

FILED JAN 23 1979

Reprinted 2/79

SENATE FILE 98

By COMMITTEE ON COUNTY GOVERNMENT
Approved 1/23

Passed Senate, Date 2-14-79 (p. 446) Passed House, Date _____

Vote: Ayes 49 Nays 0 Vote: Ayes _____ Nays _____

Approved May 8, 1979

A BILL FOR

1 An Act to change the title of the overseer of the poor to
2 general relief director, and to transfer to that officer
3 or to the county board of supervisors certain duties
4 now imposed by law upon township trustees.

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

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SENATE FILE 98

S-3076

1 Amend the Senate amendment S-3062 to Senate File 98
2 as follows:

3 1. Page 1, by striking lines 7 and 8 and inserting
4 in lieu thereof the following:

5 ""able;" the words "paid no less than under the state
6 merit system at grade 7, step 1,"".

S-3076 FILED & ADOPTED (p. 446)
FEBRUARY 14, 1979

BY TOM SLATER
ROBERT M. CARR
RICHARD F. DRAKE

1 Section 1. Section two hundred fifty-two point two (252.2),
2 Code 1979, is amended to read as follows:

3 252.2 PARENTS AND CHILDREN LIABLE. The father, mother,
4 and children of any poor person, who is unable to maintain
5 himself or herself by labor, shall jointly or severally relieve
6 or maintain such person in such manner as, upon application
7 to the ~~township-trustees~~ board of supervisors of the ~~township~~
8 county where such person has a residence or may be, they may
9 direct.

10 Sec. 2. Section two hundred fifty-two point six (252.6),
11 Code 1979, is amended to read as follows:

12 252.6 ENFORCEMENT OF LIABILITY. Upon the failure of such
13 relatives so to relieve or maintain a poor person who has
14 made application for relief, the ~~township-trustees~~ county
15 board of supervisors, county social welfare board, or state
16 division of child and family services of the department of
17 social services may apply to the district court of the county
18 where such poor person resides or may be, for an order to
19 compel the same.

20 Sec. 3. Section two hundred fifty-two point twenty-five
21 (252.25), Code 1979, is amended by striking the section and
22 inserting in lieu thereof the following:

23 252.25 COUNTY GENERAL RELIEF. The board of supervisors
24 of each county shall provide for the relief of poor persons
25 in its county who are ineligible for, or are in immediate
26 need and are awaiting approval and receipt of, assistance
27 under programs provided by state or federal law, or whose
28 actual needs cannot be fully met by the assistance furnished
29 under such programs. The county board may establish general
30 rules as its members deem necessary to properly discharge
31 their responsibility under this section.

32 Sec. 4. Section two hundred fifty-two point twenty-six
33 (252.26), Code 1979, is amended to read as follows:

34 252.26 ~~OVERSEER-OF-POOR~~ GENERAL RELIEF DIRECTOR. The
35 board of supervisors in any county in the state may appoint

1 ~~an overseer of the poor~~ a general relief director for any
2 ~~part, or all of~~ the county, who shall have ~~within said county,~~
3 ~~or any part thereof,~~ all the powers and duties conferred by
4 this chapter ~~on the township trustees,~~ Said overseer. The
5 director shall receive as compensation an amount to be
6 determined by the county board ~~and,~~ which may be paid either
7 from the general or poor fund of the county.

8 Sec. 5. Section two hundred fifty-two point twenty-eight
9 (252.28), Code 1979, is amended to read as follows:

10 252.28 MEDICAL SERVICES. When medical services are
11 rendered by order of the ~~trustees or overseers of the poor~~
12 general relief director, no more shall be charged or paid
13 therefor than is usually charged for like services ~~in the~~
14 ~~neighborhood where such services are rendered.~~

15 Sec. 6. Section two hundred fifty-two point thirty-three
16 (252.33), Code 1979, is amended to read as follows:

17 252.33 APPLICATION FOR RELIEF. The poor may make
18 application for relief to a member of the board of supervisors,
19 or to the ~~overseer of the poor, or to the trustees of the~~
20 ~~township~~ general relief director of the county where they
21 may be. If application be made to the ~~township trustees~~
22 general relief director and ~~they are~~ that officer is satisfied
23 that the applicant is in such a state of want as requires
24 relief at the public expense, ~~they~~ the director may afford
25 such temporary relief, subject to the approval of the board
26 of supervisors, as the necessities of the person require and
27 shall report the case forthwith to the board of supervisors,
28 who may continue or deny relief, as they find cause.

