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BY COMMITTEE ON APPROPRIATIONS
Approved (p. 212)

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Vote: Ayes 34 Nays 13 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the department of
2 human rights, the department for the blind, the department of
3 elder affairs, and the department of public health, and
4 establishing a division on the status of blacks.

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

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SF 2310

1 Section 1. There is appropriated from the general fund of
2 the state to the Iowa state civil rights commission for the
3 fiscal year beginning July 1, 1988, and ending June 30, 1989,
4 the following amount, or so much thereof as is necessary, to
5 be used for the purposes designated:

6 For salaries and support of not more than thirty-one full-
7 time equivalent positions annually, maintenance, and miscel-
8 laneous purposes:

9 \$ 875,000

10 Sec. 2. There is appropriated from the general fund of the
11 state to the department of human rights for the fiscal year
12 beginning July 1, 1988, and ending June 30, 1989, the
13 following amounts, or so much thereof as is necessary, to be
14 used for the purposes designated:

15 1. CENTRAL ADMINISTRATION DIVISION

16 For salaries and support of not more than four full-time
17 equivalent positions annually, maintenance, and miscellaneous
18 purposes:

19 \$ 83,000

20 It is the intent of the general assembly that the
21 department establish a visitation rights advisory committee
22 composed of volunteer members with expertise or interest in
23 the area of visitation rights.

24 The coordinator of the department of human rights shall act
25 as the legislative liaison for the department. The full-time
26 equivalent position having legislative liaison
27 responsibilities during the fiscal year beginning July 1,
28 1987, shall be eliminated.

29 2. SPANISH-SPEAKING PEOPLE DIVISION

30 For salaries and support of not more than one and one-half
31 full-time equivalent positions annually, maintenance, and
32 miscellaneous purposes:

33 \$ 60,000

34 3. PERSONS WITH DISABILITIES DIVISION

35 For salaries and support of not more than three full-time

1 equivalent positions annually, maintenance, and miscellaneous
2 purposes:

3 \$ 125,000

4 4. STATUS OF WOMEN DIVISION

5 For salaries and support of not more than two and eight-
6 tenths full-time equivalent positions annually, maintenance,
7 and miscellaneous purposes:

8 \$ 110,000

9 5. CHILDREN, YOUTH, AND FAMILIES DIVISION

10 For salaries and support of not more than five and one-half
11 full-time equivalent positions annually, maintenance and
12 miscellaneous purposes:

13 \$ 134,000

14 Of the funds appropriated in this subsection, no less than
15 thirty-six thousand (36,000) dollars shall be spent for
16 expenses relating to the administration of federal funds for
17 juvenile assistance. It is the intent of the general assembly
18 that the department of human rights employ sufficient staff to
19 meet the federal funding match requirements established by the
20 federal office for juvenile justice delinquency prevention.
21 The governor's advisory council on juvenile justice shall
22 determine the staffing level necessary to carry out federal
23 and state mandates for juvenile justice.

24 6. DEAF SERVICES DIVISION

25 For salaries and support of not more than ten full-time
26 equivalent positions annually, maintenance, and miscellaneous
27 purposes:

28 \$ 238,000

29 7. STATUS OF BLACKS DIVISION

30 For salaries and support of not more than one and one-half
31 full-time equivalent positions annually, maintenance, and
32 miscellaneous purposes:

33 \$ 52,000

34 Sec. 3. There is appropriated from the general fund of the
35 state to the department for the blind for the fiscal year

1 beginning July 1, 1988, and ending June 30, 1989, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purposes designated:

4 For salaries and support of not more than one hundred two
5 and five-tenths full-time equivalent positions annually,
6 maintenance, and miscellaneous purposes:

7 \$ 1,298,000

8 Sec. 4. There is appropriated from the general fund of the
9 state to the department of elder affairs for the fiscal year
10 beginning July 1, 1988, and ending June 30, 1989, the
11 following amounts, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 1. For salaries and support of not more than twenty-eight
14 full-time equivalent positions annually, maintenance, and
15 miscellaneous purposes:

16 \$ 319,000

17 It is the intent of the general assembly that the
18 department employ an alternative housing/long-term care
19 coordinator as one of the full-time equivalent positions.

20 It is the intent of the general assembly that the
21 department establish an Alzheimer's disease task force to
22 collect comprehensive information regarding the incidence and
23 impact of Alzheimer's disease in Iowa; to determine the
24 existing programs and mechanisms for dealing with dementia-
25 related illness including a determination of barriers to
26 access; to develop policy recommendations based upon the scope
27 of the problem, review of relevant literary data regarding
28 cost-effectiveness of care delivery, and the perceived needs
29 to families of Alzheimer's disease victims; and to recommend
30 policy for the enhancement of service delivery and training
31 for families and care-givers through coordination of the
32 increased utilization of existing resources related to the
33 treatment and understanding of Alzheimer's disease victims.
34 The members of the task force shall be reimbursed for actual
35 and necessary expenses incurred by them in the discharge of

1 their official duties.

2 2. For the administration of area agencies on aging:
3 \$ 114,000

4 3. For the retired Iowans community employment program:
5 \$ 104,000

6 4. For the older Iowans legislature:
7 \$ 13,000

8 5. For the retired seniors volunteer program:
9 \$ 14,000

10 All of the funds appropriated under subsection 5 shall be
11 divided equally among the programs in existence as of July 1,
12 1986, and shall not be used by the department for
13 administrative purposes.

14 6. For elderly services programs:
15 \$ 1,356,000

16 All funds appropriated under this subsection shall be
17 received and disbursed by the director of elder affairs for
18 the elderly services program, shall not be used for
19 administrative purposes, and shall be used for citizens of
20 Iowa over sixty years of age for chore, telephone reassurance,
21 adult day care, and home repair services, including the
22 winterizing of homes, and for the construction of entrance
23 ramps which meet the requirements of section 104A.4 and make
24 residences accessible to the physically handicapped. Funds
25 appropriated under this subsection may be used to supplement
26 federal funds under federal regulations. Funds appropriated
27 under this subsection may be used for elderly services not
28 specifically enumerated in this subsection only if approved by
29 an area agency for provision of the service within the area.

30 Of the funds appropriated in this subsection, one hundred
31 fifty thousand (150,000) dollars, or so much thereof as is
32 necessary, are allocated for a respite care program,
33 administered by the department of elder affairs.

34 Area agencies on aging shall expend no less than one same
35 amount expended on adult day care programs in the fiscal year.

1 beginning July 1, 1988, than during the fiscal year beginning
2 July 1, 1987.

3 Of the funds appropriated in this subsection, thirty-five
4 thousand (35,000) dollars, or so much thereof as is necessary,
5 is allocated to each of the case management pilot projects
6 established in Cerro Gordo and Linn counties for continuation
7 of the projects; ten thousand (10,000) dollars, or so much
8 thereof as is necessary, is allocated for the evaluation of
9 both of the existing case management pilot projects in Cerro
10 Gordo and Linn counties; and one hundred thousand (100,000)
11 dollars, or so much thereof as is necessary, is allocated for
12 the funding of grants for additional case management pilot
13 projects. The department shall establish grant application
14 and grant acceptance criteria. It is the intent of the
15 general assembly that existing and subsequent pilot projects
16 funded under this subsection include a component for the
17 preadmission screening of persons considering admittance to an
18 intermediate care facility in order to determine whether or
19 not the provision of alternative care services is more
20 appropriate.

21 Sec. 5. There is appropriated from the general fund of the
22 state to the Iowa department of public health for the fiscal
23 year beginning July 1, 1988, and ending June 30, 1989, the
24 following amounts, or so much thereof as is necessary, to be
25 used for the purposes designated:

- 26 1. CENTRAL ADMINISTRATION DIVISION
- 27 For salaries and support of not more than forty-five full-
- 28 time equivalent positions annually, maintenance, and mis-
- 29 cellaneous purposes:
- 30 \$ 737,000
- 31 2. HEALTH PLANNING DIVISION
- 32 For salaries and support of not more than eleven and
- 33 seventy-six one hundredths equivalent positions annually,
- 34 maintenance, and miscellaneous purposes:
- 35 \$ 1,222,000

1 This appropriation amount shall be increased by fifty
2 thousand (50,000) dollars and the division shall be increased
3 by one full-time equivalent position if the 1988 General
4 Assembly enacts House Study Bill 759.

5 The department shall allocate from the funds appropriated
6 under this subsection eight hundred ninety-one thousand
7 (891,000) dollars for the fiscal year beginning July 1, 1988,
8 for the chronic renal disease program. The types of
9 assistance to eligible recipients under the program may
10 include hospital and medical expenses, home dialysis supplies,
11 insurance premiums, travel expenses, prescription and
12 nonprescription drugs, and lodging expenses for persons in
13 training. The program expenditures shall not exceed these
14 allocations. If projected expenditures will exceed the
15 allocations, the department shall establish by administrative
16 rule a mechanism to reduce financial assistance under the
17 renal disease program in order to keep expenditures within the
18 allocations.

19 3. DISEASE PREVENTION DIVISION

20 For salaries and support of not more than sixty-four full-
21 time equivalent positions annually, maintenance, and
22 miscellaneous purposes:

23 \$ 1,717,000

24 4. PROFESSIONAL LICENSURE

25 For salaries and support of not more than eleven full-time
26 equivalent positions annually, maintenance, and miscellaneous
27 purposes:

28 \$ 461,000

29 5. STATE BOARD OF DENTAL EXAMINERS

30 For salaries and support of not more than four full-time
31 equivalent positions annually, maintenance, and miscellaneous
32 purposes:

33 \$ 168,000

34 6. STATE BOARD OF MEDICAL EXAMINERS

35 For salaries and support of not more than eighteen full-

1 time equivalent positions annually, maintenance, and
2 miscellaneous purposes:
3 \$ 884,000
4 7. STATE BOARD OF NURSING EXAMINERS
5 For salaries and support of not more than seventeen full-
6 time equivalent positions annually, maintenance, and
7 miscellaneous purposes:
8 \$ 708,000
9 8. STATE BOARD OF PHARMACY EXAMINERS
10 For salaries and support of not more than twelve full-time
11 equivalent positions annually, maintenance, and miscellaneous
12 purposes:
13 \$ 516,000
14 Professional licensure pursuant to subsection 4 and the
15 boards pursuant to subsections 5 through 8 shall prepare
16 estimates of projected receipts to be generated by the
17 licensing, certification, and examination fees of each board
18 as well as a projection of the fairly apportioned
19 administrative costs and rental expenses attributable to each
20 board. Each board shall annually review and adjust its
21 schedule of fees so that, as nearly as possible, projected
22 receipts equal projected costs.
23 9. SUBSTANCE ABUSE DIVISION
24 a. For salaries and support of not more than seventeen and
25 fifty-five one hundredths full-time equivalent positions
26 annually, maintenance, and miscellaneous purposes:
27 \$ 471,000
28 b. For program grants:
29 \$ 7,021,000
30 c. For salaries and support of not more than four and
31 three-tenths full-time equivalent positions annually,
32 maintenance, and miscellaneous purposes for the governor's
33 alliance on substance abuse:
34 \$ 45,000
35 10. HEALTH DATA COMMISSION

1 For the health data clearinghouse:
2 \$ 250,000

3 It is the intent of the general assembly that the
4 commission shall not enter into an agreement with an entity
5 that engages in whole or in part in the provision of health
6 care services or an entity that has a material financial
7 interest in the provision of such services.

8 11. FAMILY AND COMMUNITY HEALTH DIVISION

9 a. For salaries and support of not more than sixty-seven
10 and two-tenths full-time equivalent positions annually,
11 maintenance, and miscellaneous purposes:

12 \$ 2,210,000

13 The department shall allocate from the funds appropriated
14 under this paragraph at least six hundred twenty-six thousand
15 (626,000) dollars for the fiscal year beginning July 1, 1988,
16 and ending June 30, 1989, for the birth defects and genetics
17 counseling program and of these funds, thirty-nine thousand
18 (39,000) dollars shall be allocated for a central birth
19 defects registry program.

20 Of the funds appropriated under this paragraph forty-nine
21 thousand (49,000) dollars shall be used for a lead abatement
22 program.

23 Of the funds appropriated in this paragraph, the following
24 amounts shall be allocated to the University of Iowa hospitals
25 and clinics under the control of the state board of regents
26 for the following programs under the Iowa specialized child
27 health care services:

28 (1) Mobile and regional child health specialty clinics:
29 \$ 308,000

30 (2) Muscular dystrophy and related genetic disease
31 programs:
32 \$ 125,000

33 (3) Statewide perinatal program:
34 \$ 67,000

35 The birth defects and genetic counseling service shall

1 apply a sliding fee scale to determine the amount a person re-
2 ceiving the services is required to pay for the services.
3 These fees shall be considered repayment receipts and used for
4 the program.

5 Of the funds allocated to the mobile and regional child
6 health speciality clinics under subparagraph (1) of this
7 paragraph, sixty-eight thousand (68,000) dollars shall be used
8 for a specialized medical home care program providing care
9 planning and coordination of community support services for
10 children who require technical medical care in the home.

11 The University of Iowa hospitals and clinics shall not
12 receive indirect costs from the funds for each program.

13 The Iowa department of public health shall administer the
14 statewide maternal and child health program and the crippled
15 children's program by conducting mobile and regional child
16 health specialty clinics and conducting other activities to
17 improve the health of low-income women and children and to
18 promote the welfare of children with actual or potential
19 handicapping conditions and chronic illnesses in accordance
20 with the requirements of Title V of the Social Security Act.

21 b. Sudden infant death syndrome autopsies.

22 For reimbursing counties for expenses resulting from autop-
23 sies of suspected victims of sudden infant death syndrome
24 required under section 331.802, subsection 3, paragraph "j":

25 \$ 14,000

26 c. For grants to local boards of health for the public
27 health nursing program:

28 \$ 2,175,000

29 Funds appropriated under this paragraph shall be used to
30 maintain and expand the existing public health nursing program
31 for elderly and low-income persons with the objective of
32 preventing or reducing inappropriate institutionalization.

33 The funds shall not be used for any other purpose. As used in
34 this paragraph, "elderly person" means a person who is sixty
35 years of age or older and "low-income person" means a person

1 whose income and resources are below the guidelines
2 established by the department.

3 One-fourth of the total amount to be allocated shall be
4 divided so that an equal amount is available for use in each
5 county in the state. Three-fourths of the total amount to be
6 allocated shall be divided so that the share available for use
7 in each county is proportionate to the number of elderly and
8 low-income persons living in that county in relation to the
9 total number of elderly and low-income persons living in the
10 state.

11 In order to receive allocations under this paragraph, the
12 local board of health having jurisdiction shall prepare a
13 proposal for the use of the allocated funds available for that
14 jurisdiction that will provide the maximum benefits of
15 expanded public health nursing care to elderly and low-income
16 persons in the jurisdiction. After approval of the proposal
17 by the department, the department shall enter into a contract
18 with the local board of health. The local board of health
19 shall subcontract with a nonprofit nurses' association, an
20 independent nonprofit agency, or a suitable local governmental
21 body to use the allocated funds to provide public health
22 nursing care. Local boards of health shall make an effort to
23 prevent duplication of services.

24 If by July 30 of each fiscal year, the department is unable
25 to conclude contracts for use of the allocated funds in a
26 county, the department shall consider the unused funds
27 appropriated under this paragraph an unallocated pool. If the
28 unallocated pool is fifty thousand (50,000) dollars or more it
29 shall be reallocated to the counties in substantially the same
30 manner as the original allocations. The reallocated funds are
31 available for use in those counties during the period
32 beginning January 1 and ending June 30 of each fiscal year.
33 If the unallocated pool is less than fifty thousand (50,000)
34 dollars, the department may allocate it to counties with
35 demonstrated special needs for public health nursing.

1 The department shall maintain rules governing the
2 expenditure of funds appropriated by paragraph "d". The rules
3 require each local agency receiving funds to establish and use
4 a sliding fee scale for those persons able to pay for all or a
5 portion of the cost of the care.

6 The department shall annually evaluate the success of the
7 public health nursing program. The evaluation shall include
8 the extent to which the program reduced or prevented
9 inappropriate institutionalization, the extent to which the
10 program increased the availability of public health nursing
11 care to elderly and low-income persons, and the extent of
12 public health nursing care provided to elderly and low-income
13 persons. The department shall submit a report of each annual
14 evaluation to the governor and the general assembly.

15 d. For grants to county boards of supervisors for the
16 homemaker-home health aide program:
17 \$ 7,787,000

18 Funds appropriated under this paragraph shall be used to
19 provide homemaker-home health aide services with emphasis on
20 services to elderly and persons below the poverty level and
21 children and adults in need of protective services with the
22 objective of preventing or reducing inappropriate
23 institutionalization. In addition, up to fifteen percent of
24 the funds appropriated under this paragraph may be used to
25 provide chore services. The funds shall not be used for any
26 other purposes. As used in this paragraph:

27 (1) "Chore services" means services provided to
28 individuals or families, who, due to absence, incapacity, or
29 illness, are unable to perform certain home maintenance
30 functions. The services include but are not limited to yard
31 work such as mowing lawns, raking leaves, and shoveling walks;
32 window and door maintenance such as hanging screen windows and
33 doors, replacing window panes, and washing windows; and minor
34 repairs to walls, floors, stairs, railings, and handles. It
35 also includes heavy house cleaning which includes cleaning

1 attics or basements to remove fire hazards, moving heavy
2 furniture, extensive wall washing, floor care or painting, and
3 trash removal.

4 (2) "Elderly person" means a person who is sixty years of
5 age or older.

6 (3) "Homemaker-home health aide services" means services
7 intended to enhance the capacity of household members to
8 attain or maintain the independence of the household members
9 and provided by trained and supervised workers to individuals
10 or families, who, due to the absence, incapacity, or
11 limitations of the usual homemaker, are experiencing stress or
12 crisis. The services include but are not limited to essential
13 shopping, housekeeping, meal preparation, child care, respite
14 care, money management and consumer education, family
15 management, personal services, transportation and providing
16 information, assistance, and household management.

17 (4) "Low-income person" means a person whose income and
18 resources are below the guidelines established by the
19 department.

20 (5) "Protective services" means those homemaker-home
21 health aide services intended to stabilize a child's or an
22 adult's residential environment and relationships with
23 relatives, caretakers, and other persons or household members
24 in order to alleviate a situation involving abuse or neglect
25 or to otherwise protect the child or adult from a threat of
26 abuse or neglect.

27 The amount appropriated under this paragraph shall be
28 allocated for use in the counties of the state. Fifteen
29 percent of the amount shall be divided so that an equal amount
30 is available for use in each county in the state. The
31 following percentages of the remaining amount shall be
32 allocated to each county according to that county's proportion
33 of residents with the following demographic characteristics:
34 sixty percent according to the number of elderly persons
35 living in the county; twenty percent according to the number

1 of persons below the poverty level living in the county; and
2 twenty percent according to the number of substantiated cases
3 of child abuse in the county during the three most recent
4 fiscal years for which data is available.

5 In order to receive allocations under this paragraph, the
6 county board of supervisors, after consultation with the local
7 boards of health, county board of social welfare, area agency
8 on aging advisory council, local office of the department of
9 human services, and other in-home health care provider
10 agencies in the jurisdiction, shall prepare a proposal for the
11 use of the allocated funds available for that jurisdiction
12 that will provide the maximum benefits of expanded homemaker-
13 home health aide services to elderly and low-income persons
14 and children and adults in need of protective services in the
15 jurisdiction. The proposal may provide that a maximum of
16 fifteen percent of the allocated funds will be used to provide
17 chore services. The proposal shall include a statement
18 assuring that children and adults in need of protective
19 services are given priority for homemaker-home health aide
20 services and that the appropriate local agencies have
21 participated in the planning for the proposal. After approval
22 of the proposal by the department, the department shall enter
23 into a contract with the county board of supervisors or a
24 governmental body designated by the county board of
25 supervisors. The county board of supervisors or its designee
26 shall subcontract with a nonprofit nurses' association, an
27 independent nonprofit agency, the department of human
28 services, or a suitable local governmental body to use the
29 allocated funds to provide homemaker-home health aide services
30 and chore services providing that the subcontract requires any
31 service provided away from the home to be documented in a
32 report available for review by the department, and that each
33 homemaker-home health aide subcontracting agency shall
34 maintain the direct service workers' time assigned to direct
35 client service at seventy percent or more of the workers' paid

1 time and that no more than thirty-five percent of the total
2 cost of the service be in the combined costs for service
3 administration and agency administration. The subcontract
4 shall require that each homemaker-home health aide
5 subcontracting agency shall pay the employer's contribution of
6 Social Security and provide workers' compensation coverage for
7 persons providing direct homemaker-home health aide service
8 and meet any other applicable legal requirements of an
9 employer/employee relationship.

