state board
2 shall have been residents of the state of Iowa for at least two (2)
3 years immediately preceding their employment and shall be selected
4 from among those who have successfully qualified in an examination
5 given by the state board or under its direction, covering character,
6 general training, and experience. Such examinations shall be open
7 to all persons, and persons taking such examinations, upon success-
8 fully qualifying, shall be classified according to the fields of work
9 for which said persons are fitted, all in accordance with rules and
10 regulations of the state board adopted and published by the state board.

1 **SEC. 9. Divisions.** The state board shall create (1) a division of
2 old age assistance, (2) a division of emergency relief, and (3) a
3 division incorporating aid to the blind, aid to dependent children, and
4 child welfare. It shall appoint a superintendent for each division,
5 who shall serve at the pleasure of the state board, and shall have such
6 powers and perform such duties as are prescribed by law or as are
7 delegated by the state board. Each superintendent shall receive such
8 salary as is fixed by the state board but not in excess of thirty-six
9 hundred dollars per year.

1 **SEC. 10. County board of social welfare.** The board of supervisors
2 of each county shall appoint a county board of social welfare, which
3 shall consist of three members in counties of less than thirty-three
4 thousand population, not more than two of whom shall belong to the
5 same political party, and at least one of whom shall be a woman; and
6 which shall consist of five members in counties of more than thirty-
7 three thousand population, not more than three of whom shall belong
8 to the same political party, and at least one of whom shall be a woman.
9 At the discretion of the board of supervisors one or more of said
10 members may be chosen from the membership of said board of super-
11 visors. Within thirty days after the effective date of this act the
12 board of supervisors shall appoint the members of the county board,
13 which members shall serve until their successors are appointed as
14 hereinafter provided. Commencing with the year 1938, and annually
15 thereafter, the board of supervisors shall appoint the members of the
16 county board who shall serve for one year and until their successors
17 are appointed. If a vacancy shall occur in the membership of the
18 county board, other than by the expiration of a term, a member shall
19 be appointed to fill such vacancy for the unexpired term. All appoint-
20 ments, made as herein provided, shall be made a part of the regular
21 proceedings of the board of supervisors and shall be filed with the
22 county auditor and with the secretary of the state board.

1 **SEC. 11. Compensation of county board members.** All members of
2 the county board shall be reimbursed for the actual and necessary
3 expenses incurred by them in the discharge of their duties. They
4 shall also receive compensation for services at the rate of three dollars
5 per diem, but such compensation shall not exceed a total of ninety
6 dollars in any one year in counties of less than thirty-three thousand
7 population, or one hundred twenty dollars in counties of more than
8 thirty-three thousand population. The expenses and compensation
9 of county board members shall be paid from the general fund of the
10 county; provided, however, that members of the board of supervisors
11 serving on said county board of social welfare shall not be paid com-
12 pensation as members of said county board of social welfare for any
13 day on which they are paid for their official work as members of the
14 board of supervisors.

1 **SEC. 12. Duties of the county board.** The county board shall be
2 vested with the authority to direct in the county old age assistance,
3 aid to the blind, aid to dependent children and emergency relief with
4 only such powers and duties as are prescribed in the laws relating
5 thereto.

1 **SEC. 13. County board employees.** The county board shall employ
2 a county director and such other personnel as is necessary for the per-
3 formance of its duties. The number of employees shall be subject to
4 the approval of the state board. The county director and all employees
5 shall be selected solely on the basis of the fitness for the work to be
6 performed, with due regard to experience and training, but gradua-
7 tion from college shall not be made a prerequisite of any such appoint-
8 ment. It shall be a prerequisite to obtaining an appointment that the
9 applicant shall have been a legal resident of Iowa for at least two (2)
10 years prior to the time of making said application.

11 Any appointment made by the county board, other than clerical
12 or stenographic help, shall be subject to review by the state board in
13 this respect, that if any appointee is not properly carrying out the
14 duties for which he is appointed, or if any appointee is not qualified
15 or capable of handling the duties for which he is appointed, and the
16 state board so finds, it shall certify a copy of such findings to the
17 county board and the county board shall then discharge the said em-
18 ployee and shall fill the vacancy.

1 **SEC. 14. Compensation of county board employees.** The compensa-
2 tion of county board employees shall be fixed by the county board of
3 social welfare and shall be paid by the state board from funds made
4 available for that purpose. However, the compensation of all em-
5 ployees shall be subject to the approval of the state board and the
6 county board of supervisors.

1 **SEC. 15. Federal grants.** The state treasurer is hereby authorized
2 to receive such federal funds as may be made available for carrying
3 out any of the activities and functions of the state department, and all
4 such funds are hereby appropriated for expenditure upon authoriza-
5 tion of the state board.

1 **SEC. 16. Publication clause.** This act, being deemed of immediate
2 importance, shall be in full force and effect from and after its pass-
3 age and publication in two newspapers of general circulation in this
4 state, as provided by law.

Senate File 373. Approved May 7, 1937.

I hereby certify that the foregoing act was published in the Holstein Advance, May
27, 1937, and the Herald Ledger, Eldora, May 27, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*