29 Sec. 7. Section two hundred fifty-two point thirty-four
30 (252.34), Code 1979, is amended to read as follows:

31 252.34 ALLOWANCE BY BOARD. The board of supervisors may
32 examine into all claims, including claims for medical
33 attendance, allowed by the ~~township trustees~~ general relief
34 director for the support of the poor, and if they find the
35 amount allowed ~~by said trustees~~ to be unreasonable, exorbitant,

1 or for any goods or services other than for the necessities
2 of life, they may reject or diminish the claim as in their
3 judgment would be right and just. This section shall apply
4 to all counties in the state, ~~whether there are county care~~
5 ~~facilities established in the same or not. This and section~~
6 ~~252.33 shall apply to acts of overseers of poor in cities~~
7 ~~as well as to township trustees.~~

8 Sec. 8. Section two hundred fifty-two point thirty-five
9 (252.35), Code 1979, is amended to read as follows:

10 252.35 PAYMENT OF CLAIMS. All claims and bills for the
11 care and support of the poor shall be certified to be correct
12 by the ~~proper trustees~~ general relief director and presented
13 to the board of supervisors, and, if they are satisfied that
14 ~~they~~ the claims and bills are reasonable and proper, they
15 shall be paid out of the county treasury.

16 Sec. 9. Section two hundred fifty-two point thirty-seven
17 (252.37), Code 1979, is amended to read as follows:

18 252.37 APPEAL TO SUPERVISORS. If any poor person, on
19 application to the ~~trustees~~ general relief director, be refused
20 the required relief, ~~he~~ the applicant may apply appeal to
21 the board of supervisors, who, upon examination into the
22 matter, may ~~direct the trustees~~ order the director to afford
23 relief, or it may direct specific relief.

24 Sec. 10. Section two hundred fifty-two point forty-one
25 (252.41), Code 1979, is amended to read as follows:

26 252.41 EMPLOYMENT. Any such contractor may employ a poor
27 person in any work for which he or she is physically able,
28 subject to the control of the board of supervisors, who may
29 place said contractor under the supervision of the ~~township~~
30 ~~trustees~~ general relief director.

31 Sec. 11. Section two hundred thirty-eight point thirty-
32 seven (238.37), Code 1979, is amended to read as follows:

33 238.37 AUTHORITY TO ENTER AGREEMENTS. The officers and
34 agencies of this state and its subdivisions having authority
35 to place children are hereby empowered to enter into agreements

1 with appropriate officers or agencies of or in other party
2 states pursuant to paragraph "b" of article V of the interstate
3 compact on the placement of children. Any such agreement
4 which contains a financial commitment or imposes a financial
5 obligation on this state or subdivision or agency thereof
6 shall not be binding unless it has the approval in writing
7 of the director of family and children's services in the case
8 of the state and the ~~everseer-of-the-peer~~ county general
9 relief director in the case of a subdivision of the state.

10 Sec. 12. Section two hundred fifty-five point two (255.2),
11 Code 1979, is amended to read as follows:

12 255.2 DUTY OF PUBLIC OFFICERS AND OTHERS. It shall be
13 the duty of physicians, public health nurses, members of
14 boards of supervisors ~~and-township-trustees;-everseers-of~~
15 ~~the-peer~~, general relief directors, sheriffs, policemen, and
16 public school teachers, having knowledge of persons suffering
17 from any such malady or deformity, to file or cause such
18 complaint to be filed.

19 Sec. 13. Section two hundred fifty-five point six (255.6),
20 Code 1979, is amended to read as follows:

21 255.6 INVESTIGATION AND REPORT. When such complaint is
22 filed, the clerk of juvenile court shall furnish the county
23 attorney and board of supervisors with a copy thereof and
24 said board shall, by the ~~everseer-of-the-peer~~ general relief
25 director or such other agent as it may select, make a thorough
26 investigation of facts as to the legal residence of the
27 patient, and the ability of the patient or others chargeable
28 with his or her support to pay the expense of such treatment
29 and care; and shall file a report of such investigation in
30 the office of the clerk, at or before the time of hearing.

31 Sec. 14. Section two hundred fifty-five point eight
32 (255.8), unnumbered paragraph one (1), Code 1979, is amended
33 to read as follows:

34 The county attorney and the ~~everseer-of-the-peer~~ general
35 relief director, or other agent of the board of supervisors

1 of the county where the hearing is held, shall appear thereat.
2 The complainant, the county attorney, the ~~overseer-of-the~~
3 ~~peer~~ general relief director or other agent of the board of
4 supervisors, and the patient, or any person representing him,
5 or her, may introduce evidence and be heard. If the court
6 finds that said patient is a legal resident of Iowa and is
7 pregnant or is suffering from a malady or deformity which
8 can probably be improved or cured or advantageously treated
9 by medical or surgical treatment or hospital care, and that
10 neither the patient nor any person legally chargeable with
11 his or her support is able to pay the expenses thereof, then
12 the clerk of court, except in obstetrical cases and cases
13 of crippled children, shall immediately ascertain from the
14 admitting physician at the university hospital whether such
15 person can be received as a patient within a period of thirty
16 days, and if the patient can be so received, the court, or
17 in the event of no actual contest, the clerk of the court,
18 shall then enter an order directing that said patient be sent
19 to the university hospital for proper medical and surgical
20 treatment and hospital care. If the court ascertain, excepting
21 in obstetrical cases and orthopedic cases, that a person of
22 the age or sex of the patient, or afflicted by the complaint,
23 disease or deformity with which such person is affected cannot
24 be received as a patient at the ~~said~~ university hospital
25 within the period of thirty days, then ~~he~~ the court or the
26 clerk shall enter an order directing the board of supervisors
27 of the county to provide adequate treatment at county expense
28 for ~~said~~ the patient at home or in a hospital. Obstetrical
29 cases and orthopedic cases may be committed to the university
30 hospital without regard to the limiting period of thirty days
31 ~~hereinafore-stated~~.