10 If by July 30 of each fiscal year, the department is unable
11 to conclude contracts for use of the allocated funds in a
12 county, the department shall consider the unused funds
13 appropriated under this paragraph an unallocated pool. The
14 department shall also identify any allocated funds which the
15 counties do not anticipate spending during each fiscal year.
16 If the anticipated excess funds to any county are substantial,
17 the department and the county may agree to return those excess
18 funds, if the funds are other than program revenues, to the
19 department, and if returned, the department shall consider the
20 returned funds a part of the unallocated pool. The department
21 shall prior to February 15 of each fiscal year, reallocate the
22 funds in the unallocated pool among the counties in which the
23 department has concluded contracts under this paragraph. The
24 department shall also review the first ten months'
25 expenditures for each county in May of each year, to determine
26 if any counties have contracted funds which they do not
27 anticipate spending. If such funds are identified and the
28 county agrees to release the funds, the released funds will be
29 considered a new reallocation pool. The department may, prior
30 to June 1 of each year, reallocate funds from this new
31 reallocation pool to those counties which have experienced a
32 high utilization of protective service hours for children and
33 dependent adults.

34 The department shall maintain rules governing the
35 expenditure of funds appropriated by this paragraph. The

1 rules require each local agency receiving funds to establish
2 and use a sliding fee scale for those persons able to pay for
3 all or a portion of the cost of the services and shall require
4 the payments to be applied to the cost of the services. The
5 department shall also maintain rules for standards regarding
6 training, supervision, recordkeeping, appeals, program
7 evaluation, cost analysis, and financial audits, and rules
8 specifying reporting requirements.

9 The department shall annually evaluate the success of the
10 homemaker-home health aide program. The evaluation shall
11 include a description of the program and its implementation,
12 the extent of local participation, the extent to which the
13 program reduced or prevented inappropriate institutional-
14 zation, the extent to which the program provided or increased
15 the availability of homemaker-home health aide services to
16 elderly and low-income persons and children and adults in need
17 of protective services, any problems and recommendations
18 concerning the program, and an analysis of the costs of
19 services across the state. The department shall submit a
20 report of the annual evaluation to the governor and the
21 general assembly.

22 e. For the development and maintenance of well-elderly
23 clinics in the state:

24 \$ 494,000

25 Appropriations made in this paragraph shall be provided to
26 well-elderly clinics by a formula prioritizing clinics located
27 in counties which provide funding on a matching basis for the
28 well-elderly clinics.

29 f. For the decentralized indigent obstetrical patient
30 program for salaries and support of not more than one full-
31 time equivalent position annually, maintenance, and
32 miscellaneous purposes:

33 \$ 770,000

34 Appropriations made in this paragraph shall be provided in
35 accordance with the county patient quota formula established.

1 The costs of provision of services to indigent obstetrical
2 patients not provided services locally that are provided
3 services at the university hospital shall be paid from the
4 appropriation for the support of the hospital.

5 Sec. 6. There is appropriated from the separate fund
6 created under section 321J.17 to the family and community
7 health division of the Iowa department of public health for
8 the fiscal year beginning July 1, 1988, and ending June 30,
9 1989, the amount of seventy-six thousand (76,000) dollars, or
10 so much thereof as is necessary, to pay the costs of medical
11 examinations in crimes of sexual abuse and of treatments for
12 prevention of venereal disease as required by section 709.10.

13 Sec. 7. There is appropriated from the separate fund
14 created under section 601K.117 to the division of deaf
15 services of the department of human rights for the fiscal year
16 beginning July 1, 1988, and ending June 30, 1989, the amount
17 of fifty thousand (50,000) dollars, or so much thereof as is
18 necessary, to be used for the funding of interpretation
19 services provided by the division. Any balance in the fund on
20 June 30, 1989, or June 30 of a succeeding fiscal year shall
21 remain in the fund.

22 Sec. 8. The licensing boards for which general fund
23 appropriations have been provided for in section 5,
24 subsections 4, 5, 6, 7, and 8 of this Act may expend
25 additional funds, if those additional expenditures are
26 directly the cause of actual examination expenses exceeding
27 funds budgeted for examinations. Before a licensing board
28 included in section 5, subsections 4, 5, 6, 7, and 8 of this
29 Act expends or encumbers an amount in excess of the funds
30 budgeted for examinations, the director of the department of
31 management shall approve the expenditure or encumbrance.
32 Before approval is given, the department of management shall
33 determine that the examination expenses exceed the funds
34 budgeted by the general assembly to the board and the board
35 does not have other funds from which examination expenses can

1 be paid. Upon approval of the department of management the
2 licensing board may expend and encumber funds for excess
3 examination expenses. The amounts necessary to fund the
4 excess examination expenses shall be collected as fees from
5 additional examination applicants and shall be treated as
6 repayment receipts as defined in section 8.2, subsection 5.

7 Sec. 9. All federal grants to and federal receipts of the
8 agencies appropriated funds under this division of this Act
9 are appropriated for the purposes set forth in the federal
10 grants or receipts unless otherwise provided by the general
11 assembly. Full-time equivalent positions funded entirely with
12 federal funds are exempt from the limits on the number of
13 full-time equivalent positions provided in this division of
14 this Act, but are approved only for the period of time for
15 which the federal funds are available for the position.

16 Sec. 10. NEW SECTION. 601K.117 INTERPRETATION SERVICES
17 FUND.

18 All fees collected by the division for provision of
19 interpretation service by the division to obligated agencies
20 shall be transmitted to the treasurer of the state who shall
21 deposit the money in a separate fund dedicated to and used by
22 the division for the provision of continued and expanded
23 interpretation services. The commission shall adopt rules
24 which establish a fee schedule for the costs of provision of
25 interpretation services, for collection of the fees, and for
26 disposition of moneys received under this section.

27 DIVISION ON THE STATUS OF BLACKS

28 Sec. 11. NEW SECTION. 601K.131 DEFINITIONS.

29 For purposes of this subchapter, unless the context
30 otherwise requires:

31 1. "Commission" means the commission on the status of
32 blacks.

33 2. "Division" means the division on the status of blacks
34 of the department of human rights.

35 3. "Administrator" means the administrator of the division

1 on the status of blacks of the department of human rights.

2 Sec. 12. NEW SECTION. 601K.132 ESTABLISHMENT.

3 There is established a commission on the status of blacks
4 to consist of nine members, appointed by the governor, and
5 confirmed by the senate, to staggered four-year terms. At
6 least five members shall be individuals who are black.
7 Members shall be appointed representing every geographical
8 area of the state. No more than a simple majority of the
9 commission shall be of the same political party. The members
10 of the commission shall appoint from its membership a
11 commission chairperson and a vice chairperson and other
12 officers as the commission deems necessary. Vacancies on the
13 commission shall be filled for the remainder of term of the
14 original appointment.

15 Sec. 13. NEW SECTION. 601K.133 MEETINGS OF THE
16 COMMISSION.

17 The commission shall meet every other month and may hold
18 special meetings on the call of the chairperson. The
19 commission may adopt rules pursuant to chapter 17A as it deems
20 necessary for the conduct of its business. The members of the
21 commission shall be reimbursed for actual expenses while
22 engaged in their official duties. Members may also be
23 eligible to receive compensation as provided in section 7E.6.

24 Sec. 14. NEW SECTION. 601K.134 OBJECTIVES OF COMMISSION.

25 The commission shall study the changing needs and problems
26 of blacks in this state, and recommend new programs, policies,
27 and constructive action to the governor and the general
28 assembly including, but not limited to, the following areas:

- 29 1. Public and private employment policies and practices.
- 30 2. Iowa labor laws.
- 31 3. Legal treatment relating to political and civil rights.
- 32 4. Black children, youth, and families.
- 33 5. Expanded programs to assist blacks as consumers.
- 34 6. The employment of blacks and the initiation and
35 sustaining of black businesses and black entrepreneurship.

1 7. Blacks as members of private and public boards,
2 committees, and organizations.

3 8. Education, health, housing, social welfare, human
4 rights, and recreation.

5 9. The legal system, including law enforcement, both
6 criminal and civil.

7 10. Social service programs.

8 Sec. 15. NEW SECTION. 601K.135 EMPLOYEES AND
9 RESPONSIBILITY.

10 The administrator shall be the administrative officer of
11 the division and shall be responsible for implementing
12 policies and programs. The administrator may employ, in
13 accordance with chapter 19A, other persons necessary to carry
14 out the programs of the division.

15 Sec. 16. NEW SECTION. 601K.136 DUTIES.

16 The commission shall do all of the following:

17 1. Serve as an information clearinghouse on programs and
18 agencies operating to assist blacks. Clearinghouse duties
19 shall include, but are not limited to:

20 a. Service as a referral agency to assist blacks in
21 securing access to state agencies and programs.

22 b. Service as a liaison with federal, state, and local
23 governmental units and private organizations on matters
24 relating to blacks.

25 c. Service as a communications conduit to state government
26 for black organizations in the state.

27 d. Stimulation of public awareness of the problems of
28 blacks.

29 2. Conduct conferences and training programs for blacks,
30 public and private agencies and organizations, and the general
31 public.

32 3. Coordinate, assist, and cooperate with public and
33 private agencies in efforts to expand equal rights and
34 opportunities for blacks in the areas of: employment,
35 economic development, education, health, housing, recreation,

1 social welfare, social services, and the legal system.

2 4. Serve as the central permanent agency for the advocacy
3 of services for blacks.

4 5. Provide assistance to and cooperate with individuals
5 and public and private agencies and organizations in joint
6 efforts to study and resolve problems relating to the
7 improvement of the status of blacks.

8 6. Publish and disseminate information relating to blacks,
9 including publicizing their accomplishments and contributions
10 to this state.

11 7. Evaluate existing and proposed programs and legislation
12 for their impact on blacks.

13 8. Coordinate or conduct training programs for blacks to
14 enable them to assume leadership positions.

15 9. Conduct surveys of blacks to ascertain their needs.

16 10. Assist the department of personnel in the elimination
17 of underutilization of blacks in the state's workforce.

18 11. Recommend legislation to the governor and the general
19 assembly designed to improve the educational opportunities and
20 the economic and social conditions of blacks in this state.

21 Sec. 17. NEW SECTION. 601K.137 ADDITIONAL AUTHORITY.

22 The commission may do any or all of the following:

23 1. Do all things necessary, proper, and expedient in
24 accomplishing the duties listed in section 601K.136 and this
25 section.

26 2. Hold hearings.

27 3. Enter into contracts, within the limit of funds made
28 available, with individuals, organizations, and institutions
29 for services furthering the objectives of the commission as
30 listed in section 601K.134.

31 4. Seek advice and counsel of informed individuals and
32 organizations, in the accomplishment of the objectives of the
33 commission.

34 5. Apply for and accept grants of money or property from
35 the federal government or any other source, and upon its own

1 order use this money, property, or other resources to
2 accomplish the objectives of the commission.

3 Sec. 18. NEW SECTION. 601K.138 ACCESS TO INFORMATION.

4 For the purpose of research and study, the commission and
5 the administrator shall have access to all nonconfidential
6 records, data, information, and statistics of all departments,
7 boards, commissions, agencies, and institutions of this state.

8 Sec. 19. NEW SECTION. 601K.139 ANNUAL REPORT.

9 Not later than August 1 of each year, the commission shall
10 file a report with the governor and the general assembly of
11 its activities for the previous fiscal year and its
12 programmatic priorities for the current year beginning July 1.
13 The commission may submit with the report any recommendations
14 pertaining to its affairs and shall submit recommendations for
15 legislative consideration and other action it deems necessary.

16 Sec. 20. INITIAL APPOINTMENTS. Four of the members
17 appointed to the initial commission shall be designated by the
18 governor to serve two-year terms, and five shall be designated
19 by the governor to serve four-year terms.

20 Sec. 21. Section 7E.5, subsection 1, paragraph t, Code
21 1987, is amended to read as follows:

22 t. The department of human rights, created in section
23 601K.1, which has primary responsibility for services relating
24 to Spanish-speaking people, children, youth, and families,
25 women, persons with disabilities, community action agencies,
26 and deaf, -and-blind persons.

27 Sec. 22. Section 7E.5, Code 1987, is amended by adding the
28 following new lettered paragraph:

29 NEW LETTERED PARAGRAPH. v. The department for the blind,
30 created in section 601L.1, which has primary responsibility
31 for services relating to blind persons.

32 Sec. 23. Section 18.3, subsection 1, unnumbered paragraphs
33 1 and 2, Code Supplement 1987, are amended to read as follows:

34 Establishing and developing, in co-operation with the
35 various state agencies, a system of uniform standards and

1 specifications for purchasing. When the system is developed,
2 all items of general use shall be purchased through the
3 department, except items used by the state department of
4 transportation, institutions under the control of the board of
5 regents, the commission department for the blind, and any
6 other agencies exempted by law.

7 Life cycle cost and energy efficiency shall be included in
8 the criteria used by the department of general services,
9 institutions under the state board of regents, the state
10 department of transportation, the commission department for
11 the blind and other state agencies in developing standards and
12 specifications for purchasing energy consuming products. As
13 used in this paragraph "life cycle cost" means the expected
14 total cost of ownership during the life of a product.

15 Sec. 24. Section 18.8, Code 1987, is amended to read as
16 follows:

17 18.8 CAPITOL BUILDINGS AND GROUNDS -- SERVICES.

18 The director shall provide necessary telephone, telegraph,
19 lighting, fuel, and water services for the state buildings and
20 grounds located at the seat of government, except the
21 buildings and grounds referred to in section ~~601K-123~~ 601L.3,
22 subsection 6.

23 The director shall establish, supervise, and maintain a
24 central mail unit for the use of all state officials and
25 agencies located at the seat of government. All state
26 officials and agencies located at the seat of government shall
27 be required to dispatch first and second class mail and parcel
28 post mail, at the mail unit for the purpose of having the mail
29 sealed, metered, and posted.

30 The director shall allow a department to seal, meter or
31 stamp, and post mail directly from such department if it would
32 be more efficient and economical.

33 Postage shall not be furnished to the general assembly, its
34 members, officers, employees, or committees.

35 Except for buildings and grounds described in section

1 601K.123 601L.3, subsection 6, and section 2.43, unnumbered
2 paragraph 1, the director shall assign office space at the
3 capitol, other state buildings and elsewhere in the city of
4 Des Moines, for all executive and judicial state agencies.
5 Assignments may be changed at any time. The various officers
6 to whom rooms have been so assigned may control the same while
7 the assignment to them is in force. Official apartments shall
8 be used only for the purpose of conducting the business of the
9 state. The term "capitol" or "capitol building" as used in
10 the Code shall be descriptive of all buildings upon the
11 capitol grounds. The capitol building itself is reserved for
12 the operations of the general assembly, the governor and the
13 courts and the assignment and use of physical facilities for
14 the general assembly shall be pursuant to section 2.43.

15 The director shall appoint a superintendent of buildings
16 and grounds, who shall serve at the pleasure of the director
17 and shall not be governed by the provisions of chapter 19A.

18 Sec. 25. Section 18.12, subsection 2, Code Supplement
19 1987, is amended to read as follows:

20 2. Have at all times, charge of and supervision over the
21 janitors, and other employees of the department in and about
22 the capitol and other state buildings, except the buildings
23 and grounds referred to in section 601K.123 601L.3, subsection
24 6, at the seat of government.

25 Sec. 26. Section 601K.1, Code Supplement 1987, is amended
26 to read as follows:

27 601K.1 DEPARTMENT OF HUMAN RIGHTS.

28 A department of human rights is created, with the following
29 divisions:

- 30 1. Division of Spanish-speaking people.
- 31 2. Division of children, youth, and families.
- 32 3. Division on the status of women.
- 33 4. Division of persons with disabilities.
- 34 5. Division of community action agencies.
- 35 6. Division of deaf services.

1 ~~7.--Division-for-the-blind:~~

2 Sec. 27. Section 601K.121, Code 1987, is amended to read
3 as follows:

4 601K.121 DEFINITIONS.

5 For purposes of this ~~subchapter~~ chapter, unless the context
6 otherwise requires:

7 1. "Commission" means the commission for the blind.

8 2. "~~Division~~" "Department" means the ~~division~~ department
9 for the blind ~~of-the-department-of-human-rights~~.

10 3. "~~Administrator~~" "Director" means the ~~administrator~~
11 director of the ~~division~~ department for the blind ~~of-the~~
12 ~~department-of-human-rights~~.

13 Sec. 28. The Code editor shall renumber sections 601K.121
14 through 601K.127 of the Code as a new chapter 601L.

15 Sec. 29. Section 10 of this Act takes effect upon
16 enactment.

17 EXPLANATION

18 This bill makes appropriations from the general fund to the
19 department of human rights, the newly established department
20 for the blind, the department of elder affairs, and the
21 department of public health, and establishes a division on the
22 status of blacks.

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STATE OF IOWA

FILED MAR 29 1988 FISCAL NOTE

LSB No. 8191s

Staff ID. RRS

SENATE FILE 2310

In compliance with a written request received March 28, 1988, a fiscal note for SENATE FILE 2310 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

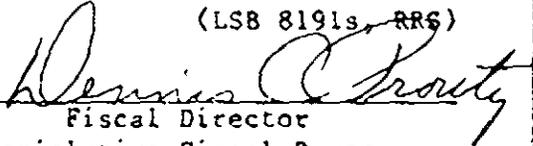
Senate File 2310 makes appropriations to the Civil Rights Commission, the Departments of Blind, Elder Affairs, Human Rights and Public Health, transfers the Criminal and Juvenile Justice Planning Agency to the Department of Human Rights, establishes the Division for the Status of Blacks in the Department of Human Rights, and establishes the Deaf Interpretation Services Fund.

FISCAL EFFECT:

The Division of Deaf Services of the Department of Human Rights estimates that Senate File 2310 will raise an estimated \$50,000 through the establishment of the Deaf Interpretation Services Fund in Section 15 of the bill.

Source: Department of Human Rights

(LSB 8191s, RRS)


Fiscal Director
Legislative Fiscal Bureau

Date: _____

SENATE FILE 2310

S-5341

1 Amend Senate File 2310 as follows:

2 1. Page 6, by inserting after line 18, the
3 following:

4 "It is the intent of the general assembly that the
5 following elements be included in the certificate of
6 need process:

7 a. Notification, in place of review, is required
8 for a reduction in bed capacity. If beds are not
9 staffed for a period of one year, the health care
10 facility shall notify the health facilities council
11 that the number of beds of the health care facility
12 has been reduced. The provisions of this subsection
13 do not prohibit the conversion of beds for new
14 purposes without going through the certificate of need
15 process if the cost of conversion is below the two
16 hundred fifty thousand dollar threshold level.

17 b. A certificate of need is required for a
18 hospital air transport service. For the purposes of
19 paragraph "d" hospital air transport services projects
20 are subject to the one-year moratorium.

21 c. A waiver of the certificate of need shall be
22 provided for life care communities which have a ratio
23 of one to four nursing beds to total resident beds,
24 and which provide disclosure of financial information.

25 d. A one-year moratorium is established on a new
26 institutional health service or changed institutional
27 health service project as defined by section 135.61,
28 subsection 19, and on hospital air transport services
29 if the institutional health facility is a hospital or
30 a subsidiary of the hospital, and for which contracts
31 have not been let as of March 15, 1988, unless
32 notification or waiver is provided in lieu of the
33 requirement of a certificate of need pursuant to
34 paragraph "a" or "c". However, if a hospital displays
35 an urgent and compelling need to provide a new
36 institutional health service or changed institutional
37 health service, the hospital may appeal to the health
38 facilities council and may be granted approval of the
39 costs for leasing or purchasing.

40 e. A legislative interim study committee shall be
41 established to develop new criteria for the health
42 facilities council to use in determining approval for
43 a health ~~service~~ project."

S-5341

Filed March 11, 1988

BY AL STURGEON

Withdrawn 3/16 (p 841)

SENATE FILE 2310

S-5295

- 1 Amend Senate File 2310 as follows:
- 2 1. By striking page 2, line 34 through page 3,
- 3 line 6 and inserting the following:
- 4 "8. DIVISION FOR THE BLIND
- 5 For salaries and support of not more than one
- 6 hundred ~~two~~ and five-tenths full-time equivalent
- 7 positions annually, maintenance, and miscellaneous
- 8 purposes:"
- 9 2. By striking page 17, line 27 through page 24,
- 10 line 14.
- 11 3. Title page, by striking lines 2 through 4 and
- 12 inserting the following: "human rights, the
- 13 department of elder affairs, and the department of
- 14 public health."