32 Sec. 15. Section three hundred thirty-two point seventeen
33 (332.17), subsection seven (7), Code 1979, is amended to read
34 as follows:

35 7. ~~Overseer-of-the-peer~~ General relief director

1 Sec. 16. Section three hundred forty-seven point sixteen
2 (347.16), subsection two (2), Code 1979, is amended to read
3 as follows:

4 2. Free care and treatment shall be furnished in a county
5 public hospital to any sick or injured person who has legal
6 settlement under section 252.16 in the county maintaining
7 the hospital, and who is indigent. The board of hospital
8 trustees shall determine whether a person is indigent and
9 entitled to free care under this subsection, or may delegate
10 that determination to the ~~overseer-of-the-poor~~ general relief
11 director or the office of the department of social services
12 in that county, subject to such guidelines as the board may
13 adopt in conformity with applicable statutes.

14 Sec. 17. Section three hundred fifty-nine point seventeen
15 (359.17), Code 1979, is amended to read as follows:

16 359.17 TRUSTEES--DUTIES--MEETINGS. The board of township
17 trustees in each township shall consist of three qualified
18 electors of the township. The trustees shall act as ~~overseers~~
19 ~~of-the-poor-and-as~~ fence viewers and shall perform other
20 duties assigned them by law. The board of trustees shall
21 meet on the first Monday in February, April, and November
22 in each year.

23 Sec. 18. Section two hundred fifty-two point thirty-two
24 (252.32), Code 1979, is repealed.

25 Sec. 19. This Act is effective January first of the year
26 following its enactment.

27 EXPLANATION

28 This bill changes the title of the county officer now known
29 as overseer of the poor to general relief director. (The
30 appointment of this officer is optional; in some counties
31 the duties of the office are integrated with those of the
32 county office of the Department of Social Services.) The
33 bill also formally transfers either to the general relief
34 director or to the county board of supervisors certain duties
35 in connection with administration of general relief which

1 are legally the responsibility of township trustees. These
2 duties have in fact been exercised by the overseer of the
3 poor or the county board of supervisors in nearly all cases,
4 for many years.

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SENATE FILE 98

S-3061

1 Amend Senate File 98 as follows:
2 1. Page 6, lines 5 and 6, by striking the words
3 "has legal settlement under section 252.16 in" and
4 inserting in lieu thereof the words "has-legal-settlement
5 under-section-252-16-in is a resident of".

S-3061 FILED *Adopted 2/13 (p. 428)* BY ROBERT M. CARR
FEBRUARY 12, 1979 TOM SLATER

SENATE FILE 98

S-3062

1 Amend Senate File 98 as follows:
2 1. Page 1, line 29, by striking the word "may"
3 and inserting in lieu thereof the word "shall".
4 2. Page 2, line 24, by striking the word "may"
5 and inserting in lieu thereof the words "may shall".
6 3. Page 3, line 27, by inserting after the word
7 "able," the words "at wages not less than the minimum
8 wage guidelines,".

S-3062 FILED *A. Adopted, B. Lost 2/13 (p. 428)* BY ROBERT M. CARR
FEBRUARY 12, 1979 *C. Adopted as amended* TOM SLATER
by 3062 2/14 (p. 446) ARTHUR SMALL JR

1 Section 1. Section two hundred fifty-two point two (252.2),
2 Code 1979, is amended to read as follows:

3 252.2 PARENTS AND CHILDREN LIABLE. The father, mother,
4 and children of any poor person, who is unable to maintain
5 himself or herself by labor, shall jointly or severally relieve
6 or maintain such person in such manner as, upon application
7 to the township-trustees board of supervisors of the township
8 county where such person has a residence or may be, they may
9 direct.

10 Sec. 2. Section two hundred fifty-two point six (252.6),
11 Code 1979, is amended to read as follows:

12 252.6 ENFORCEMENT OF LIABILITY. Upon the failure of such
13 relatives so to relieve or maintain a poor person who has
14 made application for relief, the township-trustees county
15 board of supervisors, county social welfare board, or state
16 division of child and family services of the department of
17 social services may apply to the district court of the county
18 where such poor person resides or may be, for an order to
19 compel the same.

20 Sec. 3. Section two hundred fifty-two point twenty-five
21 (252.25), Code 1979, is amended by striking the section and
22 inserting in lieu thereof the following:

23 252.25 COUNTY GENERAL RELIEF. The board of supervisors
24 of each county shall provide for the relief of poor persons
25 in its county who are ineligible for, or are in immediate
26 need and are awaiting approval and receipt of, assistance
27 under programs provided by state or federal law, or whose
28 actual needs cannot be fully met by the assistance furnished
29 under such programs. The county board shall establish general
30 rules as its members deem necessary to properly discharge
31 their responsibility under this section.

32 Sec. 4. Section two hundred fifty-two point twenty-six
33 (252.26), Code 1979, is amended to read as follows:

34 252.26 ~~OVERSEER-OF-POOR~~ GENERAL RELIEF DIRECTOR. The
35 board of supervisors in any county in the state may appoint

1 ~~an overseer of the poor~~ a general relief director for any
2 part, ~~or all of~~ the county, who shall have ~~within said county,~~
3 ~~or any part thereof,~~ all the powers and duties conferred by
4 this chapter ~~on the township trustees.~~ Said overseer. The
5 director shall receive as compensation an amount to be
6 determined by the county board ~~and,~~ which may be paid either
7 from the general or poor fund of the county.

8 Sec. 5. Section two hundred fifty-two point twenty-eight
9 (252.28), Code 1979, is amended to read as follows:

10 252.28 MEDICAL SERVICES. When medical services are
11 rendered by order of the ~~trustees or overseers of the poor~~
12 general relief director, no more shall be charged or paid
13 therefor than is usually charged for like services ~~in the~~
14 ~~neighborhood where such services are rendered.~~

15 Sec. 6. Section two hundred fifty-two point thirty-three
16 (252.33), Code 1979, is amended to read as follows:

17 252.33 APPLICATION FOR RELIEF. The poor may make
18 application for relief to a member of the board of supervisors,
19 or to the ~~overseer of the poor, or to the trustees of the~~
20 township general relief director of the county where they
21 may be. If application be made to the ~~township trustees~~
22 general relief director and ~~they are~~ that officer is satisfied
23 that the applicant is in such a state of want as requires
24 relief at the public expense, ~~they~~ the director may afford
25 such temporary relief, subject to the approval of the board
26 of supervisors, as the necessities of the person require and
27 shall report the case forthwith to the board of supervisors,
28 who may continue or deny relief, as they find cause.

29 Sec. 7. Section two hundred fifty-two point thirty-four
30 (252.34), Code 1979, is amended to read as follows:

31 252.34 ALLOWANCE BY BOARD. The board of supervisors may
32 examine into all claims, including claims for medical
33 attendance, allowed by the ~~township trustees~~ general relief
34 director for the support of the poor, and if they find the
35 amount allowed ~~by said trustees~~ to be unreasonable, exorbitant,

1 or for any goods or services other than for the necessities
2 of life, they may reject or diminish the claim as in their
3 judgment would be right and just. This section shall apply
4 to all counties in the state, ~~whether there are county care~~
5 ~~facilities established in the same or not.~~ ~~This and section~~
6 ~~252.33 shall apply to acts of overseers of poor in cities~~
7 ~~as well as to township trustees.~~

8 Sec. 8. Section two hundred fifty-two point thirty-five
9 (252.35), Code 1979, is amended to read as follows:

10 252.35 PAYMENT OF CLAIMS. All claims and bills for the
11 care and support of the poor shall be certified to be correct
12 by the ~~proper trustees~~ general relief director and presented
13 to the board of supervisors, and, if they are satisfied that
14 they the claims and bills are reasonable and proper, they
15 shall be paid out of the county treasury.

16 Sec. 9. Section two hundred fifty-two point thirty-seven
17 (252.37), Code 1979, is amended to read as follows:

18 252.37 APPEAL TO SUPERVISORS. If any poor person, on
19 application to the ~~trustees~~ general relief director, be refused
20 the required relief, ~~he~~ the applicant may apply appeal to
21 the board of supervisors, who, upon examination into the
22 matter, may ~~direct the trustees~~ order the director to afford
23 relief, or it may direct specific relief.

24 Sec. 10. Section two hundred fifty-two point forty-one
25 (252.41), Code 1979, is amended to read as follows:

26 252.41 EMPLOYMENT. Any such contractor may employ a poor
27 person in any work for which he or she is physically able,
28 paid no less than under the state merit system at grade 7,
29 step 1, subject to the control of the board of supervisors,
30 who may place said contractor under the supervision of the
31 ~~township trustees~~ general relief director.