S-5295
Filed March 9, 1988
Ruled o/o 3/16 (p843)

BY COMMITTEE ON STATE GOVERNMENT
ROBERT M. CARR, Chairperson

SENATE FILE 2310

S-5381

1 Amend Senate File 2310 as follows:

2 1. Page 23, by inserting after line 24, the
3 following:

4 "Sec. ____ . Section 144.46, Code 1987, is amended
5 to read as follows:

6 144.46 FEE FOR COPY OF RECORD.

7 The department by rule shall establish fees based
8 on the average administrative cost which shall be
9 collected by the state registrar or the clerk of the
10 district court for each certified copy or short form
11 certification of certificates or records, or for a
12 search of the files or records when no copy is made,
13 or when no record is found on file. Fees collected by
14 ~~the state registrar under this section shall be~~
15 ~~deposited in the general fund of the state. Fifty~~
16 ~~percent of the fees collected by the state registrar~~
17 ~~under this section for certified copies or short form~~
18 ~~certification of certificates or records, or for~~
19 ~~searches of the files or records which require search~~
20 ~~for or retrieval of records from the state archives~~
21 ~~shall be credited to the account of the historical~~
22 ~~division of the department of cultural affairs in~~
23 ~~accordance with section 303.9. Fees collected by the~~
24 ~~clerk of the district court shall be deposited in the~~
25 ~~court revenue distribution account established under~~
26 ~~section 602.8108. A fee shall not be collected from a~~
27 ~~political subdivision or agency of this state."~~

S-5381

Filed March 15, 1988

BY WILLIAM W. DIELEMAN

Ruled Not Germaine 3/16 (p 842)

SENATE FILE 2310

S-5374

1 Amend Senate File 2310 as follows:
2 1. Page 21, by inserting after line 31, the
3 following:
4 "Sec. ____ . Section 7E.6, subsection 5, Code 1987,
5 is amended by striking the subsection."
6 2. Page 23, by inserting after line 24, the
7 following:
8 "Sec. ____ . Section 135.62, subsection 2, paragraph
9 c, Code 1987, is amended to read as follows:
10 c. Meetings. The council shall hold an
11 organizational meeting in July of each odd-numbered
12 year, or as soon thereafter as the new appointee or
13 appointees are confirmed and have qualified. Other
14 meetings shall be held at least once each month, and
15 may be held more frequently if necessary to enable the
16 council to expeditiously discharge its duties.
17 Meeting dates shall be set upon adjournment or by call
18 of the chairperson upon five days' notice to the other
19 members. Each member of the council shall receive an
20 ~~annual salary of three thousand dollars and~~
21 reimbursement for actual expenses while engaged in
22 official duties."
23 3. By renumbering as necessary.

S-5374

Filed March 15, 1988
adopted 3/16 (p 842)

BY AL STURGEON

SENATE FILE 2310

S-5375

1 Amend Senate File 2310 as follows:
2 1. Title page, line 1, by inserting after the
3 words "appropriations to" the following: "the Iowa
4 state civil rights commission,".

S-5375

Filed March 15, 1988
adopted 3/16 (p 843)

BY AL STURGEON

SENATE FILE 2310

S-5406

1 Amend Senate File 2310 as follows:

2 1. Page 2, line 10, by striking the words "five
3 and one-half" and inserting the following: "two".

4 2. Page 2, line 13, by striking the figure
5 "134,000" and inserting the following: "79,000".

6 3. Page 2, by inserting after line 33 the
7 following:

8 "Sec. _____. There is appropriated from the general
9 fund of the state to the criminal and juvenile justice
10 planning agency of the department of human rights for
11 the fiscal year beginning July 1, 1988, and ending
12 June 30, 1989, for general operations the sum of two
13 hundred fifty thousand nine hundred forty (250,940)
14 dollars, or so much thereof as is necessary, and as a
15 condition, limitation, and qualification of this
16 appropriation there shall be transferred from the
17 department of management four full-time equivalent
18 positions to the criminal and juvenile justice
19 planning agency, there shall be transferred from the
20 department of corrections one full-time equivalent
21 position to the criminal and juvenile justice planning
22 agency, and there shall be transferred from the
23 children, youth, and family division of the department
24 of human rights three point five full-time equivalent
25 positions to the criminal and juvenile justice
26 planning agency and the funds appropriated by this
27 section may be expended by the criminal and juvenile
28 justice agency for salaries and benefits of these
29 eight point five full-time equivalent positions in the
30 criminal and juvenile justice planning agency."

31 4. Page 17, by inserting after line 15 the
32 following:

33 "Sec. _____. Section 80C.1, Code 1987, is amended to
34 read as follows:

35 80C.1 CRIMINAL AND JUVENILE JUSTICE PLANNING
36 AGENCY CREATED.

37 The criminal and juvenile justice planning agency
38 is created in the department of management human
39 rights. The agency is responsible for coordinating
40 criminal and juvenile justice activities in the state
41 including planning, research, program implementation,
42 and the administration of grants and other funds. The
43 agency is under the direct supervision of the director
44 ~~of the department of management. The director shall~~
45 ~~appoint the administrator of the agency~~ criminal and
46 juvenile justice advisory council created in section
47 80C.2. The director of the criminal and juvenile
48 justice planning agency shall be appointed by and
49 serve at the pleasure of the council. As used in this
50 section and sections 80C.2 to 80C.4, unless the

1 context otherwise requires, "agency" means the
2 criminal and juvenile justice planning agency created
3 in this section.

4 Sec. _____. Section 80C.2, unnumbered paragraph 1,
5 Code 1987, is amended to read as follows:

6 The criminal and juvenile justice advisory council
7 is created to advise the governor and legislature and
8 advise the agency in the performance of its duties and
9 to perform other duties as required by law. The
10 council consists of ~~twelve~~ thirteen members. The
11 governor shall appoint seven members each for a four-
12 year term beginning and ending as provided in section
13 69.19 and subject to confirmation by the senate as
14 follows:

15 Sec. _____. Section 80C.2, Code 1987, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 4. The coordinator of the
18 department of human rights is an ex officio, nonvoting
19 member of the council.

20 Sec. _____. Section 80C.3, subsection 2, Code 1987,
21 is amended to read as follows:

22 2. Co-ordinate Maintain an Iowa statistical
23 analysis center for the purpose of coordinating with
24 data resource agencies to provide data and analytical
25 information to federal, state and local governments,
26 and assist agencies in the use of criminal and
27 juvenile justice data. The criminal and juvenile
28 justice planning agency and the statistical analysis
29 center are considered criminal justice agencies for
30 purposes of receiving criminal history data."

31 5. Amend the title, line 3, by inserting after
32 the word "health," the following: "transferring the
33 criminal and juvenile justice planning agency to the
34 department of human rights,".

35 6. Renumber sections and correct internal
36 references as necessary.

S-5406

Filed March 16, 1988

ADOPTED

BY JOE J. WELSH

adopted 3/16 (p 841)

SENATE FILE 2310

S-5404

1 Amend Senate File 2310 as follows:

2 1. Page 6, by inserting after line 18, the
3 following:

4 "Notwithstanding chapter 135, division VI, it is
5 the intent of the general assembly that the following
6 elements be included in the certificate of need
7 process:

8 a. Notification, in place of review, is required
9 for a reduction in bed capacity. If beds are not
10 staffed for a period of one year, the health care
11 facility shall notify the health facilities council
12 that the number of beds of the health care facility
13 has been reduced. A certificate of need shall not be
14 required for the conversion of beds for new purposes
15 if the cost of conversion is below two hundred fifty
16 thousand dollars, and the facility notifies the health
17 facilities council of any reduction in bed capacity.

18 b. A certificate of need is required for the
19 purchase or leasing by a hospital of an air
20 transportation system for transportation of patients.
21 For the purposes of paragraph "d" air transportation
22 system projects are subject to the one-year
23 moratorium.

24 c. A waiver of the certificate of need shall be
25 provided for life care facilities which provide a
26 ratio of one nursing bed to four total resident beds,
27 which provide disclosure of financial information to
28 the department, and which receive approval of
29 financial disclosure from the department.

30 For the purposes of this paragraph, the following
31 definitions apply:

32 (1) "Life care" means the furnishing of nursing
33 care or personal care services pursuant to an
34 agreement, whether the nursing care or personal care
35 services are provided in the facility or in another
36 setting designated by the agreement, to an individual
37 not related by consanguinity or affinity to the
38 provider furnishing the living unit, for an entrance
39 fee.

40 (2) "Entrance fee" means an initial or deferred
41 transfer to a provider of a sum of money or other
42 property made or promised to be made as full or
43 partial consideration for acceptance of a specified
44 person as a resident in a facility for the duration of
45 the person's life or for a period which exceeds one
46 year. An accommodation fee, admission fee, or other
47 fee of similar form and application is considered to
48 be an entrance fee.

49 (3) "Life care facility" or "facility" means a
50 place which provides life care.

1 (4) "Living unit" means a room, apartment,
2 cottage, or other area within a facility set aside for
3 the exclusive use or control of one or more specified
4 persons.

5 (5) "Nursing care" means those services pertaining
6 to the curative, restorative, and preventive aspects
7 of nursing services that are performed by or under the
8 supervision of a registered or licensed nurse.

9 "Nursing care" does not include general health service
10 such as nutritional counseling, exercise programs, or
11 other preventive medicine techniques.

12 (6) "Personal care services" means assistance with
13 meals, dressing, movement, bathing, or other personal
14 needs of maintenance or other direct supervision and
15 oversight of the physical and mental well-being of a
16 person. "Personal care services" does not include
17 general health services such as nutritional
18 counseling, exercise programs, or other preventive
19 medicine techniques.

20 (7) "Provider" means a person who owns or operates
21 a facility.

22 (8) "Resident" or "potential resident" means a
23 person entitled to receive life care in a facility
24 pursuant to an agreement and the payment of an
25 entrance fee.

26 (9) "Disclosure of financial information" means
27 information required by rule of the Iowa department of
28 public health relative to the capability of a life
29 care facility to ensure the safety of funds and
30 properties entrusted to the facility for the purpose
31 of assuring the provision of life care agreed to by
32 the resident or potential resident and the provider.

33 d. A one-year moratorium is established on a new
34 institutional health service or changed institutional
35 health service project as defined by section 135.61,
36 subsection 19, if the institutional health facility is
37 a hospital or a subsidiary of a hospital, and on an
38 air transportation system project of a hospital or
39 subsidiary of a hospital for which a contract for the
40 new institutional health service or changed
41 institutional health service project has not been
42 approved for a certificate of need on or before March
43 15, 1988, unless notification or waiver is provided in
44 lieu of the requirement of a certificate of need
45 pursuant to paragraph "a" or "c". However, if a
46 hospital or a subsidiary of a hospital displays an
47 urgent and compelling need to provide a new
48 institutional health service or changed institutional
49 health service, the hospital may appeal to the health
50 facilities council and may be granted approval for the

1 project. The Iowa department of public health shall,
2 by rule, define an "urgent and compelling need," and
3 shall establish the criteria for approval of a project
4 for which an appeal is made. For the purposes of this
5 paragraph, the moratorium and the appeal process apply
6 to all projects included in this paragraph for which
7 payment is provided through a lease or purchase
8 arrangement by a hospital or a subsidiary of a
9 hospital.

10 e. The legislative council shall establish a
11 legislative interim study committee to develop new
12 criteria for use by the health facilities council to
13 use in the determination of approval for a health
14 service project."

S-5404

Filed March 16, 1988 OUT OF ORDER BY AL STURGEON

Revised Not Germane 3/16 (p 841)

SENATE FILE 2310

S-5403

1 Amend Senate File 2310 as follows:

- 2 1. Page 1, line 33, by striking the figure
- 3 "60,000" and inserting the following: "57,414.50".
- 4 2. Page 2, line 8, by striking the figure
- 5 "110,000" and inserting the following: "107,171".
- 6 3. Page 2, line 33, by striking the figure
- 7 "52,000" and inserting the following: "57,414.50".

S-5403

Filed March 16, 1988 ADOPTED BY JIM LIND

Adopted 3/16 (p 833)

SENATE FILE 2310

S-5412

1 Amend Senate File 2310 as follows:

2 1. Page 15, by striking lines 29 through 33 and
3 inserting the following:

4 "f. Notwithstanding the provisions of section 8.33
5 or any other provision of law, any balance remaining
6 in the decentralized indigent obstetrical patient
7 program fund on June 30, 1988, shall remain in the
8 fund and be available for expenditure in the fiscal
9 year ending on June 30, 1989.

10 For the decentralized indigent obstetrical patient
11 program for salaries and support of not more than one
12 full-time equivalent position annually, maintenance,
13 and miscellaneous purposes there is appropriated an
14 amount which is the difference between the balance
15 remaining in the fund on June 30, 1988, and the amount
16 of seven hundred seventy thousand (770,000) dollars.
17 If the provisions of House File 2447 regarding the
18 federal Sixth Omnibus Budget Reconciliation Act are
19 not enacted, the amount appropriated shall be an
20 amount which is the difference between the balance
21 remaining in the fund on June 30, 1988, and the amount
22 of one million seventy thousand (1,070,000) dollars."

S-5412

Filed March 16, 1988

adapted 3/16 (p 841)

ADOPTED

BY RICHARD VARN
CHARLES BRUNER

SENATE FILE 2310

S-5405

- 1 Amend Senate File 2310 as follows:
- 2 1. By striking page 2, line 34 through page 3,
- 3 line 6 and inserting the following:
- D.V. 4 "8. DIVISION FOR THE BLIND
- B 5 For salaries and support of not more than one
- 6 hundred two and five-tenths full-time equivalent
- 7 positions annually, maintenance, and miscellaneous
- 8 purposes:"
- D.V. 9 2. By striking page 17, line 27 through page 21,
- A 10 line 19.
- D.V. 11 3. By striking page 21, line 20, through page 24,
- B 12 line 14.
- 13 4. Title page, by striking lines 2 through 4 and
- D.V. 14 inserting the following: "human rights, the
- C 15 department of elder affairs, and the department of
- 16 public health."

S-5405 DIV A - ADOPTED
 Filed March 16, 1988 DIV B - LOST BY JOE J. WELSH
 DIV C - OUT OF ORDER

A-adopted 3/16 (p841)
 B-Lost 3/16 (p842)
 C-Ruled o/o 3/16 (p842)

SENATE FILE 2310

S-5407

- 1 Amend Senate File 2310 as follows:
- 2 1. Page 1, line 16, by striking the word "four"
- 3 and inserting the following: "five".
- 4 2. Page 1, line 19, by striking the figure
- 5 "83,000" and inserting the following: "104,000".
- 6 3. Page 1, by striking lines 24 through 28.

S-5407
 Filed March 16, 1988 ADOPTED BY DAVID M. READINGER
 adopted 3/16 (p 840) AL STURGEON

SENATE FILE 2310

S-5408

- 1 Amend Senate File 2310 as follows:
- 2 1. Page 16, line 19, by inserting after the word
- 3 "division." the following: "If the moneys generated
- 4 for deposit in the separate fund created under section
- 5 601k.117 are less than fifty thousand (50,000)
- 6 dollars, an amount which is equal to the amount
- 7 generated for deposit in the fund shall be
- 8 appropriated to the division of deaf services of the
- 9 department of human rights for the year beginning July
- 10 1, 1988, and ending June 30, 1989."

S-5408
 Filed March 16, 1988 ADOPTED BY JIM LIND
 adopted 3/16 (p841)

for Appropriation 2/18
Amend per S 867 & H. Res 3/24 (p. 10627)

SENATE FILE **2310**
BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE MARCH 16, 1988)

- _____ - New Language by the Senate
- * - Language Stricken by the Senate

Passed Senate, Date 4/17/88 (p. 1352) Passed House, Date 3/29/88 (p. 1175)

Vote: Ayes 45 Nays 1 Vote: Ayes 83 Nays 18

Approved April 15, 1988 (After Vote)

7/24/88
7/24/88
7/24/88
Approved Senate 4/8/88 (p. 1370)
40-6

A BILL FOR

1 An Act relating to and making appropriations to the Iowa state
 2 civil rights commission, the department of human rights, the
 3 department for the blind, the department of elder affairs, and
 4 the department of public health, transferring the criminal and
 5 juvenile justice planning agency to the department of human
 6 rights, and establishing a division on the status of blacks.

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

8
 9 Conference Committee Appointed 4/12/88
 10 Representatives Hammond (Chair) Bahr, Hagen, Harrison, Royer (p. 1751)
 11 Senators Sturgeon (Chair) Miller of Ames, Goble, Grinstead, Boudinot, Jester (p. 146)
 12 Passed Senate 4/13/88 (p. 1506) Passed House 4/13/88 (p. 1843)
 47-1 89-6

S.F. 2310

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1 Section 1. There is appropriated from the general fund of
2 the state to the Iowa state civil rights commission for the
3 fiscal year beginning July 1, 1988, and ending June 30, 1989,
4 the following amount, or so much thereof as is necessary, to
5 be used for the purposes designated:

6 For salaries and support of not more than thirty-one full-
7 time equivalent positions annually, maintenance, and miscel-
8 laneous purposes:

9 \$ 875,000

10 Sec. 2. There is appropriated from the general fund of the
11 state to the department of human rights for the fiscal year
12 beginning July 1, 1988, and ending June 30, 1989, the
13 following amounts, or so much thereof as is necessary, to be
14 used for the purposes designated:

15 1. CENTRAL ADMINISTRATION DIVISION

16 For salaries and support of not more than five full-time
17 equivalent positions annually, maintenance, and miscellaneous
18 purposes:

19 \$ 104,000

20 It is the intent of the general assembly that the
21 department establish a visitation rights advisory committee
22 composed of volunteer members with expertise or interest in
23 the area of visitation rights.

* 24 2. SPANISH-SPEAKING PEOPLE DIVISION

25 For salaries and support of not more than one and one-half
26 full-time equivalent positions annually, maintenance, and
27 miscellaneous purposes:

28 \$ 57,414.50

29 3. PERSONS WITH DISABILITIES DIVISION

30 For salaries and support of not more than three full-time
31 equivalent positions annually, maintenance, and miscellaneous
32 purposes:

33 \$ 125,000

34 4. STATUS OF WOMEN DIVISION

35 For salaries and support of not more than two and eight-

1 tenths full-time equivalent positions annually, maintenance,
2 and miscellaneous purposes:

3 \$ 107,171

4 5. CHILDREN, YOUTH, AND FAMILIES DIVISION

5 For salaries and support of not more than two full-time
6 equivalent positions annually, maintenance and miscellaneous
7 purposes:

8 \$ 79,000

9 Of the funds appropriated in this subsection, no less than
10 thirty-six thousand (36,000) dollars shall be spent for
11 expenses relating to the administration of federal funds for
12 juvenile assistance. It is the intent of the general assembly
13 that the department of human rights employ sufficient staff to
14 meet the federal funding match requirements established by the
15 federal office for juvenile justice delinquency prevention.
16 The governor's advisory council on juvenile justice shall
17 determine the staffing level necessary to carry out federal
18 and state mandates for juvenile justice.

19 6. DEAF SERVICES DIVISION

20 For salaries and support of not more than ten full-time
21 equivalent positions annually, maintenance, and miscellaneous
22 purposes:

23 \$ 238,000

24 7. STATUS OF BLACKS DIVISION

25 For salaries and support of not more than one and one-half
26 full-time equivalent positions annually, maintenance, and
27 miscellaneous purposes:

28 \$ 57,414.50

29 Sec. 3. There is appropriated from the general fund of the
30 state to the criminal and juvenile justice planning agency of
31 the department of human rights for the fiscal year beginning
32 July 1, 1988, and ending June 30, 1989, for general operations
33 the sum of two hundred fifty thousand nine hundred forty
34 (250,940) dollars, or so much thereof as is necessary, and as
35 a condition, limitation, and qualification of this

1 appropriation there shall be transferred from the department
2 of management four full-time equivalent positions to the
3 criminal and juvenile justice planning agency, there shall be
4 transferred from the department of corrections one full-time
5 equivalent position to the criminal and juvenile justice
6 planning agency, and there shall be transferred from the
7 children, youth, and family division of the department of
8 human rights three point five full-time equivalent positions
9 to the criminal and juvenile justice planning agency and the
10 funds appropriated by this section may be expended by the
11 criminal and juvenile justice agency for salaries and benefits
12 of these eight point five full-time equivalent positions in
13 the criminal and juvenile justice planning agency.

14 Sec. 4. There is appropriated from the general fund of the
15 state to the department for the blind for the fiscal year
16 beginning July 1, 1988, and ending June 30, 1989, the
17 following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:

19 For salaries and support of not more than one hundred two
20 and five-tenths full-time equivalent positions annually,
21 maintenance, and miscellaneous purposes:

22 \$ 1,298,000

23 Sec. 5. There is appropriated from the general fund of the
24 state to the department of elder affairs for the fiscal year
25 beginning July 1, 1988, and ending June 30, 1989, the
26 following amounts, or so much thereof as is necessary, to be
27 used for the purposes designated:

28 1. For salaries and support of not more than twenty-eight
29 full-time equivalent positions annually, maintenance, and
30 miscellaneous purposes:

31 \$ 319,000

32 It is the intent of the general assembly that the
33 department employ an alternative housing/long-term care
34 coordinator as one of the full-time equivalent positions.

35 It is the intent of the general assembly that the

1 department establish an Alzheimer's disease task force to
2 collect comprehensive information regarding the incidence and
3 impact of Alzheimer's disease in Iowa; to determine the
4 existing programs and mechanisms for dealing with dementia-
5 related illness including a determination of barriers to
6 access; to develop policy recommendations based upon the scope
7 of the problem, review of relevant literary data regarding
8 cost-effectiveness of care delivery, and the perceived needs
9 to families of Alzheimer's disease victims; and to recommend
10 policy for the enhancement of service delivery and training
11 for families and care-givers through coordination of the
12 increased utilization of existing resources related to the
13 treatment and understanding of Alzheimer's disease victims.
14 The members of the task force shall be reimbursed for actual
15 and necessary expenses incurred by them in the discharge of
16 their official duties.

17 2. For the administration of area agencies on aging:
18 \$ 114,000

19 3. For the retired Iowans community employment program:
20 \$ 104,000

21 4. For the older Iowans legislature:
22 \$ 13,000

23 5. For the retired seniors volunteer program:
24 \$ 14,000

25 All of the funds appropriated under subsection 5 shall be
26 divided equally among the programs in existence as of July 1,
27 1988, and shall not be used by the department for
28 administrative purposes.

29 6. For elderly services programs:
30 \$ 1,356,000

31 All funds appropriated under this subsection shall be
32 received and disbursed by the director of elder affairs for
33 the elderly services program, shall not be used for
34 administrative purposes, and shall be used for citizens of
35 Iowa over sixty years of age for chore, telephone reassurance,

1 adult day care, and home repair services, including the
2 winterizing of homes, and for the construction of entrance
3 ramps which meet the requirements of section 104A.4 and make
4 residences accessible to the physically handicapped. Funds
5 appropriated under this subsection may be used to supplement
6 federal funds under federal regulations. Funds appropriated
7 under this subsection may be used for elderly services not
8 specifically enumerated in this subsection only if approved by
9 an area agency for provision of the service within the area.

10 Of the funds appropriated in this subsection, one hundred
11 fifty thousand (150,000) dollars, or so much thereof as is
12 necessary, are allocated for a respite care program,
13 administered by the department of elder affairs.

14 Area agencies on aging shall expend no less than the same
15 amount expended on adult day care programs in the fiscal year
16 beginning July 1, 1988, than during the fiscal year beginning
17 July 1, 1987.

18 Of the funds appropriated in this subsection, thirty-five
19 thousand (35,000) dollars, or so much thereof as is necessary,
20 is allocated to each of the case management pilot projects
21 established in Cerro Gordo and Linn counties for continuation
22 of the projects; ten thousand (10,000) dollars, or so much
23 thereof as is necessary, is allocated for the evaluation of
24 both of the existing case management pilot projects in Cerro
25 Gordo and Linn counties; and one hundred thousand (100,000)
26 dollars, or so much thereof as is necessary, is allocated for
27 the funding of grants for additional case management pilot
28 projects. The department shall establish grant application
29 and grant acceptance criteria. It is the intent of the
30 general assembly that existing and subsequent pilot projects
31 funded under this subsection include a component for the
32 preadmission screening of persons considering admittance to an
33 intermediate care facility in order to determine whether or
34 not the provision of alternative care services is more
35 appropriate.

1 Sec. 6. There is appropriated from the general fund of the
2 state to the Iowa department of public health for the fiscal
3 year beginning July 1, 1988, and ending June 30, 1989, the
4 following amounts, or so much thereof as is necessary, to be
5 used for the purposes designated:

6 1. CENTRAL ADMINISTRATION DIVISION

7 For salaries and support of not more than forty-five full-
8 time equivalent positions annually, maintenance, and mis-
9 cellaneous purposes:

10 \$ 737,000

11 2. HEALTH PLANNING DIVISION

12 For salaries and support of not more than eleven and
13 seventy-six one hundredths equivalent positions annually,
14 maintenance, and miscellaneous purposes:

15 \$ 1,222,000

16 This appropriation amount shall be increased by fifty
17 thousand (50,000) dollars and the division shall be increased
18 by one full-time equivalent position if the 1988 General
19 Assembly enacts House Study Bill 759.

20 The department shall allocate from the funds appropriated
21 under this subsection eight hundred ninety-one thousand
22 (891,000) dollars for the fiscal year beginning July 1, 1988,
23 for the chronic renal disease program. The types of
24 assistance to eligible recipients under the program may
25 include hospital and medical expenses, home dialysis supplies,
26 insurance premiums, travel expenses, prescription and
27 nonprescription drugs, and lodging expenses for persons in
28 training. The program expenditures shall not exceed these
29 allocations. If projected expenditures will exceed the
30 allocations, the department shall establish by administrative
31 rule a mechanism to reduce financial assistance under the
32 renal disease program in order to keep expenditures within the
33 allocations.

34 3. DISEASE PREVENTION DIVISION

35 For salaries and support of not more than sixty-four full-

1 time equivalent positions annually, maintenance, and
2 miscellaneous purposes:

3 \$ 1,717,000

4 4. PROFESSIONAL LICENSURE

5 For salaries and support of not more than eleven full-time
6 equivalent positions annually, maintenance, and miscellaneous
7 purposes:

8 \$ 461,000

9 5. STATE BOARD OF DENTAL EXAMINERS

10 For salaries and support of not more than four full-time
11 equivalent positions annually, maintenance, and miscellaneous
12 purposes:

13 \$ 168,000

14 6. STATE BOARD OF MEDICAL EXAMINERS

15 For salaries and support of not more than eighteen full-
16 time equivalent positions annually, maintenance, and
17 miscellaneous purposes:

18 \$ 884,000

19 7. STATE BOARD OF NURSING EXAMINERS

20 For salaries and support of not more than seventeen full-
21 time equivalent positions annually, maintenance, and
22 miscellaneous purposes:

23 \$ 708,000

24 8. STATE BOARD OF PHARMACY EXAMINERS

25 For salaries and support of not more than twelve full-time
26 equivalent positions annually, maintenance, and miscellaneous
27 purposes:

28 \$ 516,000

29 Professional licensure pursuant to subsection 4 and the
30 boards pursuant to subsections 5 through 8 shall prepare
31 estimates of projected receipts to be generated by the
32 licensing, certification, and examination fees of each board
33 as well as a projection of the fairly apportioned
34 administrative costs and rental expenses attributable to each
35 board. Each board shall annually review and adjust its

1 schedule of fees so that, as nearly as possible, projected
2 receipts equal projected costs.

3 9. SUBSTANCE ABUSE DIVISION

4 a. For salaries and support of not more than seventeen and
5 fifty-five one hundredths full-time equivalent positions
6 annually, maintenance, and miscellaneous purposes:

7 \$ 471,000

8 b. For program grants:

9 \$ 7,021,000

10 c. For salaries and support of not more than four and
11 three-tenths full-time equivalent positions annually,
12 maintenance, and miscellaneous purposes for the governor's
13 alliance on substance abuse:

14 \$ 45,000

15 10. HEALTH DATA COMMISSION

16 For the health data clearinghouse:

17 \$ 250,000

18 It is the intent of the general assembly that the
19 commission shall not enter into an agreement with an entity
20 that engages in whole or in part in the provision of health
21 care services or an entity that has a material financial
22 interest in the provision of such services.

23 11. FAMILY AND COMMUNITY HEALTH DIVISION

24 a. For salaries and support of not more than sixty-seven
25 and two-tenths full-time equivalent positions annually,
26 maintenance, and miscellaneous purposes:

27 \$ 2,210,000

28 The department shall allocate from the funds appropriated
29 under this paragraph at least six hundred twenty-six thousand
30 (626,000) dollars for the fiscal year beginning July 1, 1988,
31 and ending June 30, 1989, for the birth defects and genetics
32 counseling program and of these funds, thirty-nine thousand
33 (39,000) dollars shall be allocated for a central birth
34 defects registry program.

35 Of the funds appropriated under this paragraph forty-nine

1 thousand (49,000) dollars shall be used for a lead abatement
2 program.

3 Of the funds appropriated in this paragraph, the following
4 amounts shall be allocated to the University of Iowa hospitals
5 and clinics under the control of the state board of regents
6 for the following programs under the Iowa specialized child
7 health care services:

8 (1) Mobile and regional child health specialty clinics:
9 \$ 308,000

10 (2) Muscular dystrophy and related genetic disease
11 programs:
12 \$ 125,000

13 (3) Statewide perinatal program:
14 \$ 67,000

15 The birth defects and genetic counseling service shall
16 apply a sliding fee scale to determine the amount a person re-
17 ceiving the services is required to pay for the services.
18 These fees shall be considered repayment receipts and used for
19 the program.

20 Of the funds allocated to the mobile and regional child
21 health speciality clinics under subparagraph (1) of this
22 paragraph, sixty-eight thousand (68,000) dollars shall be used
23 for a specialized medical home care program providing care
24 planning and coordination of community support services for
25 children who require technical medical care in the home.

26 The University of Iowa hospitals and clinics shall not
27 receive indirect costs from the funds for each program.

28 The Iowa department of public health shall administer the
29 statewide maternal and child health program and the crippled
30 children's program by conducting mobile and regional child
31 health specialty clinics and conducting other activities to
32 improve the health of low-income women and children and to
33 promote the welfare of children with actual or potential
34 handicapping conditions and chronic illnesses in accordance
35 with the requirements of Title V of the Social Security Act.

1 b. Sudden infant death syndrome autopsies.

2 For reimbursing counties for expenses resulting from autop-
3 sies of suspected victims of sudden infant death syndrome
4 required under section 331.802, subsection 3, paragraph "j":
5 \$ 14,000

6 c. For grants to local boards of health for the public
7 health nursing program:

8 \$ 2,175,000

9 Funds appropriated under this paragraph shall be used to
10 maintain and expand the existing public health nursing program
11 for elderly and low-income persons with the objective of
12 preventing or reducing inappropriate institutionalization.
13 The funds shall not be used for any other purpose. As used in
14 this paragraph, "elderly person" means a person who is sixty
15 years of age or older and "low-income person" means a person
16 whose income and resources are below the guidelines
17 established by the department.

18 One-fourth of the total amount to be allocated shall be
19 divided so that an equal amount is available for use in each
20 county in the state. Three-fourths of the total amount to be
21 allocated shall be divided so that the share available for use
22 in each county is proportionate to the number of elderly and
23 low-income persons living in that county in relation to the
24 total number of elderly and low-income persons living in the
25 state.

26 In order to receive allocations under this paragraph, the
27 local board of health having jurisdiction shall prepare a
28 proposal for the use of the allocated funds available for that
29 jurisdiction that will provide the maximum benefits of
30 expanded public health nursing care to elderly and low-income
31 persons in the jurisdiction. After approval of the proposal
32 by the department, the department shall enter into a contract
33 with the local board of health. The local board of health
34 shall subcontract with a nonprofit nurses' association, an
35 independent nonprofit agency, or a suitable local governmental

1 body to use the allocated funds to provide public health
2 nursing care. Local boards of health shall make an effort to
3 prevent duplication of services.

4 If by July 30 of each fiscal year, the department is unable
5 to conclude contracts for use of the allocated funds in a
6 county, the department shall consider the unused funds
7 appropriated under this paragraph an unallocated pool. If the
8 unallocated pool is fifty thousand (50,000) dollars or more it
9 shall be reallocated to the counties in substantially the same
10 manner as the original allocations. The reallocated funds are
11 available for use in those counties during the period
12 beginning January 1 and ending June 30 of each fiscal year.
13 If the unallocated pool is less than fifty thousand (50,000)
14 dollars, the department may allocate it to counties with
15 demonstrated special needs for public health nursing.

16 The department shall maintain rules governing the
17 expenditure of funds appropriated by paragraph "d". The rules
18 require each local agency receiving funds to establish and use
19 a sliding fee scale for those persons able to pay for all or a
20 portion of the cost of the care.

21 The department shall annually evaluate the success of the
22 public health nursing program. The evaluation shall include
23 the extent to which the program reduced or prevented
24 inappropriate institutionalization, the extent to which the
25 program increased the availability of public health nursing
26 care to elderly and low-income persons, and the extent of
27 public health nursing care provided to elderly and low-income
28 persons. The department shall submit a report of each annual
29 evaluation to the governor and the general assembly.

30 d. For grants to county boards of supervisors for the
31 homemaker-home health aide program:

32 \$ 7,787,000

33 Funds appropriated under this paragraph shall be used to
34 provide homemaker-home health aide services with emphasis on
35 services to elderly and persons below the poverty level and

1 children and adults in need of protective services with the
2 objective of preventing or reducing inappropriate
3 institutionalization. In addition, up to fifteen percent of
4 the funds appropriated under this paragraph may be used to
5 provide chore services. The funds shall not be used for any
6 other purposes. As used in this paragraph:

7 (1) "Chore services" means services provided to
8 individuals or families, who, due to absence, incapacity, or
9 illness, are unable to perform certain home maintenance
10 functions. The services include but are not limited to yard
11 work such as mowing lawns, raking leaves, and shoveling walks;
12 window and door maintenance such as hanging screen windows and
13 doors, replacing window panes, and washing windows; and minor
14 repairs to walls, floors, stairs, railings, and handles. It
15 also includes heavy house cleaning which includes cleaning
16 attics or basements to remove fire hazards, moving heavy
17 furniture, extensive wall washing, floor care or painting, and
18 trash removal.

19 (2) "Elderly person" means a person who is sixty years of
20 age or older.

21 (3) "Homemaker-home health aide services" means services
22 intended to enhance the capacity of household members to
23 attain or maintain the independence of the household members
24 and provided by trained and supervised workers to individuals
25 or families, who, due to the absence, incapacity, or
26 limitations of the usual homemaker, are experiencing stress or
27 crisis. The services include but are not limited to essential
28 shopping, housekeeping, meal preparation, child care, respite
29 care, money management and consumer education, family
30 management, personal services, transportation and providing
31 information, assistance, and household management.

32 (4) "Low-income person" means a person whose income and
33 resources are below the guidelines established by the
34 department.

35 (5) "Protective services" means those homemaker-home

1 health aide services intended to stabilize a child's or an
2 adult's residential environment and relationships with
3 relatives, caretakers, and other persons or household members
4 in order to alleviate a situation involving abuse or neglect
5 or to otherwise protect the child or adult from a threat of
6 abuse or neglect.

7 The amount appropriated under this paragraph shall be
8 allocated for use in the counties of the state. Fifteen
9 percent of the amount shall be divided so that an equal amount
10 is available for use in each county in the state. The
11 following percentages of the remaining amount shall be
12 allocated to each county according to that county's proportion
13 of residents with the following demographic characteristics:
14 sixty percent according to the number of elderly persons
15 living in the county; twenty percent according to the number
16 of persons below the poverty level living in the county; and
17 twenty percent according to the number of substantiated cases
18 of child abuse in the county during the three most recent
19 fiscal years for which data is available.

20 In order to receive allocations under this paragraph, the
21 county board of supervisors, after consultation with the local
22 boards of health, county board of social welfare, area agency
23 on aging advisory council, local office of the department of
24 human services, and other in-home health care provider
25 agencies in the jurisdiction, shall prepare a proposal for the
26 use of the allocated funds available for that jurisdiction
27 that will provide the maximum benefits of expanded homemaker-
28 home health aide services to elderly and low-income persons
29 and children and adults in need of protective services in the
30 jurisdiction. The proposal may provide that a maximum of
31 fifteen percent of the allocated funds will be used to provide
32 chore services. The proposal shall include a statement
33 assuring that children and adults in need of protective
34 services are given priority for homemaker-home health aide
35 services and that the appropriate local agencies have

1 participated in the planning for the proposal. After approval
2 of the proposal by the department, the department shall enter
3 into a contract with the county board of supervisors or a
4 governmental body designated by the county board of
5 supervisors. The county board of supervisors or its designee
6 shall subcontract with a nonprofit nurses' association, an
7 independent nonprofit agency, the department of human
8 services, or a suitable local governmental body to use the
9 allocated funds to provide homemaker-home health aide services
10 and chore services providing that the subcontract requires any
11 service provided away from the home to be documented in a
12 report available for review by the department, and that each
13 homemaker-home health aide subcontracting agency shall
14 maintain the direct service workers' time assigned to direct
15 client service at seventy percent or more of the workers' paid
16 time and that no more than thirty-five percent of the total
17 cost of the service be in the combined costs for service
18 administration and agency administration. The subcontract
19 shall require that each homemaker-home health aide
20 subcontracting agency shall pay the employer's contribution of
21 Social Security and provide workers' compensation coverage for
22 persons providing direct homemaker-home health aide service
23 and meet any other applicable legal requirements of an
24 employer/employee relationship.

25 If by July 30 of each fiscal year, the department is unable
26 to conclude contracts for use of the allocated funds in a
27 county, the department shall consider the unused funds
28 appropriated under this paragraph an unallocated pool. The
29 department shall also identify any allocated funds which the
30 counties do not anticipate spending during each fiscal year.
31 If the anticipated excess funds to any county are substantial,
32 the department and the county may agree to return those excess
33 funds, if the funds are other than program revenues, to the
34 department, and if returned, the department shall consider the
35 returned funds a part of the unallocated pool. The department

1 shall prior to February 15 of each fiscal year, reallocate the
2 funds in the unallocated pool among the counties in which the
3 department has concluded contracts under this paragraph. The
4 department shall also review the first ten months'
5 expenditures for each county in May of each year, to determine
6 if any counties have contracted funds which they do not
7 anticipate spending. If such funds are identified and the
8 county agrees to release the funds, the released funds will be
9 considered a new reallocation pool. The department may, prior
10 to June 1 of each year, reallocate funds from this new
11 reallocation pool to those counties which have experienced a
12 high utilization of protective service hours for children and
13 dependent adults.

14 The department shall maintain rules governing the
15 expenditure of funds appropriated by this paragraph. The
16 rules require each local agency receiving funds to establish
17 and use a sliding fee scale for those persons able to pay for
18 all or a portion of the cost of the services and shall require
19 the payments to be applied to the cost of the services. The
20 department shall also maintain rules for standards regarding
21 training, supervision, recordkeeping, appeals, program
22 evaluation, cost analysis, and financial audits, and rules
23 specifying reporting requirements.

24 The department shall annually evaluate the success of the
25 homemaker-home health aide program. The evaluation shall
26 include a description of the program and its implementation,
27 the extent of local participation, the extent to which the
28 program reduced or prevented inappropriate institutional-
29 zation, the extent to which the program provided or increased
30 the availability of homemaker-home health aide services to
31 elderly and low-income persons and children and adults in need
32 of protective services, any problems and recommendations
33 concerning the program, and an analysis of the costs of
34 services across the state. The department shall submit a
35 report of the annual evaluation to the governor and the

1 general assembly.

2 e. For the development and maintenance of well-elderly
3 clinics in the state:

4 \$ 494,000

5 Appropriations made in this paragraph shall be provided to
6 well-elderly clinics by a formula prioritizing clinics located
7 in counties which provide funding on a matching basis for the
8 well-elderly clinics.

9 f. Notwithstanding the provisions of section 8.33 or any
10 other provision of law, any balance remaining in the
11 decentralized indigent obstetrical patient program fund on
12 June 30, 1988, shall remain in the fund and be available for
13 expenditure in the fiscal year ending on June 30, 1989.

14 For the decentralized indigent obstetrical patient program
15 for salaries and support of not more than one full-time
16 equivalent position annually, maintenance, and miscellaneous
17 purposes there is appropriated an amount which is the
18 difference between the balance remaining in the fund on June
19 30, 1988, and the amount of seven hundred seventy thousand
20 (770,000) dollars. If the provisions of House File 2447
21 regarding the federal Sixth Omnibus Budget Reconciliation Act
22 are not enacted, the amount appropriated shall be an amount
23 which is the difference between the balance remaining in the
24 fund on June 30, 1988, and the amount of one million seventy
25 thousand (1,070,000) dollars.

26 Appropriations made in this paragraph shall be provided in
27 accordance with the county patient quota formula established.
28 The costs of provision of services to indigent obstetrical
29 patients not provided services locally that are provided
30 services at the university hospital shall be paid from the
31 appropriation for the support of the hospital.