32 Sec. 11. Section two hundred thirty-eight point thirty-
33 seven (238.37), Code 1979, is amended to read as follows:

34 238.37 AUTHORITY TO ENTTLR AGREEMENTS. The officers and
35 agencies of this state and its subdivisions having authority

1 to place children are hereby empowered to enter into agreements
2 with appropriate officers or agencies of or in other party
3 states pursuant to paragraph "b" of article V of the interstate
4 compact on the placement of children. Any such agreement
5 which contains a financial commitment or imposes a financial
6 obligation on this state or subdivision or agency thereof
7 shall not be binding unless it has the approval in writing
8 of the director of family and children's services in the case
9 of the state and the ~~everseer-of-the-peer~~ county general
10 relief director in the case of a subdivision of the state.

11 Sec. 12. Section two hundred fifty-five point two (255.2),
12 Code 1979, is amended to read as follows:

13 255.2 DUTY OF PUBLIC OFFICERS AND OTHERS. It shall be
14 the duty of physicians, public health nurses, members of
15 boards of supervisors ~~and-township-trustees,-everseers-of~~
16 ~~the-peer,~~ general relief directors, sheriffs, policemen, and
17 public school teachers, having knowledge of persons suffering
18 from any such malady or deformity, to file or cause such
19 complaint to be filed.

20 Sec. 13. Section two hundred fifty-five point six (255.6),
21 Code 1979, is amended to read as follows:

22 255.6 INVESTIGATION AND REPORT. When such complaint is
23 filed, the clerk of juvenile court shall furnish the county
24 attorney and board of supervisors with a copy thereof and
25 said board shall, by the ~~everseer-of-the-peer~~ general relief
26 director or such other agent as it may select, make a thorough
27 investigation of facts as to the legal residence of the
28 patient, and the ability of the patient or others chargeable
29 with his or her support to pay the expense of such treatment
30 and care; and shall file a report of such investigation in
31 the office of the clerk, at or before the time of hearing.

32 Sec. 14. Section two hundred fifty-five point eight
33 (255.8), unnumbered paragraph one (1), Code 1979, is amended
34 to read as follows:

35 The county attorney and the ~~everseer-of-the-peer~~ general

1 relief director, or other agent of the board of supervisors
2 of the county where the hearing is held, shall appear thereat.
3 The complainant, the county attorney, the ~~overseer-of-the~~
4 ~~poor~~ general relief director or other agent of the board of
5 supervisors, and the patient, or any person representing him,
6 or her, may introduce evidence and be heard. If the court
7 finds that said patient is a legal resident of Iowa and is
8 pregnant or is suffering from a malady or deformity which
9 can probably be improved or cured or advantageously treated
10 by medical or surgical treatment or hospital care, and that
11 neither the patient nor any person legally chargeable with
12 his or her support is able to pay the expenses thereof, then
13 the clerk of court, except in obstetrical cases and cases
14 of crippled children, shall immediately ascertain from the
15 admitting physician at the university hospital whether such
16 person can be received as a patient within a period of thirty
17 days, and if the patient can be so received, the court, or
18 in the event of no actual contest, the clerk of the court,
19 shall then enter an order directing that said patient be sent
20 to the university hospital for proper medical and surgical
21 treatment and hospital care. If the court ascertain, excepting
22 in obstetrical cases and orthopedic cases, that a person of
23 the age or sex of the patient, or afflicted by the complaint,
24 disease or deformity with which such person is affected cannot
25 be received as a patient at the said university hospital
26 within the period of thirty days, then ~~as~~ the court or the
27 clerk shall enter an order directing the board of supervisors
28 of the county to provide adequate treatment at county expense
29 for ~~said~~ the patient at home or in a hospital. Obstetrical
30 cases and orthopedic cases may be committed to the university
31 hospital without regard to the limiting period of thirty days
32 ~~hereinbefore-stated~~.

33 Sec. 15. Section three hundred thirty-two point seventeen
34 (332.17), subsection seven (7), Code 1979, is amended to read
35 as follows:

1 in connection with administration of general relief which
2 are legally the responsibility of township trustees. These
3 duties have in fact been exercised by the overseer of the
4 poor or the county board of supervisors in nearly all cases,
5 for many years.

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SF 98
pb/slc/26c

SENATE FILE 98

H-4005

1 Amend Senate File 98, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 28 the fol-
4 lowing:
5 "No person shall be afforded relief under the
6 provisions of this chapter if it is found that the
7 person is totally or partially unemployed due to a
8 stoppage of work which exists because of a labor dis-
9 pute at the factory, establishment, or other premises
10 at which the person is or was last employed, provided
11 that this disqualification shall not apply if it is
12 shown that the person is not participating in, financ-
13 ing or directly interested in the labor dispute which
14 caused the stoppage of work. Any decision of a board
15 of hospital trustees or of a general relief director
16 pursuant to section three hundred forty-seven point
17 sixteen (347.16), subsection two (2), Code 1979,
18 shall be governed by the limitations of this section."