32 Sec. 7. There is appropriated from the separate fund
33 created under section 321J.17 to the family and community
34 health division of the Iowa department of public health for
35 the fiscal year beginning July 1, 1988, and ending June 30,

1 1989, the amount of seventy-six thousand (76,000) dollars, or
2 so much thereof as is necessary, to pay the costs of medical
3 examinations in crimes of sexual abuse and of treatments for
4 prevention of venereal disease as required by section 709.10.

5 Sec. 8. There is appropriated from the separate fund
6 created under section 601K.117 to the division of deaf
7 services of the department of human rights for the fiscal year
8 beginning July 1, 1988, and ending June 30, 1989, the amount
9 of fifty thousand (50,000) dollars, or so much thereof as is
10 necessary, to be used for the funding of interpretation
11 services provided by the division. If the moneys generated
12 for deposit in the separate fund created under section
13 601K.117 are less than fifty thousand (50,000) dollars, an
14 amount which is equal to the amount generated for deposit in
15 the fund shall be appropriated to the division of deaf
16 services of the department of human rights for the year
17 beginning July 1, 1988, and ending June 30, 1989. Any balance
18 in the fund on June 30, 1989, or June 30 of a succeeding
19 fiscal year shall remain in the fund.

20 Sec. 9. The licensing boards for which general fund
21 appropriations have been provided for in section 6,
22 subsections 4, 5, 6, 7, and 8 of this Act may expend
23 additional funds, if those additional expenditures are
24 directly the cause of actual examination expenses exceeding
25 funds budgeted for examinations. Before a licensing board
26 included in section 6, subsections 4, 5, 6, 7, and 8 of this
27 Act expends or encumbers an amount in excess of the funds
28 budgeted for examinations, the director of the department of
29 management shall approve the expenditure or encumbrance.
30 Before approval is given, the department of management shall
31 determine that the examination expenses exceed the funds
32 budgeted by the general assembly to the board and the board
33 does not have other funds from which examination expenses can
34 be paid. Upon approval of the department of management the
35 licensing board may expend and encumber funds for excess

1 examination expenses. The amounts necessary to fund the
2 excess examination expenses shall be collected as fees from
3 additional examination applicants and shall be treated as
4 repayment receipts as defined in section 8.2, subsection 5.

5 Sec. 10. All federal grants to and federal receipts of the
6 agencies appropriated funds under this division of this Act
7 are appropriated for the purposes set forth in the federal
8 grants or receipts unless otherwise provided by the general
9 assembly. Full-time equivalent positions funded entirely with
10 federal funds are exempt from the limits on the number of
11 full-time equivalent positions provided in this division of
12 this Act, but are approved only for the period of time for
13 which the federal funds are available for the position.

14 Sec. 11. Section 80C.1, Code 1987, is amended to read as
15 follows:

16 80C.1 CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY
17 CREATED.

18 The criminal and juvenile justice planning agency is
19 created in the department of management human rights. The
20 agency is responsible for coordinating criminal and juvenile
21 justice activities in the state including planning, research,
22 program implementation, and the administration of grants and
23 other funds. The agency is under the direct supervision of
24 the director of the department of management. The director
25 shall appoint the administrator of the agency criminal and
26 juvenile justice advisory council created in section 80C.2.
27 The director of the criminal and juvenile justice planning
28 agency shall be appointed by and serve at the pleasure of the
29 council. As used in this section and sections 80C.2 to 80C.4,
30 unless the context otherwise requires, "agency" means the
31 criminal and juvenile justice planning agency created in this
32 section.

33 Sec. 12. Section 80C.2, unnumbered paragraph 1, Code 1987,
34 is amended to read as follows:

35 The criminal and juvenile justice advisory council is

1 created to advise the governor and legislature and advise the
2 agency in the performance of its duties and to perform other
3 duties as required by law. The council consists of twelve
4 thirteen members. The governor shall appoint seven members
5 each for a four-year term beginning and ending as provided in
6 section 69.19 and subject to confirmation by the senate as
7 follows:

8 Sec. 13. Section 80C.2, Code 1987, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 4. The coordinator of the department of
11 human rights is an ex officio, nonvoting member of the
12 council.

13 Sec. 14. Section 80C.3, subsection 2, Code 1987, is
14 amended to read as follows:

15 2. Co-ordinate Maintain an Iowa statistical analysis
16 center for the purpose of coordinating with data resource
17 agencies to provide data and analytical information to
18 federal, state and local governments, and assist agencies in
19 the use of criminal and juvenile justice data. The criminal
20 and juvenile justice planning agency and the statistical
21 analysis center are considered criminal justice agencies for
22 purposes of receiving criminal history data.

5171 23 Sec. 15. NEW SECTION. 601K.117 INTERPRETATION SERVICES
24 FUND.

25 All fees collected by the division for provision of
26 interpretation service by the division to obligated agencies
27 shall be transmitted to the treasurer of the state who shall
28 deposit the money in a separate fund dedicated to and used by
29 the division for the provision of continued and expanded
30 interpretation services. The commission shall adopt rules
31 which establish a fee schedule for the costs of provision of
32 interpretation services, for collection of the fees, and for
33 disposition of moneys received under this section.

5967 34 Sec. 16. Section 7E.5, subsection 1, paragraph t, Code
35 1987, is amended to read as follows

1 t. The department of human rights, created in section
2 601K.1, which has primary responsibility for services relating
3 to Spanish-speaking people, children, youth, and families,
4 women, persons with disabilities, community action agencies,
5 and deaf--and-blind persons.

6 Sec. 17. Section 7E.5, Code 1987, is amended by adding the
7 following new lettered paragraph:

8 NEW LETTERED PARAGRAPH. v. The department for the blind,
9 created in section 601L.1, which has primary responsibility
10 for services relating to blind persons.

11 Sec. 18. Section 7E.6, subsection 5, Code 1987, is amended
12 by striking the subsection.

13 Sec. 19. Section 18.3, subsection 1, unnumbered paragraphs
14 1 and 2, Code Supplement 1987, are amended to read as follows:

15 Establishing and developing, in co-operation with the
16 various state agencies, a system of uniform standards and
17 specifications for purchasing. When the system is developed,
18 all items of general use shall be purchased through the
19 department, except items used by the state department of
20 transportation, institutions under the control of the board of
21 regents, the commission department for the blind, and any
22 other agencies exempted by law.

23 Life cycle cost and energy efficiency shall be included in
24 the criteria used by the department of general services,
25 institutions under the state board of regents, the state
26 department of transportation, the commission department for
27 the blind and other state agencies in developing standards and
28 specifications for purchasing energy consuming products. As
29 used in this paragraph "life cycle cost" means the expected
30 total cost of ownership during the life of a product.

31 Sec. 20. Section 18.8, Code 1987, is amended to read as
32 follows:

33 18.8 CAPITOL BUILDINGS AND GROUNDS -- SERVICES.

34 The director shall provide necessary telephone, telegraph,
35 lighting, fuel, and water services for the state buildings and

1 grounds located at the seat of government, except the
2 buildings and grounds referred to in section ~~601K.123~~ 601L.3,
3 subsection 6.

4 The director shall establish, supervise, and maintain a
5 central mail unit for the use of all state officials and
6 agencies located at the seat of government. All state
7 officials and agencies located at the seat of government shall
8 be required to dispatch first and second class mail and parcel
9 post mail, at the mail unit for the purpose of having the mail
10 sealed, metered, and posted.

11 The director shall allow a department to seal, meter or
12 stamp, and post mail directly from such department if it would
13 be more efficient and economical.

14 Postage shall not be furnished to the general assembly, its
15 members, officers, employees, or committees.

16 Except for buildings and grounds described in section
17 ~~601K.123~~ 601L.3, subsection 6, and section 2.43, unnumbered
18 paragraph 1, the director shall assign office space at the
19 capitol, other state buildings and elsewhere in the city of
20 Des Moines, for all executive and judicial state agencies.
21 Assignments may be changed at any time. The various officers
22 to whom rooms have been so assigned may control the same while
23 the assignment to them is in force. Official apartments shall
24 be used only for the purpose of conducting the business of the
25 state. The term "capitol" or "capitol building" as used in
26 the Code shall be descriptive of all buildings upon the
27 capitol grounds. The capitol building itself is reserved for
28 the operations of the general assembly, the governor and the
29 courts and the assignment and use of physical facilities for
30 the general assembly shall be pursuant to section 2.43.

31 The director shall appoint a superintendent of buildings
32 and grounds, who shall serve at the pleasure of the director
33 and shall not be governed by the provisions of chapter 19A.

34 Sec. 21. Section 18.12, subsection 2, Code Supplement
35 1987, is amended to read as follows:

1 2. Have at all times, charge of and supervision over the
2 janitors, and other employees of the department in and about
3 the capitol and other state buildings, except the buildings
4 and grounds referred to in section ~~601K.123~~ 601L.3, subsection
5 6, at the seat of government.

6 Sec. 22. Section 135.62, subsection 2, paragraph c, Code
7 1987, is amended to read as follows:

8 c. Meetings. The council shall hold an organizational
9 meeting in July of each odd-numbered year, or as soon
10 thereafter as the new appointee or appointees are confirmed
11 and have qualified. Other meetings shall be held at least
12 once each month, and may be held more frequently if necessary
13 to enable the council to expeditiously discharge its duties.
14 Meeting dates shall be set upon adjournment or by call of the
15 chairperson upon five days' notice to the other members. Each
16 member of the council shall receive an-annual-salary-of-three
17 thousand-dollars-and reimbursement for actual expenses while
18 engaged in official duties.

19 Sec. 23. Section 601K.1, Code Supplement 1987, is amended
20 to read as follows:

21 601K.1 DEPARTMENT OF HUMAN RIGHTS.

22 A department of human rights is created, with the following
23 divisions:

- 24 1. Division of Spanish-speaking people.
- 25 2. Division of children, youth, and families.
- 26 3. Division on the status of women.
- 27 4. Division of persons with disabilities.
- 28 5. Division of community action agencies.
- 29 6. Division of deaf services.

30 ~~7. --Division-for-the-blind-~~

31 Sec. 24. Section 601K.121, Code 1987, is amended to read
32 as follows:

33 601K.121 DEFINITIONS.

34 For purposes of this subchapter chapter, unless the context
35 otherwise requires:

- 1 1. "Commission" means the commission for the blind.
- 2 2. "Division" "Department" means the division department
- 3 for the blind of-the-department-of-human-rights.
- 4 3. "Administrator" "Director" means the administrator
- 5 director of the division department for the blind of-the
- 6 department-of-human-rights.

6007 Sec. 25. The Code editor shall renumber sections 601K.121
8 through 601K.127 of the Code as a new chapter 601L.

9 Sec. 26. Section 15 of this Act takes effect upon
600910 enactment.

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STATE OF IOWA

FILED APR 12 1988

FISCAL NOTE

LSB No. 8191s.3
Staff ID. RRS

SENATE FILE 2310 AMENDED BY THE SENATE

In compliance with a written request received April 11, 1988, a fiscal note for S.F. 2310 - AMENDED BY SENATE is hereby submitted pursuant to Joint-File 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2310 makes appropriations to the Civil Rights Commission, the Departments of Blind, Elder Affairs, Human Rights and Public Health, establishes the Criminal and Juvenile Justice Planning Division within the Department of Human Rights, and establishes the Deaf Interpretation Services Fund.

FISCAL EFFECT:

The Division of Deaf Services of the Department of Human Rights estimates that Senate File 2310 will raise an estimated \$50,000 through the establishment of the Deaf Interpretation Services Fund in Section 15 of the bill.

Source: Department of Human Rights

(LSB 8191s.3, RRS)

Dennis A. Prouty
Fiscal Director

Legislative Fiscal Bureau

Date: 4/12/88

SENATE FILE 2310

H-5867

1 Amend Senate File 2310 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, line 28, by striking the figure
4 "57,414.50" and inserting the following: "60,000".

K

5 2. Page 2, line 3, by striking the figure
6 "107,171" and inserting the following: "110,000".

B

7 3. Page 2, line 5, by striking the word "two" and
8 inserting the following: "five and five-tenths".

C

9 4. Page 2, line 8, by striking the figure
10 "79,000" and inserting the following: "134,000".

D

11 5. Page 2, line 12, by inserting after the word
12 "juvenile" the following: "and victim".

S X

13 6. Page 2, line 28, by striking the figure
14 "57,414.50" and inserting the following: "52,000".

S X

15 7. Page 2, by striking lines 33 and 34 and
16 inserting the following: "the sum of one hundred
17 ninety-five thousand nine hundred forty (195,940)
18 dollars, or so much thereof as is necessary, and as".

S X

19 8. Page 3, by striking lines 6 through 9 and
20 inserting the following: "planning agency, and the".

S X

21 9. Page 3, line 12, by striking the words "eight
22 point".

S X

23 10. Page 4, line 30, by striking the figure
24 "1,356,000" and inserting the following: "1,316,000".

S X

25 11. Page 5, line 25, by striking the words and
26 figure "one hundred thousand (100,000)" and inserting
27 the following: "sixty thousand (60,000)".

K

28 12. Page 6, by striking lines 16 through 19.

D

29 13. Page 11, line 32, by striking the figure
30 "7,787,000" and inserting the following: "7,707,000".

S X

31 14. Page 16, line 4, by striking the figure
32 "494,000" and inserting the following: "474,000".

S X

33 15. Page 16, line 10, by inserting after the word
34 "any" the following: "unencumbered".

S X

35 16. Page 16, line 18, by inserting after the
36 words "between the" the following: "unencumbered".

37 17. Page 16, line 23, by inserting after the
38 words "between the" the following: "unencumbered".

39 18. Page 17, line 14, by striking the words
40 "equal to" and inserting the following: "the

S X

41 difference between fifty thousand dollars and".

42 19. Page 17, line 15, by inserting after the word
43 "appropriated" the following: "from the general fund
44 of the state".

45 20. Page 19, by inserting after line 33 the
46 following:

"DIVISION ON THE STATUS OF BLACKS

Sec. ____ . NEW SECTION. 601K.131 DEFINITIONS.

For purposes of this subchapter, unless the context

otherwise requires:

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Page 2

1 1. "Commission" means the commission on the status
2 of blacks.

3 2. "Division" means the division on the status of
4 blacks of the department of human rights.

5 3. "Administrator" means the administrator of the
6 division on the status of blacks of the department of
7 human rights.

8 Sec. NEW SECTION. 601K.132 ESTABLISHMENT.

9 There is established a commission on the status of
10 blacks to consist of nine members, appointed by the
11 governor, and confirmed by the senate, to staggered
12 four-year terms. At least five members shall be
13 individuals who are black. Members shall be appointed
14 representing every geographical area of the state. No
15 more than a simple majority of the commission shall be
16 of the same political party. The members of the
17 commission shall appoint from its membership a
18 commission chairperson and a vice chairperson and
19 other officers as the commission deems necessary.
20 Vacancies on the commission shall be filled for the
21 remainder of term of the original appointment.

22 Sec. NEW SECTION. 601K.133 MEETINGS OF THE
23 COMMISSION.

24 The commission shall meet every other month and may
25 hold special meetings on the call of the chairperson.
26 The commission may adopt rules pursuant to chapter 17A
27 as it deems necessary for the conduct of its business.
28 The members of the commission shall be reimbursed for
29 actual expenses while engaged in their official
30 duties. Members may also be eligible to receive
31 compensation as provided in section 7E.6.

32 Sec. NEW SECTION. 601K.134 OBJECTIVES OF
33 COMMISSION.

34 The commission shall study the changing needs and
35 problems of blacks in this state, and recommend new
36 programs, policies, and constructive action to the
37 governor and the general assembly including, but not
38 limited to, the following areas:

39 1. Public and private employment policies and
40 practices.

41 2. Iowa labor laws.

42 3. Legal treatment relating to political and civil
43 rights.

44 4. Black children, youth, and families.

45 5. Expanded programs to assist blacks as
46 consumers.

47 6. The employment of blacks and the initiation and
48 sustaining of black businesses and black
49 entrepreneurship.

50 7. Blacks as members of private and public boards,

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Page 3

committees, and organizations.

8. Education, health, housing, social welfare,
human rights, and recreation.

9. The legal system, including law enforcement,
both criminal and civil.

10. Social service programs.

Sec. ____ . NEW SECTION. 601K.135 EMPLOYEES AND
RESPONSIBILITY.

The administrator shall be the administrative
officer of the division and shall be responsible for
implementing policies and programs. The administrator
may employ, in accordance with chapter 19A, other
persons necessary to carry out the programs of the
division.

Sec. ____ . NEW SECTION. 601K.136 DUTIES.

The commission shall do all of the following:

1. Serve as an information clearinghouse on
programs and agencies operating to assist blacks.
Clearinghouse duties shall include, but are not
limited to:

a. Service as a referral agency to assist blacks
in securing access to state agencies and programs.

b. Service as a liaison with federal, state, and
local governmental units and private organizations on
matters relating to blacks.

c. Service as a communications conduit to state
government for black organizations in the state.

d. Stimulation of public awareness of the problems
of blacks.

2. Conduct conferences and training programs for
blacks, public and private agencies and organizations,
and the general public.

3. Coordinate, assist, and cooperate with public
and private agencies in efforts to expand equal rights
and opportunities for blacks in the areas of:
employment, economic development, education, health,
housing, recreation, social welfare, social services,
and the legal system.

4. Serve as the central permanent agency for the
advocacy of services for blacks.

5. Provide assistance to and cooperate with
individuals and public and private agencies and
organizations in joint efforts to study and resolve
problems relating to the improvement of the status of
blacks.

6. Publish and disseminate information relating to
blacks, including publicizing their accomplishments
and contributions to this state.

7. Evaluate existing and proposed programs and
legislation for their impact on blacks.

1 6. Coordinate or conduct training programs for
2 blacks to enable them to assume leadership positions.

3 9. Conduct surveys of blacks to ascertain their
4 needs.

5 10. Assist the department of personnel in the
6 elimination of underutilization of blacks in the
7 state's workforce.

8 11. Recommend legislation to the governor and the
9 general assembly designed to improve the educational
10 opportunities and the economic and social conditions
11 of blacks in this state.

12 Sec. ____ . NEW SECTION. 601K.137 ADDITIONAL
13 AUTHORITY.

14 The commission may do any or all of the following:

15 1. Do all things necessary, proper, and expedient
16 in accomplishing the duties listed in section 601K.136
17 and this section.

18 2. Hold hearings.

19 3. Enter into contracts, within the limit of funds
20 made available, with individuals, organizations, and
21 institutions for services furthering the objectives of
22 the commission as listed in section 601K.134.

23 4. Seek advice and counsel of informed individuals
24 and organizations, in the accomplishment of the
25 objectives of the commission.

26 5. Apply for and accept grants of money or
27 property from the federal government or any other
28 source, and upon its own order use this money,
29 property, or other resources to accomplish the
30 objectives of the commission.

31 Sec. ____ . NEW SECTION. 601K.138 ACCESS TO
32 INFORMATION.

33 For the purpose of research and study, the
34 commission and the administrator shall have access to
35 all nonconfidential records, data, information, and
36 statistics of all departments, boards, commissions,
37 agencies, and institutions of this state.

38 Sec. ____ . NEW SECTION. 601K.139 ANNUAL REPORT.

39 Not later than August 1 of each year, the
40 commission shall file a report with the governor and
41 the general assembly of its activities for the
42 previous fiscal year and its programmatic priorities
43 for the current year beginning July 1. The commission
44 may submit with the report any recommendations
45 pertaining to its affairs and shall submit
46 recommendations for legislative consideration and
47 other action it deems necessary.

48 Sec. ____ . INITIAL APPOINTMENTS. Four of the
49 members appointed to the initial commission shall be
50 designated by the governor to serve two-year terms,

1 and five shall be designated by the governor to serve
2 four-year terms."

3 21. Page 22, by inserting after line 30, the
4 following:

5 "7. Division on the status of blacks."

6 22. By renumbering as necessary.

BY COMMITTEE ON APPROPRIATIONS

3/29 JOCHUM of Dubuque, Chairperson

SENATE FILE 2310

5737

Amend Senate File 2310, as amended, passed, and reprinted by the Senate, as follows:

1. Page 8, by inserting after line 27, the following:

"It is the intent of the general assembly that the termination of pregnancy reports program established pursuant to section 144.29A be funded through the appropriation to this division."

2. Page 19, by inserting after line 22, the following:

"Sec. . NEW SECTION. 144.29A TERMINATION OF PREGNANCY REPORTING.

1. A health care provider who identifies a spontaneous termination of pregnancy or who induces a termination of pregnancy shall file with the department a report for each termination within thirty days of the occurrence. The report shall contain all of the following information with respect to each termination:

- a. Health care provider.
- b. Health facility.
- c. Patient number.
- d. The state and, if this state, the county of residence of the patient.
- e. Age of the patient.
- f. Marital status of the patient.
- g. Educational level of the patient.
- h. Month and year in which the termination occurred.

i. The number of weeks since the patient's last menstrual period.

j. Complications, if any.

k. Cause of termination, if known.

2. The information shall be collected in a manner which the department shall specify by rule, pursuant to chapter 17A, and which ensures the anonymity of the patient who experiences a termination of pregnancy, the health care provider who identifies or induces a termination of pregnancy, and the hospital, clinic, or other health facility in which a termination of pregnancy is identified or induced. The department shall publish annually demographic summaries of the information obtained pursuant to this section, except that the department shall not disclose any information obtained pursuant to this section which reveals the identity of any patient, health care provider, or hospital, clinic, or other health facility, and shall ensure anonymity in the following ways:

a. The department may use information concerning the patient number or concerning the identity of a

H-5737

Page Two

1 specific reporting hospital, clinic, or other health
2 facility only for purposes of information collection.
3 The department shall not reproduce this information
4 for any purpose, and shall not extrapolate this
5 information for any purposes other than for use in
6 annually publishing the demographic summary under this
7 section.

8 b. The department shall immediately destroy all
9 reports submitted after information is extrapolated
10 from the reports for use in annually publishing the
11 demographic summary under this section."

12 3. By renumbering as necessary.

BY HERMANN of Scott
VAN CAMP of Scott

H-5737 FILED MARCH 18, 1988

Filed in journal 3/29/88
Motion to suspend rule filed 4/1/88

SENATE FILE 2310

H-5884

1 Amend the House amendment, H-5737, to Senate File
2 2310 as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 46, by inserting after the word
5 "of" the following: "the city or county of or the
6 identity of".

7 2. Page 2, line 7, by inserting after the word
8 "section." the following: "The summary shall only
9 include data on a statewide basis and shall not
10 include data identifying activity in any specific
11 city, county, or region of the state."

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

14 "3. A person in violation of any provision or
15 requirement of this section is subject to a civil
16 penalty of not more than one thousand dollars."

17 4. Title page, by striking line 6 and inserting
18 the following: "rights, establishing a division on
19 the status of blacks, and providing a penalty."

By SWARTZ of Marshall

H-5884 FILED MARCH 24, 1988

Filed not germane 3/24 (H. 1172)

SENATE FILE 2310

H-5887

1 Amend the House amendment, H-5737, to Senate File
2 2310 as amended, passed, and reprinted by the Senate
3 as follows:

4 1. Page 1, by striking line 21 and inserting the
5 following:

6 "b. The name and address of the health facility."

7 2. Page 1, by striking line 22.

8 3. Page 1, line 23, by striking the words ", if
9 this state,".

10 4. Page 2, line 8, by striking the word
11 "immediately" and inserting the following: ", after a
12 period of twelve months,".

13 5. Page 2, by inserting after line 11 the
14 following:

15 "3. A person who does not comply with the
16 requirements of this section is guilty of a simple
17 misdemeanor."

18 6. Page 2, line 12, by inserting after the word
19 "renumbering" the following: "and relettering".

20 7. Title page, by striking line 6 and inserting
21 the following: "rights, establishing a division on
22 the status of blacks, and providing a penalty."

By HERMANN of Scott

H-5887 FILED MARCH 24, 1988

Filed not germane 3/24 (H. 1172)

SENATE FILE 2310

H-5863

1 Amend Senate File 2310 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 7, by inserting after line 3 the
4 following:

5 "The department shall allocate from the funds
6 appropriated under this subsection fifty thousand
7 (50,000) dollars for the fiscal year beginning July 1,
8 1988, for the purpose of conducting research regarding
9 the occupational health hazards, including respiratory
10 hazards, presented by employment in swine confinement
11 operations."

By CORBETT of Linn
TYRRELL of Iowa

PETERSEN of Muscatine
EDDIE of Buena Vista

H-5863 FILED MARCH 24, 1988

12/25 3/29 (p. 117)

SENATE FILE 2310

H-5946

1 Amend Senate File 2310 as amended, passed and
2 reprinted by the Senate as follows:

- 3 1. Page 7, line 3, by striking the figure
- 4 "1,717,000" and inserting the following: "2,717,000".
- 5 2. Page 7, by inserting after line 3 the
- 6 following:

7 "The department shall allocate from the funds
8 appropriated under this paragraph, one million
9 (1,000,000) dollars, or so much thereof as is
10 necessary, for the fiscal year beginning July 1, 1988,
11 and ending June 30, 1989, to be used for the funding
12 of emergency medical services at the state, county,
13 and local levels. Any balance in the fund on June 30,
14 1989, or June 30 of a succeeding fiscal year exceeding
15 fifty thousand dollars shall revert to the general
16 fund of the state."

By HERMANN of Scott	MULLINS of Kossuth
HARBOR of Mills	GARMAN of Story
HALVORSON of Clayton	BEAMAN of Clarke
SHONING of Woodbury	BRANSTAD of Winnebago
HESTER of Pottawattamie	

H-5946 FILED MARCH 28, 1988
Adopted as amended by 5946 3/27 (p. 1170)

SENATE FILE 2310

H-5999

1 Amend the amendment, H-5867, to Senate File 2310,
2 as amended, passed and reprinted by the Senate, as
3 follows:

- 4 1. Page 1, by striking lines 29 and 30.

By VAN MAANEN of Mahaska	GARMAN of Story
HALVORSON of Clayton	MAULSBY of Calhoun
ROYER of Page	SHONING of Woodbury
RENKEN of Grundy	BEAMAN of Clarke
HARBOR of Mills	LUNDBY of Linn
PELLETT of Cass	CORBETT of Linn

H-5999 FILED MARCH 28, 1988
Done 3/29 (p. 1160)

SENATE FILE 2310

H-6005

1 Amend Senate File 2310 as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 2, by inserting after line 28 the
- 4 following:

5 "8. DIVISION FOR THE BLIND

6 For salaries and support of not more than one
7 hundred two and five-tenths full-time equivalent
8 positions annually, maintenance, and miscellaneous
9 purposes:

10 \$ 1,298,000".

- 11 2. Page 3, by striking lines 14 through 22.
- 12 3. By striking page 19, line 34 through page 22,
- 13 line 5.
- 14 4. By striking page 22, line 19, through page 23,
- 15 line 8.
- 16 5. Title page, lines 2 and 3, by striking the
- 17 words "the department for the blind,".

By HANSON of Delaware
HALVORSON of Webster

H-6005 FILED MARCH 28, 1988
Done as amended by 6005 3/29 (p. 1163)

SENATE FILE 2310

H-5993

- 1 Amend Senate File 2310, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 22, line 17, by striking the word "and"
 4 and inserting the following: "a forty dollar per diem
 5 and".

By HAMMOND of Story

H-5993 FILED MARCH 28, 1988

Adopted 3/29 (p. 1174)

SENATE FILE 2310

H-5994

- 1 Amend the amendment, H-5867, to Senate File 2310,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 16 through 18 and
 5 inserting the following: "inserting the following:
 6 "the sum of two hundred fifteen thousand three hundred
 7 ninety-two (215,392) dollars, or so much thereof as is
 8 necessary, and as"."

By HAMMOND of Story

H-5994 FILED MARCH 28, 1988

Adopted 3/29 (p. 1157)

SENATE FILE 2310

H-5995

- 1 Amend Senate File 2310, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 30, by striking the word "agency"
 4 and inserting the following: "division".
 5 2. Page 3, line 3, by striking the word "agency"
 6 and inserting the following: "division".
 7 3. Page 3, line 6, by striking the word "agency"
 8 and inserting the following: "division".
 9 4. Page 3, line 9, by striking the word "agency"
 10 and inserting the following: "division".
 11 5. Page 3, line 11, by striking the word "agency"
 12 and inserting the following: "division".
 13 6. Page 3, line 13, by striking the word "agency"
 14 and inserting the following: "division".
 15 7. Page 3, by inserting after line 13, the
 16 following:
 17 "The criminal and juvenile justice advisory council
 18 of the division of criminal justice planning and the
 19 juvenile justice advisory council of the division of
 20 children, youth, and families shall coordinate their
 21 efforts in carrying out their respective duties
 22 relative to juvenile justice."

By HAMMOND of Story

H-5995 FILED MARCH 28, 1988

Adopted 3/29 (p. 1164) Reconsidered, divided. A-Adopted, B-6/20 (p. 1174)

SENATE FILE 2310

H-5988

- 1 Amend amendment, H-5737, to Senate File 2310 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 50, by striking the words "the
 5 patient number or concerning".

By HERMANN of Scott

H-5988 FILED MARCH 28, 1988

Adopted 3/29 (p. 1173)

SENATE FILE 2310

H-6006

1 Amend Senate File 2310 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 6, by inserting after line 33, the
4 following:

5 "Notwithstanding chapter 135, division IV, it is
6 the intent of the general assembly that, for the
7 fiscal year beginning July 1, 1988, and ending June
8 30, 1989, the following elements to be included in the
9 certificate of need process, pursuant to sections
10 135.61 through 135.83:

11 a. Notwithstanding section 135.61, subsection 19,
12 paragraph "d", only notification to the department of
13 public health shall be required for a permanent
14 reduction in bed capacity.

15 b. Notwithstanding section 135.61, subsection 19,
16 acquisition of an air transportation system for
17 transportation of patients, as defined by the
18 department of public health, shall be considered a new
19 institutional health service, including but not
20 limited to acquisition by lease, purchase, donation,
21 or contract, by a hospital or subsidiary of a
22 hospital. For the purposes of paragraph "d" of this
23 subsection, an air transportation system is subject to
24 the one-year approval prohibition.

25 c. Notwithstanding section 135.61, subsection 19,
26 a life care community may have a ratio of one nursing
27 bed to four total resident beds, without approval by
28 the health facilities council. The life care
29 community shall submit and receive approval of
30 financial information as required by the division of
31 insurance of the department of commerce prior to the
32 nursing beds being initiated as part of a life care
33 community or added to an existing life care community.

34 For the purposes of this paragraph, the following
35 definitions apply:

36 (1) "Life care" means furnishing the combination
37 of independent-living accommodations and of nursing
38 care or personal care services pursuant to an
39 agreement to provide continuing care for the term of
40 the contract, most frequently for the duration of a
41 resident's life, whether the nursing care or personal
42 care services are provided in the community or in
43 another setting designated by the agreement, to an
44 individual not related by consanguinity or affinity to
45 the provider furnishing the living unit, for an
46 entrance fee.

47 (2) "Entrance fee" means an initial or deferred
48 transfer to a provider of a sum of money or other
49 property made or promised to be made as full or
50 partial made or promised to be made as full or partial

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1 consideration for acceptance of a specified person as
2 a resident in a community for the duration of the
3 person's life or for a period which exceeds one year.
4 An accommodation fee, admission fee, or other fee of
5 similar form and application is considered to be an
6 entrance fee.

7 (3) "Life care community" or "community" means a
8 place which provides life care.

9 (4) "Living unit" means a room, apartment,
10 cottage, or other area within a community set aside
11 for the exclusive use or control of one or more
12 specified persons.

13 (5) "Nursing care" means those services pertaining
14 to the curative, restorative, and preventative aspects
15 of nursing services that are performed by or under the
16 supervision of a registered or licensed nurse.

17 "Nursing care" does not include general health service
18 such as nutritional counseling, exercise programs, or
19 other preventive medicine techniques.

20 (6) "Personal care services" means assistance with
21 meals, dressing, movement, bathing, or other personal
22 needs of maintenance or other direct supervision and
23 oversight of the physical and mental well-being of a
24 person. "Personal care services" does not include
25 general health services such as nutritional counseling
26 exerciser programs, or other preventive medicine
27 techniques.

28 (7) "Provider" means a person who owns or operates
29 a life care community.

30 (8) "Resident" or "potential resident" means a
31 person entitled to receive life care in a facility
32 pursuant to an agreement and the payment of an
33 entrance fee.

34 (9) "Disclosure of financial information" means
35 information in the manner required by rule of the
36 division of insurance of relative to the capability of
37 a life care community to ensure the safety of funds
38 and properties entrusted to the community for the
39 purpose of assuring the provision of life care agreed
40 to be the resident or potential resident and the
41 provider.

42 d. Notwithstanding sections 135.65 and 135.69, the
43 health facilities council shall not accept or approve
44 or deny application for a new institutional health
45 service or changed institutional health service as
46 defined in section 135.61, subsection 19, or for an
47 air transportation system for a hospital or subsidiary
48 of a hospital until July 1, 1989. However, if a
49 hospital or subsidiary of a hospital displays an
50 urgent and compelling need as defined by the

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Page 3

1 department of public health to provide a new
2 institutional health service or changed institutional
3 health service through purchase or lease, the hospital
4 or subsidiary of the hospital may request an exemption
5 from the department of public health. The hospital or
6 subsidiary of the hospital may be granted a formal
7 review by the council to determine whether an
8 exemption to the moratorium shall be approved or
9 denied.

10 e. The legislative council shall establish a
11 legislative interim study committee to develop new
12 criteria for use by the health facilities council to
13 use in the determination of approval for a health
14 service project."

15 2. Page 22, line 17, by striking the word "and"
16 and inserting the following: "a forty dollar per diem
17 and".

18 3. Page 23, by inserting after line 6 the fol-
19 lowing:

20 "Sec. _____. 1986 Iowa Acts, chapter 1150, sections
21 2 and 3, are amended to read as follows:

22 SEC. 2. The state department of public health
23 shall monitor the effects of this Act's exclusion of
24 residential care facilities from the requirements of
25 section 135.63 in terms of availability, cost, and
26 quality of residential care. The department shall
27 report its findings and recommendations regarding
28 continued exclusion to the governor and the general
29 assembly by January ~~17~~-~~1988~~ 15, 1990.

30 SEC. 3. Section 1 of this Act is repealed, July 1,
31 ~~1988~~ 1990."

32 4. Page 23, line 10, by inserting after the word
33 "enactment." the following: "Section 6, subsection 2,
34 paragraph "d" of this Act takes effect upon enactment.
35 A certificate of need approved by the health
36 facilities council for the University of Iowa
37 hospitals and clinics on October 8, 1987, is
38 rescinded. Pursuant to section 263A.2, the project
39 shall be discontinued until the project receives
40 legislative approval."

By HAMMOND of Story

H-5006 FILED MARCH 28, 1988

Revised and approved 3/29/88 (H-5006)

SENATE FILE 2310

H-6019

- 1 Amend amendment H-6006 to Senate File 2310, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, line 44, by striking the word
 5 "consanguinity" and inserting the following:
 6 "consanguinity".
 - 7 2. Page 1, by striking line 50 and inserting the
 8 following: "partial".
 - 9 3. Page 2, line 26, by striking the word
 10 "exerciser" and inserting the following: "
 11 exercise".
 - 12 4. Page 2, line 36, by striking the words
 13 "insurance of" and inserting the following:
 14 "insurance".
 - 15 5. Page 2, line 40, by striking the word "be" and
 16 inserting the following: "by".
 - 17 6. Page 3, line 30, by striking the word
 18 "repealed," and inserting the following: "repealed".
 - 19 7. Page 3, by inserting after line 40 the
 20 following:
 21 "_____. Title page, line 6, by inserting after the
 22 word "blacks" the following: "and providing an
 23 effective date"."

By HAMMOND of Story

H-6019 FILED MARCH 29, 1988

ADOPTED (p. 1167)

SENATE FILE 2310

H-6020

- 1 Amend amendment H-6006 to Senate File 2310, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 3, line 34, by striking the word
 5 "enactment." and inserting the following:
 6 "enactment.""
 - 7 2. Page 3, by striking lines 35 through 40.

By NEUHAUSER of Johnson

H-6020 FILED MARCH 29, 1988

WITHDRAWN (p. 1167)

SENATE FILE 2310

H-6022

- 1 Amend the amendment, H-5867, to Senate File 2310 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, by inserting after line 22 the
 5 following:
 6 "_____. Page 3, line 31, by striking the figure
 7 "319,000" and inserting the following: "432,000"."
 - 8 2. By renumbering as necessary.

By VAN CAMP of Scott
 CORBETT of Linn

H-6022 FILED MARCH 29, 1988

LOST (p. 1166)

SENATE FILE 2310

H-6017

1 Amend the House amendment, H-5867, to Senate File
2 2310, as amended, passed, and reprinted by the Senate,

A 3 as follows:

4 1. Page 1, line 24, by striking the figure
B 5 "1,316,000" and inserting the following: "1,633,000".

6 2. Page 1, line 30, by striking the figure
7 "7,707,000" and inserting the following: "8,787,000".

C 8 3. Page 1, line 32, by striking the figure
9 "474,000" and inserting the following: "594,000".

By VAN CAMP of Scott

H-6017 FILED MARCH 29, 1988

DIVISIONS A, B, AND C LOST

(S. 1154) (H. 664) (S. 641)

SENATE FILE 2310

H-6018

1 Amend the House amendment, H-5867, to Senate File
2 2310, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 27 the
5 following:

6 " ". Page 6, line 7, by striking the word
7 "forty-five" and inserting the following: "forty-
8 seven".

9 2. By renumbering as necessary.

By HAMMOND of Story

H-6018 FILED MARCH 29, 1988

ADOPTED (S. 1154)

SENATE FILE 2310

H-6028

1 Amend the amendment, H-5946, to Senate File 2310 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 3 through 16 and
5 inserting the following:

6 "____. Page 16, by inserting after line 31 the
7 following:

8 "Sec. _____. There is appropriated from the general
9 fund of the state to the disease prevention division
10 of the Iowa department of public health beginning July
11 1, 1988 an amount which is equal to the amount
12 deposited in the separate emergency medical services
13 account of the general fund under section 135.97 to be
14 used for the funding of emergency medical services at
15 the state, county, and local levels."

16 _____. Page 19, by inserting after line 22 the
17 following:

18 "Sec. _____. NEW SECTION. 135.97 EMERGENCY MEDICAL
19 SERVICES FUND.

20 An emergency medical services fund is created in
21 the state treasury. The director shall adopt rules
22 pursuant to chapter 17A to establish and collect a one
23 dollar surcharge for ambulance runs undertaken in the
24 state. The moneys collected, in addition to the
25 moneys collected pursuant to section 307.12,
26 subsection 14, shall be deposited in the emergency
27 medical services fund and shall be appropriated to the
28 disease prevention division of the Iowa department of
29 public health to be used for the funding of emergency
30 medical services at the state, county, and local
31 levels.

32 Sec. _____. Section 307.12, Code 1987, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 14. Adopt rules to establish a
35 one dollar surcharge on each driver's license issued
36 in the state. The rules shall include provisions for
37 the collection of the moneys and for the deposit of
38 the moneys collected in the emergency medical services
39 fund created under section 135.97."

By SWARTZ of Marshall

H-6028 FILED MARCH 29, 1988
ADOPTED (p. 1149)

SENATE FILE 2310

H-6041

1 Amend Senate File 2310 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Title page, by striking line 6 and inserting
4 the following: "rights, establishing a division on
5 the status of blacks, creating an emergency medical
6 services fund and establishing a surcharge on driver's
7 licenses."

By HAMMOND of Story

H-6041 FILED MARCH 29, 1988

Adopted 3/29/88 (p. 1170)

SENATE FILE 2310

H-6027

- 1 Amend amendment, H-6005, to Senate File 2310 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by inserting before line 3 the
- 5 following:
- 6 "_____". Page 1, line 16, by striking the word
- 7 "five" and inserting the following: "six".
- 8 "_____". Page 1, line 19, by striking the figure
- 9 "104,000" and inserting the following: "99,000".
- 10 2. Page 1, line 7, by striking the word "two" and
- 11 inserting the following: "one".
- 12 3. Page 1, line 10, by striking the figure
- 13 "1,298,000" and inserting the following: "1,
- 14 281,000".