H-4005 FILED *Revised not germane* BY SMALLEY of Polk
APRIL 19, 1979 *4/20 (p. 1702)* THOMPSON of Polk

SENATE FILE 98

H-4036

1 Amend the Thompson amendment H-4003 to Senate
2 File 98, as amended, passed and reprinted by the
3 Senate, as follows:
4 1. Page 1, line 6, by inserting after the word
5 "shall" the words ", no later than July 1, 1980,".

H-4036 FILED *Adopted 4/20 (p. 1702)* BY THOMPSON of Polk
APRIL 20, 1979

SENATE FILE 98

H-4037

1 Amend amendment H-4004 to Senate File 98 as
2 amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, by striking lines 3 through 6 and
5 inserting in lieu thereof the following:
6 "1. Page 6, by striking line 7 and inserting
7 in lieu thereof the following: "settlement
8 under-section-252-16 fulfills the residency requirements
9 under section forty-seven point four (47.4),
10 subsection four (4), of the Code, in the county".

H-4037 FILED *Adopted 4/20 (p. 1703)* BY JESSE of Polk
APRIL 20, 1979

SENATE FILE 98

H-3707

- 1 Amend Senate File 98, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 6, by striking lines 21 through 23 and
- 4 inserting in lieu thereof the following: "duties
- 5 assigned them by law. The board of trustees shall
- 6 meet on the first Monday in February, April, and
- 7 November in each year not less than once a year."
- 8 2. Page 6, by striking lines 26 and 27.

H-3707 FILED *Adopted 4/20 (p. 1704)* BY HOWELL of Floyd
 APRIL 3, 1979

SENATE FILE 98

H-4003

- 1 Amend Senate File 98, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 35, by striking the words "any
- 4 county in the state may appoint" and inserting in
- 5 lieu thereof the words "any each county in the state
- 6 may shall appoint or designate".
- 7 2. Page 2, line 4, by inserting after the word
- 8 "overseer ." the words "In counties of one hundred
- 9 thousand or less population, the county board may
- 10 designate as general relief director an employee of
- 11 the state department of social services who is
- 12 assigned to work in that county and is directed by
- 13 the commissioner of social services, pursuant to an
- 14 agreement with the county board, to exercise the
- 15 functions and duties of general relief director in
- 16 that county."

H-4003 FILED *Adopted as amended* BY THOMPSON of Polk
 APRIL 19, 1979 *by 4036 4/20*
(p. 1703)

SENATE FILE 98

H-4004

- 1 Amend Senate File 98 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 6, lines 6 and 7, by striking the
- 4 words "~~has legal settlement under the section 252.16~~
- 5 in is a resident of" and inserting in lieu thereof the
- 6 words "has legal settlement under section 252.16 in".

H-4004 FILED *Adopted as amended* BY CLARK of Cerro Gordo
 APRIL 19, 1979 *amended by 4037* POPE of Polk
4/20 (p. 1704)

HOUSE AMENDMENT TO SENATE FILE 98

S-3604

1 Amend Senate File 98, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 35, by striking the words "any
4 county in the state may appoint" and inserting in
5 lieu thereof the words "any each county in the state
6 may shall, no later than July 1, 1980, appoint or
7 designate".

8 2. Page 2, line 4, by inserting after the word
9 "overseer." the words "In counties of one hundred
10 thousand or less population, the county board may
11 designate as general relief director an employee of
12 the state department of social services who is assigned
13 to work in that county and is directed by the
14 commissioner of social services, pursuant to an
15 agreement with the county board, to exercise the
16 functions and duties of general relief director in
17 that county."

18 3. Page 6, by striking line 7 and inserting in
19 lieu thereof the following: "settlement-under-section
20 252-16 fulfills the residency requirements under
21 section forty-seven point four (47.4), subsection
22 four (4), of the Code, in the county".

23 4. Page 6, by striking lines 21 through 23 and
24 inserting in lieu thereof the following: "duties
25 assigned them by law. The board of trustees shall
26 meet on-the-first-Monday-in-February, April, and
27 November-in-each-year not less than once a year."

28 5. Page 6, by striking lines 26 and 27.

S-3604 FILED
APRIL 24, 1979

RECEIVED FROM THE HOUSE

Senate concurred 4/25 (S. 1396)

SENATE FILE 98

AN ACT

TO CHANGE THE TITLE OF THE OVERSEER OF THE POOR TO GENERAL RELIEF DIRECTOR, AND TO TRANSFER TO THAT OFFICER OR TO THE COUNTY BOARD OF SUPERVISORS CERTAIN DUTIES NOW IMPOSED BY LAW UPON TOWNSHIP TRUSTEES.