By HANSON of Delaware
 HALVORSON of Webster

H-6027 FILED MARCH 29, 1988
 ADOPTED *(p. 25)*

HOUSE AMENDMENT TO
SENATE FILE 2310

S-5710

- 1 Amend Senate File 2310 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 28, by striking the figure
- 4 "57,414.50" and inserting the following: "60,000".
- 5 2. Page 2, line 3, by striking the figure
- 6 "107,171" and inserting the following: "110,000".
- 7 3. Page 2, line 5, by striking the word "two" and
- 8 inserting the following: "five and five-tenths".
- 9 4. Page 2, line 8, by striking the figure
- 10 "79,000" and inserting the following: "134,000".
- 11 5. Page 2, line 12, by inserting after the word
- 12 "juvenile" the following: "and victim".
- 13 6. Page 2, line 28, by striking the figure
- 14 "57,414.50" and inserting the following: "52,000".
- 15 7. Page 2, line 30, by striking the word "agency"
- 16 and inserting the following: "division".
- 17 8. Page 2, by striking lines 33 and 34 and
- 18 inserting the following: "the sum of two hundred
- 19 fifteen thousand three hundred ninety-two (215,392)
- 20 dollars, or so much thereof as is necessary, and as".
- 21 9. Page 3, line 3, by striking the word "agency"
- 22 and inserting the following: "division".
- 23 10. Page 3, by striking lines 6 through 9 and
- 24 inserting the following: "planning agency, and the".
- 25 11. Page 3, line 11, by striking the word
- 26 "agency" and inserting the following: "division".
- 27 12. Page 3, line 12, by striking the words "eight
- 28 point".
- 29 13. Page 3, line 13, by striking the word
- 30 "agency" and inserting the following: "division".
- 31 14. Page 3, by inserting after line 13, the
- 32 following:
- 33 "The criminal and juvenile justice advisory council
- 34 of the division of criminal justice planning and the
- 35 juvenile justice advisory council of the division of
- 36 children, youth, and families shall coordinate their
- 37 efforts in carrying out their respective duties
- 38 relative to juvenile justice."
- 39 15. Page 4, line 30, by striking the figure
- 40 "1,356,000" and inserting the following: "1,316,000".
- 41 16. Page 5, line 25, by striking the words and
- 42 figure "one hundred thousand (100,000)" and inserting
- 43 the following: "sixty thousand (60,000)".
- 44 17. Page 6, line 7, by striking the word "forty-
- 45 five" and inserting the following: "forty-seven".
- 46 18. Page 6, by striking lines 16 through 19.
- 47 19. Page 11, line 32, by striking the figure
- 48 "7,787,000" and inserting the following: "7,707,000".
- 49 20. Page 16, line 4, by striking the figure
- 50 "494,000" and inserting the following: "474,000".

S-5710 Page 2

1 21. Page 16, line 10, by inserting after the word
2 "any" the following: "unencumbered".

3 22. Page 16, line 18, by inserting after the
4 words "between the" the following: "unencumbered".

5 23. Page 16, line 23, by inserting after the
6 words "between the" the following: "unencumbered".

7 24. Page 16, by inserting after line 31 the
8 following:

9 "Sec. _____. There is appropriated from the general
10 fund of the state to the disease prevention division
11 of the Iowa department of public health beginning July
12 1, 1988 an amount which is equal to the amount
13 deposited in the separate emergency medical services
14 account of the general fund under section 135.97 to be
15 used for the funding of emergency medical services at
16 the state, county, and local levels."

17 25. Page 17, line 14, by striking the words
18 "equal to" and inserting the following: "the
19 difference between fifty thousand dollars and".

20 26. Page 17, line 15, by inserting after the word
21 "appropriated" the following: "from the general fund
22 of the state".

23 27. Page 19, by inserting after line 22 the
24 following:

25 "Sec. _____. NEW SECTION. 135.97 EMERGENCY MEDICAL
26 SERVICES FUND.

27 An emergency medical services fund is created in
28 the state treasury. The director shall adopt rules
29 pursuant to chapter 17A to establish and collect a one
30 dollar surcharge for ambulance runs undertaken in the
31 state. The moneys collected, in addition to the
32 moneys collected pursuant to section 307.12,
33 subsection 14, shall be deposited in the emergency
34 medical services fund and shall be appropriated to the
35 disease prevention division of the Iowa department of
36 public health to be used for the funding of emergency
37 medical services at the state, county, and local
38 levels.

39 Sec. _____. Section 307.12, Code 1987, is amended by
40 adding the following new subsection:

41 NEW SUBSECTION. 14. Adopt rules to establish a
42 one dollar surcharge on each driver's license issued
43 in the state. The rules shall include provisions for
44 the collection of the moneys and for the deposit of
45 the moneys collected in the emergency medical services
46 fund created under section 135.97."

47 28. Page 19, by inserting after line 33 the
48 following:

49 "DIVISION ON THE STATUS OF BLACKS

50 Sec. _____. NEW SECTION. 601K.131 DEFINITIONS.

1 For purposes of this subchapter, unless the context
2 otherwise requires:

3 1. "Commission" means the commission on the status
4 of blacks.

5 2. "Division" means the division on the status of
6 blacks of the department of human rights.

7 3. "Administrator" means the administrator of the
8 division on the status of blacks of the department of
9 human rights.

10 Sec. ____ . NEW SECTION. 601K.132 ESTABLISHMENT.

11 There is established a commission on the status of
12 blacks to consist of nine members, appointed by the
13 governor, and confirmed by the senate, to staggered
14 four-year terms. At least five members shall be
15 individuals who are black. Members shall be appointed
16 representing every geographical area of the state. No
17 more than a simple majority of the commission shall be
18 of the same political party. The members of the
19 commission shall appoint from its membership a
20 commission chairperson and a vice chairperson and
21 other officers as the commission deems necessary.
22 Vacancies on the commission shall be filled for the
23 remainder of term of the original appointment.

24 Sec. ____ . NEW SECTION. 601K.133 MEETINGS OF THE
25 COMMISSION.

26 The commission shall meet every other month and may
27 hold special meetings on the call of the chairperson.
28 The commission may adopt rules pursuant to chapter 17A
29 as it deems necessary for the conduct of its business.
30 The members of the commission shall be reimbursed for
31 actual expenses while engaged in their official
32 duties. Members may also be eligible to receive
33 compensation as provided in section 7E.6.

34 Sec. ____ . NEW SECTION. 601K.134 OBJECTIVES OF
35 COMMISSION.

36 The commission shall study the changing needs and
37 problems of blacks in this state, and recommend new
38 programs, policies, and constructive action to the
39 governor and the general assembly including, but not
40 limited to, the following areas:

41 1. Public and private employment policies and
42 practices.

43 2. Iowa labor laws.

44 3. Legal treatment relating to political and civil
45 rights.

46 4. Black children, youth, and families.

47 5. Expanded programs to assist blacks as
48 consumers.

49 6. The employment of blacks and the initiation and
50 sustaining of black businesses and black

1 entrepreneurship.

2 7. Blacks as members of private and public boards,
3 committees, and organizations.

4 8. Education, health, housing, social welfare,
5 human rights, and recreation.

6 9. The legal system, including law enforcement,
7 both criminal and civil.

8 10. Social service programs.

9 Sec. ____ . NEW SECTION. 601K.135 EMPLOYEES AND
10 RESPONSIBILITY.

11 The administrator shall be the administrative
12 officer of the division and shall be responsible for
13 implementing policies and programs. The administrator
14 may employ, in accordance with chapter 19A, other
15 persons necessary to carry out the programs of the
16 division.

17 Sec. ____ . NEW SECTION. 601K.136 DUTIES.

18 The commission shall do all of the following:

19 1. Serve as an information clearinghouse on
20 programs and agencies operating to assist blacks.
21 Clearinghouse duties shall include, but are not
22 limited to:

23 a. Service as a referral agency to assist blacks
24 in securing access to state agencies and programs.

25 b. Service as a liaison with federal, state, and
26 local governmental units and private organizations on
27 matters relating to blacks.

28 c. Service as a communications conduit to state
29 government for black organizations in the state.

30 d. Stimulation of public awareness of the problems
31 of blacks.

32 2. Conduct conferences and training programs for
33 blacks, public and private agencies and organizations,
34 and the general public.

35 3. Coordinate, assist, and cooperate with public
36 and private agencies in efforts to expand equal rights
37 and opportunities for blacks in the areas of:
38 employment, economic development, education, health,
39 housing, recreation, social welfare, social services,
40 and the legal system.

41 4. Serve as the central permanent agency for the
42 advocacy of services for blacks.

43 5. Provide assistance to and cooperate with
44 individuals and public and private agencies and
45 organizations in joint efforts to study and resolve
46 problems relating to the improvement of the status of
47 blacks.

48 6. Publish and disseminate information relating to
49 blacks, including publicizing their accomplishments
50 and contributions to this state.

1 7. Evaluate existing and proposed programs and
2 legislation for their impact on blacks.

3 8. Coordinate or conduct training programs for
4 blacks to enable them to assume leadership positions.

5 9. Conduct surveys of blacks to ascertain their
6 needs.

7 10. Assist the department of personnel in the
8 elimination of underutilization of blacks in the
9 state's workforce.

10 11. Recommend legislation to the governor and the
11 general assembly designed to improve the educational
12 opportunities and the economic and social conditions
13 of blacks in this state.

14 Sec. ____ . NEW SECTION. 601K.137 ADDITIONAL
15 AUTHORITY.

16 The commission may do any or all of the following:

17 1. Do all things necessary, proper, and expedient
18 in accomplishing the duties listed in section 601K.136
19 and this section.

20 2. Hold hearings.

21 3. Enter into contracts, within the limit of funds
22 made available, with individuals, organizations, and
23 institutions for services furthering the objectives of
24 the commission as listed in section 601K.134.

25 4. Seek advice and counsel of informed individuals
26 and organizations, in the accomplishment of the
27 objectives of the commission.

28 5. Apply for and accept grants of money or
29 property from the federal government or any other
30 source, and upon its own order use this money,
31 property, or other resources to accomplish the
32 objectives of the commission.

33 Sec. ____ . NEW SECTION. 601K.138 ACCESS TO
34 INFORMATION.

35 For the purpose of research and study, the
36 commission and the administrator shall have access to
37 all nonconfidential records, data, information, and
38 statistics of all departments, boards, commissions,
39 agencies, and institutions of this state.

40 Sec. ____ . NEW SECTION. 601K.139 ANNUAL REPORT.

41 Not later than August 1 of each year, the
42 commission shall file a report with the governor and
43 the general assembly of its activities for the
44 previous fiscal year and its programmatic priorities
45 for the current year beginning July 1. The commission
46 may submit with the report any recommendations
47 pertaining to its affairs and shall submit
48 recommendations for legislative consideration and
49 other action it deems necessary.

50 Sec. ____ . INITIAL APPOINTMENTS. Four of the

S-5710 Page 6

1 members appointed to the initial commission shall be
2 designated by the governor to serve two-year terms,
3 and five shall be designated by the governor to serve
4 four-year terms."

5 29. Page 22, line 17, by striking the word "and"
6 and inserting the following: "a forty dollar per diem
7 and".

8 30. Page 22, by inserting after line 30, the
9 following:

10 "7. Division on the status of blacks."

11 31. Title page, by striking line 6 and inserting
12 the following: "rights, establishing a division on
13 the status of blacks, creating an emergency medical
14 services fund and establishing a surcharge on driver's
15 licenses."

16 32. By renumbering, relettering, or redesignating
17 and correcting internal references as necessary.

S-5710

Filed March 31, 1988

RECEIVED FROM THE HOUSE

*Senate amended (5/14/88) 5/15/88 5/18/88
and Council 4/13/88
see also to amendments 4/18/88 (p. 1345) and 4/18/88 (p. 1377)*

SENATE FILE 2310
AS AMENDED BY THE HOUSE

In compliance with a written request received March 30, 1988, a fiscal note for **SENATE FILE 2310 AS AMENDED BY THE HOUSE** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2310 makes appropriations to the Civil Rights Commission, the Departments of Blind, Elder Affairs, Human Rights and Public Health, transfers the Criminal and Juvenile Justice Planning Agency to the Department of Human Rights and makes it a Division within the Department, establishes the Division for the Status of Blacks in the Department of Human Rights, and establishes the Deaf Interpretation Services and the Emergency Medical Services Funds.

FISCAL EFFECT:

1. The Division of Deaf Services of the Department of Human Rights estimates that Senate File 2310 will raise an estimated \$50,000 through the establishment of the Deaf Interpretation Services Fund in Section 15 of the bill.
2. The Division of Disease Prevention of the Department of Public Health estimates that Senate File 2310 will raise an estimated \$308,000 through the establishment of the Emergency Medical Services Fund.

Source: Departments of Human Rights and Public Health (LSB 8191-2, RRS)

SENATE FILE 2310

S-5782

- 1 Amend the House amendment, S-5710, to Senate File
 2 2310, as amended, passed, and reprinted by the Senate,
 3 as follows:
- 4 1. Page 1, by striking lines 39 through 43.
 - 5 2. Page 1, by striking lines 47 and 48.
 - 6 3. Page 1, by striking lines 49 and 50.
 - 7 4. Page 2, line 9, by inserting after the word
 8 "the" the following: "emergency medical services
 9 account of the".
 - 10 5. Page 2, by inserting after line 22, the
 11 following:
 12 "_____. Page 17, line 17, by inserting after the
 13 figure "1989." the following: "Four thousand (4,000)
 14 dollars of the moneys appropriated under this section
 15 shall be used for the payment of interpretation
 16 services contracted by the division of deaf services
 17 for the fiscal period beginning July 1, 1988, and
 18 ending June 30, 1989."
 19 . By striking page 18, line 14 through page
 20 19, line 22."
 - 21 6. Page 2, line 26, by striking the word "FUND"
 22 and inserting the following: "ACCOUNT".
 - 23 7. Page 2, line 27, by striking the word "fund"
 24 and inserting the following: "account".
 - 25 8. Page 2, by striking lines 34 through 36 and
 26 inserting the following: "medical services account of
 27 the general fund of the state to be used for the
 28 funding of emergency".
 - 29 9. Page 2, line 42, by striking the word
 30 "driver's" and inserting the following: "motor
 31 vehicle".
 - 32 10. Page 2, line 46, by striking the word "fund"
 33 and inserting the following: "account".
 - 34 11. By striking page 2, line 47 through page 6,
 35 line 4.
 - 36 12. Page 6, by inserting after line 4, the
 37 following:
 38 "_____. Page 19, by inserting after line 33, the
 39 following:
 40 "DIVISION OF CRIMINAL AND JUVENILE JUSTICE
 41 PLANNING.
 42 Sec. _____. NEW SECTION. 601K.131 DEFINITIONS.
 43 For the purpose of this subchapter, unless the
 44 context otherwise requires:
 45 1. "Council" means the criminal and juvenile
 46 justice advisory council.
 47 2. "Division" means the division of criminal and
 48 juvenile justice planning.
 49 3. "Administrator" means the administrator of the
 50 division of criminal and juvenile justice planning.

1 Sec. ____ . NEW SECTION. 601K.132 COUNCIL
2 ESTABLISHED --TERMS -- COMPENSATION.

3 A criminal and juvenile justice advisory council is
4 established consisting of thirteen members. The
5 governor shall appoint seven members each for a four-
6 year term beginning and ending as provided in section
7 69.19 and subject to confirmation by the senate as
8 follows:

9 1. Three persons, each of whom is a county
10 supervisor, county sheriff, mayor, city chief of
11 police, or county attorney.

12 2. Two persons who represent the general public
13 and are not employed in any law enforcement, judicial,
14 or corrections capacity.

15 3. Two persons who are knowledgeable about Iowa's
16 juvenile justice system.

17 The departments of human rights, human services,
18 corrections, and public safety, the attorney general,
19 and the chief justice of the supreme court shall each
20 designate a person to serve on the council.

21 Members of the council shall receive reimbursement
22 from the state for actual and necessary expenses
23 incurred in the performance of their official duties.
24 Members may also be eligible to receive compensation
25 as provided in section 7E.3.

26 Sec. ____ . NEW SECTION. 601K.133 DUTIES.

27 The council shall do all of the following:

28 1. Identify issues and analyze the operation and
29 impact of present criminal and juvenile justice policy
30 and make recommendations for policy changes.

31 2. Coordinate with data resource agencies to
32 provide data and analytical information to federal,
33 state, and local governments, and assist agencies in
34 the use of criminal and juvenile justice data.

35 3. Report criminal and juvenile justice system
36 needs to the governor, the general assembly, and other
37 decision makers to improve the criminal and juvenile
38 justice system.

39 4. Provide technical assistance upon request to
40 state and local agencies.

41 5. Administer federal funds and funds appropriated
42 by the state or that are otherwise available for
43 study, research, investigation, planning, and
44 implementation in the areas of criminal and juvenile
45 justice.

46 6. Make grants to cities, counties, and other
47 entities pursuant to applicable law.

48 Sec. ____ . NEW SECTION. 601K.134 ADMINISTRATOR.

49 The administrator shall be responsible to the
50 council, and pursuant to section 601K.2, with the

approval of the council, shall employ and supervise other persons necessary to carry out the programs and policies established by the council.

Sec. ____ . NEW SECTION. 601K.135 PLAN AND REPORT.

Beginning in 1989, and every five years thereafter, the division shall develop a twenty-year criminal and juvenile justice plan for the state which shall include ten-year, fifteen-year, and twenty-year goals and a comprehensive five-year plan for criminal and juvenile justice programs. The five-year plan shall be updated annually and each twenty-year plan and annual updates of the five-year plan shall be submitted to the governor and the general assembly by February 1.

Sec. ____ . NEW SECTION. 601K.136 STATISTICAL ANALYSIS CENTER.

The division shall maintain an Iowa statistical analysis center for the purpose of coordinating with data resource agencies to provide data and analytical information to federal, state, and local governments, and assist agencies in the use of criminal and juvenile justice data. The division of criminal and juvenile justice planning and the statistical analysis center are considered criminal justice agencies for the purposes of receiving criminal history data."

13. Page 6, by striking lines 8 through 10 and inserting the following:

" ____ . Page 22, by striking line 30 and inserting the following:

"7. Division for-the-blind of criminal and juvenile justice planning.

Sec. ____ . Section 601K.3, subsection 1, Code 1987, is amended to read as follows:

1. A human rights policy-coordinating council composed of ~~seven~~ eight members is created within the department of human rights. The council is composed of the administrators within the department."

____ . Page 23, by inserting after line 6, the following:

"Sec. ____ . Chapter 80C, Code 1987, is repealed."

14. Page 6, by striking lines 12 and 13, and inserting the following: "the following:

"establishing a division of criminal and juvenile justice planning, creating an emergency medical"."

15. Page 6, lines 14 and 15, by striking the words "driver's licenses" and inserting the following: "motor vehicle licenses".

SENATE FILE 2310

S-5763

1 Amend the House amendment, S-5710, to Senate File
2 2310, as amended, passed and reprinted by the Senate
3 as follows:

4 1. Page 2, by striking lines 23 through 46.

S-5763

Filed April 5, 1988,
Revised to 4/6 (p. 1326)

BY C. JOSEPH COLEMAN

SENATE FILE 2310

-5815

1 Amend the House amendment, S-5710, to Senate File
2 2310, as amended, passed, and reprinted by the Senate,
3 as follows:

- 4 1. Page 1, by striking lines 39 through 43.
- 5 2. Page 1, by striking lines 47 and 48.
- 6 3. Page 1, by striking lines 49 and 50.
- 7 4. Page 2, by inserting after line 22, the

8 following:

9 "_____. Page 17, line 17, by inserting after the
10 figure "1989." the following: "Four thousand (4,000)
11 dollars of the moneys appropriated under this section
12 shall be used for the payment of interpretation
13 services contracted by the division of deaf services
14 for the fiscal period beginning July 1, 1988, and
15 ending June 30, 1989."

16 _____. By striking page 18, line 14 through page
17 19, line 22."

18 5. By striking page 2, line 47 through page 6,
19 line 4.

20 6. Page 6, by inserting after line 4, the
21 following:

22 "_____. Page 19, by inserting after line 33, the
23 following:

24 "DIVISION OF CRIMINAL AND JUVENILE JUSTICE
25 PLANNING.

26 Sec. _____. NEW SECTION. 601K.131 DEFINITIONS.

27 For the purpose of this subchapter, unless the
28 context otherwise requires:

- 29 1. "Council" means the criminal and juvenile
30 justice advisory council.
- 31 2. "Division" means the division of criminal and
32 juvenile justice planning.
- 33 3. "Administrator" means the administrator of the
34 division of criminal and juvenile justice planning.

35 Sec. _____. NEW SECTION. 601K.132 COUNCIL

36 ESTABLISHED --TERMS -- COMPENSATION.

37 A criminal and juvenile justice advisory council is
38 established consisting of thirteen members. The
39 governor shall appoint seven members each for a four-
40 year term beginning and ending as provided in section
41 69.19 and subject to confirmation by the senate as
42 follows:

- 43 1. Three persons, each of whom is a county
44 supervisor, county sheriff, mayor, city chief of
45 police, or county attorney.
- 46 2. Two persons who represent the general public
47 and are not employed in any law enforcement, judicial,
48 or corrections capacity.
- 49 3. Two persons who are knowledgeable about Iowa's
50 juvenile justice system.