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

Section 1. Section two hundred fifty-two point two (252.2), Code 1979, is amended to read as follows:

252.2 PARENTS AND CHILDREN LIABLE. The father, mother, and children of any poor person, who is unable to maintain himself or herself by labor, shall jointly or severally relieve or maintain such person in such manner as, upon application to the ~~township-trustees~~ board of supervisors of the ~~township county~~ where such person has a residence or may be, they may direct.

Sec. 2. Section two hundred fifty-two point six (252.6), Code 1979, is amended to read as follows:

252.6 ENFORCEMENT OF LIABILITY. Upon the failure of such relatives so to relieve or maintain a poor person who has made application for relief, the ~~township-trustees county board of supervisors~~, county social welfare board, or state division of child and family services of the department of social services may apply to the district court of the county where such poor person resides or may be, for an order to compel the same.

Sec. 3. Section two hundred fifty-two point twenty-five (252.25), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

252.25 COUNTY GENERAL RELIEF. The board of supervisors of each county shall provide for the relief of poor persons in its county who are ineligible for, or are in immediate

need and are awaiting approval and receipt of, assistance under programs provided by state or federal law, or whose actual needs cannot be fully met by the assistance furnished under such programs. The county board shall establish general rules as its members deem necessary to properly discharge their responsibility under this section.

Sec. 4. Section two hundred fifty-two point twenty-six (252.26), Code 1979, is amended to read as follows:

252.26 ~~OVERSEER-OF-POOR~~ GENERAL RELIEF DIRECTOR. The board of supervisors in any each county in the state may shall, no later than July 1, 1980, appoint or designate an overseer-of-the-poor a general relief director for any-part, or-all-of the county, who shall have within-said-county, or any-part-thereof--all the powers and duties conferred by this chapter ~~on-the-township-trustees--~~said-overseer. In counties of one hundred thousand or less population, the county board may designate as general relief director an employee of the state department of social services who is assigned to work in that county and is directed by the commissioner of social services, pursuant to an agreement with the county board, to exercise the functions and duties of general relief director in that county. The director shall receive as compensation an amount to be determined by the county board and, which may be paid either from the general or poor fund of the county.

Sec. 5. Section two hundred fifty-two point twenty-eight (252.28), Code 1979, is amended to read as follows:

252.28 MEDICAL SERVICES. When medical services are rendered by order of the ~~trustees-of-overseers-of-the-poor~~ general relief director, no more shall be charged or paid therefor than is usually charged for like services ~~in-the neighborhood-where-such-services-are-rendered~~.

Sec. 6. Section two hundred fifty-two point thirty-three (252.33), Code 1979, is amended to read as follows:

252.33 APPLICATION FOR RELIEF. The poor may make application for relief to a member of the board of supervisors,

or to the ~~overseer-of-the-poor, or to the trustees of the township~~ general relief director of the county where they may be. If application be made to the ~~township-trustees~~ general relief director and ~~they are that officer is~~ that officer is satisfied that the applicant is in such a state of want as requires relief at the public expense, ~~they the director~~ the director may afford such temporary relief, subject to the approval of the board of supervisors, as the necessities of the person require and shall report the case forthwith to the board of supervisors, who may continue or deny relief, as they find cause.

Sec. 7. Section two hundred fifty-two point thirty-four (252.34), Code 1979, is amended to read as follows:

252.34 ALLOWANCE BY BOARD. The board of supervisors may examine into all claims, including claims for medical attendance, allowed by the ~~township-trustees~~ general relief director for the support of the poor, and if they find the amount allowed ~~by said trustees~~ to be unreasonable, exorbitant, or for any goods or services other than for the necessities of life, they may reject or diminish the claim as in their judgment would be right and just. This section shall apply to all counties in the state ~~whether there are county care facilities established in the same or not. This and section 252.33 shall apply to acts of overseers of poor in cities as well as to township trustees.~~

Sec. 8. Section two hundred fifty-two point thirty-five (252.35), Code 1979, is amended to read as follows:

252.35 PAYMENT OF CLAIMS. All claims and bills for the care and support of the poor shall be certified to be correct by the ~~proper trustees~~ general relief director and presented to the board of supervisors, and, if they are satisfied that ~~they the claims and bills~~ the claims and bills are reasonable and proper, they shall be paid out of the county treasury.

Sec. 9. Section two hundred fifty-two point thirty-seven (252.37), Code 1979, is amended to read as follows:

252.37 APPEAL TO SUPERVISORS. If any poor person, on application to the ~~trustees~~ general relief director, be refused the required relief, ~~he the applicant~~ the applicant may ~~apply~~ appeal to the board of supervisors, who, upon examination into the matter, may ~~direct the trustees order the director~~ order the director to afford relief, or it may direct specific relief.

Sec. 10. Section two hundred fifty-two point forty-one (252.41), Code 1979, is amended to read as follows:

252.41 EMPLOYMENT. Any such contractor may employ a poor person in any work for which he or she is physically able, paid no less than under the state merit system at grade 7, step 1, subject to the control of the board of supervisors, who may place said contractor under the supervision of the ~~township-trustees~~ general relief director.

Sec. 11. Section two hundred thirty-eight point thirty-seven (238.37), Code 1979, is amended to read as follows:

238.37 AUTHORITY TO ENTER AGREEMENTS. The officers and agencies of this state and its subdivisions having authority to place children are hereby empowered to enter into agreements with appropriate officers or agencies of or in other party states pursuant to paragraph "b" of article V of the interstate compact on the placement of children. Any such agreement which contains a financial commitment or imposes a financial obligation on this state or subdivision or agency thereof shall not be binding unless it has the approval in writing of the director of family and children's services in the case of the state and the ~~overseer of the poor~~ county general relief director in the case of a subdivision of the state.

Sec. 12. Section two hundred fifty-five point two (255.2), Code 1979, is amended to read as follows:

255.2 DUTY OF PUBLIC OFFICERS AND OTHERS. It shall be the duty of physicians, public health nurses, members of boards of supervisors ~~and township trustees, overseers of the poor~~ general relief directors, sheriffs, policemen, and public school teachers, having knowledge of persons suffering

from any such malady or deformity, to file or cause such complaint to be filed.

Sec. 13. Section two hundred fifty-five point six (255.6), Code 1979, is amended to read as follows:

255.6 INVESTIGATION AND REPORT. When such complaint is filed, the clerk of juvenile court shall furnish the county attorney and board of supervisors with a copy thereof and said board shall, by the ~~overseer-of-the-peer~~ general relief director or such other agent as it may select, make a thorough investigation of facts as to the legal residence of the patient, and the ability of the patient or others chargeable with his or her support to pay the expense of such treatment and care; and shall file a report of such investigation in the office of the clerk, at or before the time of hearing.

Sec. 14. Section two hundred fifty-five point eight (255.8), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The county attorney and the ~~overseer-of-the-peer~~ general relief director, or other agent of the board of supervisors of the county where the hearing is held, shall appear thereat. The complainant, the county attorney, the ~~overseer-of-the-peer~~ general relief director or other agent of the board of supervisors, and the patient, or any person representing him, or her, may introduce evidence and be heard. If the court finds that said patient is a legal resident of Iowa and is pregnant or is suffering from a malady or deformity which can probably be improved or cured or advantageously treated by medical or surgical treatment or hospital care, and that neither the patient nor any person legally chargeable with his or her support is able to pay the expenses thereof, then the clerk of court, except in obstetrical cases and cases of crippled children, shall immediately ascertain from the admitting physician at the university hospital whether such person can be received as a patient within a period of thirty days, and if the patient can be so received, the court, or

in the event of no actual contest, the clerk of the court, shall then enter an order directing that said patient be sent to the university hospital for proper medical and surgical treatment and hospital care. If the court ascertain, excepting in obstetrical cases and orthopedic cases, that a person of the age or sex of the patient, or afflicted by the complaint, disease or deformity with which such person is affected cannot be received as a patient at the ~~said~~ university hospital within the period of thirty days, then ~~he~~ the court or the clerk shall enter an order directing the board of supervisors of the county to provide adequate treatment at county expense for ~~said~~ the patient at home or in a hospital. Obstetrical cases and orthopedic cases may be committed to the university hospital without regard to the limiting period of thirty days ~~hereinbefore-stated~~.

Sec. 15. Section three hundred thirty-two point seventeen (332.17), subsection seven (7), Code 1979, is amended to read as follows:

7. ~~Overseer-of-the-peer~~ General relief director

Sec. 16. Section three hundred forty-seven point sixteen (347.16), subsection two (2), Code 1979, is amended to read as follows:

2. Free care and treatment shall be furnished in a county public hospital to any sick or injured person who ~~has legal settlement under section 252-16~~ fulfills the residency requirements under section forty-seven point four (47.4), subsection four (4), of the Code, in the county maintaining the hospital, and who is indigent. The board of hospital trustees shall determine whether a person is indigent and entitled to free care under this subsection, or may delegate that determination to the ~~overseer-of-the-peer~~ general relief director or the office of the department of social services in that county, subject to such guidelines as the board may adopt in conformity with applicable statutes.

Sec. 17. Section three hundred fifty-nine point seventeen (359.17), Code 1979, is amended to read as follows:

359.17 TRUSTEES--DUTIES--MEETINGS. The board of township trustees in each township shall consist of three qualified electors of the township. The trustees shall act as ~~everseers~~ of-the-peer-and-as fence viewers and shall perform other duties assigned them by law. The board of trustees shall meet ~~on-the-first-Monday-in-February,-April,-and-November~~ in-each-year not less than once a year.

Sec. 18. Section two hundred fifty-two point thirty-two (252.32), Code 1979, is repealed.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 98, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved May 8, 1979

ROBERT D. RAY
Governor