1 The departments of human rights, human services,
2 corrections, and public safety, the attorney general,
3 and the chief justice of the supreme court shall each
4 designate a person to serve on the council.

5 Members of the council shall receive reimbursement
6 from the state for actual and necessary expenses
7 incurred in the performance of their official duties.
8 Members may also be eligible to receive compensation
9 as provided in section 7E.3.

10 Sec. ____ . NEW SECTION. 601K.133 DUTIES.

11 The council shall do all of the following:

12 1. Identify issues and analyze the operation and
13 impact of present criminal and juvenile justice policy
14 and make recommendations for policy changes.

15 2. Coordinate with data resource agencies to
16 provide data and analytical information to federal,
17 state, and local governments, and assist agencies in
18 the use of criminal and juvenile justice data.

19 3. Report criminal and juvenile justice system
20 needs to the governor, the general assembly, and other
21 decision makers to improve the criminal and juvenile
22 justice system.

23 4. Provide technical assistance upon request to
24 state and local agencies.

25 5. Administer federal funds and funds appropriated
26 by the state or that are otherwise available for
27 study, research, investigation, planning, and
28 implementation in the areas of criminal and juvenile
29 justice.

30 6. Make grants to cities, counties, and other
31 entities pursuant to applicable law.

32 Sec. ____ . NEW SECTION. 601K.134 ADMINISTRATOR.

33 The administrator shall be responsible to the
34 council, and pursuant to section 601K.2, with the
35 approval of the council, shall employ and supervise
36 other persons necessary to carry out the programs and
37 policies established by the council.

38 Sec. ____ . NEW SECTION. 601K.135 PLAN AND REPORT.

39 Beginning in 1989, and every five years thereafter,
40 the division shall develop a twenty-year criminal and
41 juvenile justice plan for the state which shall
42 include ten-year, fifteen-year, and twenty-year goals
43 and a comprehensive five-year plan for criminal and
44 juvenile justice programs. The five-year plan shall
45 be updated annually and each twenty-year plan and
46 annual updates of the five-year plan shall be
47 submitted to the governor and the general assembly by
48 February 1.

49 Sec. ____ . NEW SECTION. 601K.136 STATISTICAL
50 ANALYSIS CENTER.

SENATE FILE 2310

S-5819

1 Amend the House Amendment, S-5710, to Senate File
 2 2310, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by inserting after line 43 the fol-
 5 lowing:
 6 " . Page 5, by inserting after line 35, the
 7 following:
 8 "7. For salaries, support, and maintenance of the
 9 elder law education program.
 10 \$ 100,000".
 11 2. By renumbering as necessary.

S-5819

Filed April 6, 1988

ADOPTED
(p. 1306)

BY AL STURGEON
JOE WELSH

SENATE FILE 2310

S-5828

1 Amend the House Amendment, S-5710, to Senate File
 2 2310 as amended, passed, and reprinted by the Senate
 3 as follows:
 4 1. Page 2, by inserting after line 22, the
 5 following:
 6 " . Page 19, by inserting after line 22 the
 7 following:
 8 "Sec. 100. Section 331.424, Code 1987, is amended
 9 by adding the following new subsection:
 10 NEW SUBSECTION. 3. For general county services or
 11 for rural county services, an amount sufficient to
 12 fund the training of emergency medical services
 13 personnel and the acquisition of emergency medical
 14 services equipment. The levy shall not exceed ten
 15 cents per thousand dollars of the assessed value of
 16 all taxable property in the county for general county
 17 services, or in the county outside of incorporated
 18 city areas for rural county services. In expenditure
 19 of funds, the board shall meet the standards for
 20 emergency medical services established by the
 21 statewide emergency medical services task force."
 22 2. Page 6, by inserting after line 10 the
 23 following:
 24 " . Page 23, by inserting after line 6 the
 25 following:
 26 "Sec. . Section 100 of this Act takes effect
 27 July 1, 1990."

S-5828

Filed April 6, 1988

Adopted 4/7 (p. 1331)

BY RICHARD VANDE HOEF

SENATE FILE 2310

S-5819

1 Amend the House Amendment, S-5710, to Senate File
 2 2310, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by inserting after line 43 the fol-
 5 lowing:
 6 "_____. Page 5, by inserting after line 35, the
 7 following:
 8 "7. For salaries, support, and maintenance of the
 9 elder law education program.
 10 \$ 100,000".
 11 2. By renumbering as necessary.

S-5819

Filed April 6, 1988

ADOPTED
(p. 1302)

BY AL STURGEON
JOE WELSH

SENATE FILE 2310

S-5828

1 Amend the House Amendment, S-5710, to Senate File
 2 2310 as amended, passed, and reprinted by the Senate
 3 as follows:
 4 1. Page 2, by inserting after line 22, the
 5 following:
 6 "_____. Page 19, by inserting after line 22 the
 7 following:
 8 "Sec. 100. Section 331.424, Code 1987, is amended
 9 by adding the following new subsection:
 10 NEW SUBSECTION. 3. For general county services or
 11 for rural county services, an amount sufficient to
 12 fund the training of emergency medical services
 13 personnel and the acquisition of emergency medical
 14 services equipment. The levy shall not exceed ten
 15 cents per thousand dollars of the assessed value of
 16 all taxable property in the county for general county
 17 services, or in the county outside of incorporated
 18 city areas for rural county services. In expenditure
 19 of funds, the board shall meet the standards for
 20 emergency medical services established by the
 21 statewide emergency medical services task force."
 22 2. Page 6, by inserting after line 10 the
 23 following:
 24 "_____. Page 23, by inserting after line 6 the
 25 following:
 26 "Sec. _____. Section 100 of this Act takes effect
 27 July 1, 1990.""

S-5828

Filed April 6, 1988

Adopted 4/7 (p. 1331)

BY RICHARD VANDE HOEF

SENATE FILE 2310

S-5880

1 Amend the House amendment, S-5710, to Senate File
 2 2310, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by striking lines 15 through 30, and
 5 inserting the following:
 6 "____. By striking page 2, line 29 through page 3,
 7 line 13, and inserting the following:
 8 "8. DIVISION OF CRIMINAL AND JUVENILE JUSTICE
 9 PLANNING.
 10 For salaries and support of not more than five
 11 full-time equivalent positions annually, maintenance,
 12 and miscellaneous purposes:
 13 \$ 215,392"."

S-5880

Filed April 8, 1988 OUT OF ORDER BY AL STURGEON

(p. 1377)

SENATE AMENDMENT TO HOUSE AMENDMENT TO
SENATE FILE 2310

H-6343

1 Amend the House Amendment, S-5710, to Senate File
2 2310, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 39 through 43.

5 2. Page 1, by inserting after line 43 the fol-
6 lowing:

7 " . Page 5, by inserting after line 35, the
8 following:

9 "7. For salaries, support, and maintenance of the
10 elder law education program.

11 \$ 100,000".

12 3. Page 1, by inserting after line 46 the
13 following:

14 " . Page 6, by striking line 35 and inserting
15 the following:

16 "a. For salaries and support of not more than
17 fifty-nine full-".

18 " . Page 7, by inserting after line 3, the
19 following:

20 "b. For salaries and support of not more than five
21 full-time equivalent positions annually, maintenance,
22 and miscellaneous purposes:

23 \$1,000,000

24 It is the intent of the general assembly that the
25 moneys appropriated under this paragraph shall be used
26 for the training of emergency medical services
27 personnel at the state, county, and local levels."

28 4. Page 1, by striking lines 47 and 48.

29 5. Page 1, by striking lines 49 and 50.

30 6. Page 2, by striking lines 7 through 16.

31 7. Page 2, by inserting after line 22, the
32 following:

33 " . Page 17, line 17, by inserting after the
34 figure "1989." the following: "Four thousand (4,000)
35 dollars of the moneys appropriated under this section
36 shall be used for the payment of interpretation
37 services contracted by the division of deaf services
38 for the fiscal period beginning July 1, 1988, and
39 ending June 30, 1989."

40 " . By striking page 18, line 14 through page
41 19, line 22."

42 8. Page 2, by inserting after line 22, the
43 following:

44 " . Page 19, by inserting after line 22 the
45 following:

46 "Sec. 100. Section 331.424, Code 1987, is amended
47 by adding the following new subsection:

48 NEW SUBSECTION. 3. For general county services or
49 for rural county services, an amount sufficient to
50 fund the training of emergency medical services

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Page 2

1 personnel and the acquisition of emergency medical
2 services equipment. The levy shall not exceed ten
3 cents per thousand dollars of the assessed value of
4 all taxable property in the county for general county
5 services, or in the county outside of incorporated
6 city areas for rural county services. In expenditure
7 of funds, the board shall meet the standards for
8 emergency medical services established by the
9 statewide emergency medical services task force."

10 9. Page 2, by striking lines 23 through 46.

11 10. By striking page 2, line 47 through page 6,
12 line 4.

13 11. Page 6, by inserting after line 4, the
14 following:

15 " . Page 19, by inserting after line 33, the
16 following:

17 "DIVISION OF CRIMINAL AND JUVENILE JUSTICE
18 PLANNING.

19 Sec. . NEW SECTION. 601K.131 DEFINITIONS.

20 For the purpose of this subchapter, unless the
21 context otherwise requires:

22 1. "Council" means the criminal and juvenile
23 justice advisory council.

24 2. "Division" means the division of criminal and
25 juvenile justice planning.

26 3. "Administrator" means the administrator of the
27 division of criminal and juvenile justice planning.

28 Sec. . NEW SECTION. 601K.132 COUNCIL
29 ESTABLISHED --TERMS -- COMPENSATION.

30 A criminal and juvenile justice advisory council is
31 established consisting of thirteen members. The
32 governor shall appoint seven members each for a four-
33 year term beginning and ending as provided in section
34 69.19 and subject to confirmation by the senate as
35 follows:

36 1. Three persons, each of whom is a county
37 supervisor, county sheriff, mayor, city chief of
38 police, or county attorney.

39 2. Two persons who represent the general public
40 and are not employed in any law enforcement, judicial,
41 or corrections capacity.

42 3. Two persons who are knowledgeable about Iowa's
43 juvenile justice system.

44 The departments of human rights, human services,
45 corrections, and public safety, the attorney general,
46 and the chief justice of the supreme court shall each
47 designate a person to serve on the council.

48 Members of the council shall receive reimbursement
49 from the state for actual and necessary expenses
50 incurred in the performance of their official duties.

H-6343

Page 3

1 Members may also be eligible to receive compensation
2 as provided in section 7E.3.

3 Sec. ____ . NEW SECTION. 601K.133 DUTIES.

4 The council shall do all of the following:

5 1. Identify issues and analyze the operation and
6 impact of present criminal and juvenile justice policy
7 and make recommendations for policy changes.

8 2. Coordinate with data resource agencies to
9 provide data and analytical information to federal,
10 state, and local governments, and assist agencies in
11 the use of criminal and juvenile justice data.

12 3. Report criminal and juvenile justice system
13 needs to the governor, the general assembly, and other
14 decision makers to improve the criminal and juvenile
15 justice system.

16 4. Provide technical assistance upon request to
17 state and local agencies.

18 5. Administer federal funds and funds appropriated
19 by the state or that are otherwise available for
20 study, research, investigation, planning, and
21 implementation in the areas of criminal and juvenile
22 justice.

23 6. Make grants to cities, counties, and other
24 entities pursuant to applicable law.

25 Sec. ____ . NEW SECTION. 601K.134 ADMINISTRATOR.

26 The administrator shall be responsible to the
27 council, and pursuant to section 601K.2, with the
28 approval of the council, shall employ and supervise
29 other persons necessary to carry out the programs and
30 policies established by the council.

31 Sec. ____ . NEW SECTION. 601K.135 PLAN AND REPORT.

32 Beginning in 1989, and every five years thereafter,
33 the division shall develop a twenty-year criminal and
34 juvenile justice plan for the state which shall
35 include ten-year, fifteen-year, and twenty-year goals
36 and a comprehensive five-year plan for criminal and
37 juvenile justice programs. The five-year plan shall
38 be updated annually and each twenty-year plan and
39 annual updates of the five-year plan shall be
40 submitted to the governor and the general assembly by
41 February 1.

42 Sec. ____ . NEW SECTION. 601K.136 STATISTICAL
43 ANALYSIS CENTER.

44 The division shall maintain an Iowa statistical
45 analysis center for the purpose of coordinating with
46 data resource agencies to provide data and analytical
47 information to federal, state, and local governments,
48 and assist agencies in the use of criminal and
49 juvenile justice data. The division of criminal and
50 juvenile justice planning and the statistical analysis

1 center are considered criminal justice agencies for
2 the purposes of receiving criminal history data."

3 12. Page 6, by striking lines 8 through 10 and
4 inserting the following:

5 "_____. Page 22, by striking line 30 and inserting
6 the following:

7 "7. Division for-the-blind of criminal and
8 juvenile justice planning.

9 Sec. _____. Section 601K.3, subsection 1, Code 1987,
10 is amended to read as follows:

11 1. A human rights policy-coordinating council
12 composed of seven eight members is created within the
13 department of human rights. The council is composed
14 of the administrators within the department."

15 _____. Page 23, by inserting after line 6, the
16 following:

17 "Sec. _____. Chapter 80C, Code 1987, is repealed."

18 13. Page 6, by inserting after line 10 the
19 following:

20 "_____. Page 23, by inserting after line 6 the
21 following:

22 "Sec. _____. Section 100 of this Act takes effect
23 July 1, 1990."

24 14. Page 6, by striking lines 11 through 15 and
25 inserting the following:

26 "_____. Title page, by striking lines 4 through 6
27 and inserting the following: "the department of
28 public health and establishing a division of criminal
29 and juvenile justice planning."

30 15. By renumbering, relettering, or redesignating
31 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-6343 FILED APRIL 8, 1988

House refused to concur 4/12 (p 1725)
Senate concurred 4/12 (p 1461)

REPORT OF THE CONFERENCE COMMITTEE ON
SENATE FILE 2310

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 2310, a bill for an Act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, respectfully make the following report:

1. That the Senate recedes from its amendment, H-6343.

2. That the House amendment, S-5710, to Senate File 2310, as amended, passed, and reprinted by the Senate is amended as follows:

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

"___. Page 1, line 13, by inserting after the word "necessary," the following: "for salaries and support of not more than thirty-four and three-tenths full-time equivalent positions and"."

2. Page 1, by striking lines 15 through 30, and inserting the following:

"___. By striking page 2, line 29 through page 3, line 13, and inserting the following:

"8. DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING.

For salaries and support of not more than five full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 215,392"."

3. Page 1, by inserting after line 38, the following:

"___. Page 3, line 15, by inserting after the word "blind" the following: ", on the condition that the department is established statutorily under this Act,"."

4. Page 1, by striking lines 39 through 43.

5. Page 1, by inserting after line 43 the following:

"___. Page 5, by inserting after line 35, the following:

"7. For contractual services for the elder law education program:
..... \$ 100,000"".

6. Page 1, by inserting after line 46 the following:

"___. Page 6, by striking line 35 and inserting the following:

"a. For salaries and support of not more than fifty-nine full-".

___. Page 7, by inserting after line 3, the following:

"b. For salaries and support of not more than five full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$1,000,000

It is the intent of the general assembly that the moneys appropriated under this paragraph shall be used for the training of emergency medical services personnel at the state, county, and local levels.""

7. Page 1, by striking lines 47 and 48.

8. Page 1, by striking lines 49 and 50.

9. Page 2, by striking lines 1 through 16, and inserting the following:

"___. Page 16, by striking lines 9 through 25 and inserting the following:

"f. For the decentralized indigent obstetrical patient program for salaries and support of not more than one full-time equivalent position annually, maintenance, and miscellaneous purposes there is appropriated the amount of seven hundred seventy thousand (770,000) dollars; however, if the provisions of 1988 Iowa Acts, House File 2447, section 3,

subsection 14 are not enacted, there is appropriated, in lieu of the prior amount, the amount of one million seventy thousand (1,070,000) dollars.

It is the intent of the general assembly that a person certified under chapter 255A, who is not included in the patient quota for which care is provided at the university hospitals, but who gives birth or receives obstetrical care at the university hospitals, shall receive payment for care through the funds available under chapter 255 and the moneys not expended for the person certified under chapter 255A shall be available for use by the county of residence of the person certified.

It is also the intent of the general assembly that if delivery costs for persons certified under chapter 255A are less than one thousand nine hundred (1,900) dollars, the excess moneys shall revert to a fund for reallocation under chapter 255A in accordance with the allowable reimbursement level established and in accordance with the patient quota formula."

10. Page 2, by inserting before line 23, the following:

"____. Page 17, line 17, by inserting after the figure "1989." the following: "Four thousand (4,000) dollars of the moneys appropriated under this section shall be used for the payment of interpretation services contracted by the division of deaf services for the fiscal period beginning July 1, 1988, and ending June 30, 1989."

____. By striking page 18, line 14 through page 19, line 22.

____. Page 19, by inserting after line 22 the following:

"Sec. ____ NEW SECTION. 255A.14 FUNDS -- REVERSION OF UNENCUMBERED BALANCE.

Notwithstanding the provisions of section 8.33 or any other provision of law, any unencumbered balance remaining in the decentralized indigent obstetrical patient program fund on June 30 of each year shall be used for the payment of warrants issued pursuant to section 255.25.

Sec. ____ . Section 331.424, subsection 1, Code 1987, is amended by adding the following new paragraph:

NEW PARAGRAPH. p. Training of emergency medical services personnel and the acquisition of emergency medical services equipment.

Sec. ____ . Section 331.424, subsection 2, Code 1987, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Training of emergency medical services personnel and the acquisition of emergency medical services equipment."

11. Page 2, by striking lines 23 through 46.

12. By striking page 2, line 47 through page 6, line 4.

13. Page 6, by inserting before line 5, the following:

" ____ . Page 19, by inserting after line 33, the following:

"DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING.

Sec. ____ . NEW SECTION. 601K.131 DEFINITIONS.

For the purpose of this subchapter, unless the context otherwise requires:

1. "Council" means the criminal and juvenile justice advisory council.

2. "Division" means the division of criminal and juvenile justice planning.

3. "Administrator" means the administrator of the division of criminal and juvenile justice planning.

Sec. ____ . NEW SECTION. 601K.132 COUNCIL ESTABLISHED -- TERMS -- COMPENSATION.

A criminal and juvenile justice advisory council is established consisting of thirteen members. The governor shall appoint seven members each for a four-year term beginning and ending as provided in section 69.19 and subject to confirmation by the senate as follows:

1. Three persons, each of whom is a county supervisor, county sheriff, mayor, city chief of police, or county attorney.

2. Two persons who represent the general public and are not employed in any law enforcement, judicial, or corrections capacity.

3. Two persons who are knowledgeable about Iowa's juvenile justice system.

The departments of human rights, human services, corrections, and public safety, the attorney general, and the chief justice of the supreme court shall each designate a person to serve on the council.

Members of the council shall receive reimbursement from the state for actual and necessary expenses incurred in the performance of their official duties. Members may also be eligible to receive compensation as provided in section 7E.3.

Sec. ____ . NEW SECTION. 601K.133 DUTIES.

The council shall do all of the following:

1. Identify issues and analyze the operation and impact of present criminal and juvenile justice policy and make recommendations for policy changes.

2. Coordinate with data resource agencies to provide data and analytical information to federal, state, and local governments, and assist agencies in the use of criminal and juvenile justice data.

3. Report criminal and juvenile justice system needs to the governor, the general assembly, and other decision makers to improve the criminal and juvenile justice system.

4. Provide technical assistance upon request to state and local agencies.

5. Administer federal funds and funds appropriated by the state or that are otherwise available for study, research, investigation, planning, and implementation in the areas of criminal and juvenile justice.

6. Make grants to cities, counties, and other entities pursuant to applicable law.

Sec. ____ . NEW SECTION. 601K.134 ADMINISTRATOR.

The administrator shall be responsible to the council, and pursuant to section 601K.2, with the approval of the council, shall employ and supervise other persons necessary to carry out the programs and policies established by the council.

Sec. ____ . NEW SECTION. 601K.135 PLAN AND REPORT.

Beginning in 1989, and every five years thereafter, the division shall develop a twenty-year criminal and juvenile justice plan for the state which shall include ten-year, fifteen-year, and twenty-year goals and a comprehensive five-year plan for criminal and juvenile justice programs. The five-year plan shall be updated annually and each twenty-year plan and annual updates of the five-year plan shall be submitted to the governor and the general assembly by February 1.

Sec. ____ . NEW SECTION. 601K.136 STATISTICAL ANALYSIS CENTER.

The division shall maintain an Iowa statistical analysis center for the purpose of coordinating with data resource agencies to provide data and analytical information to federal, state, and local governments, and assist agencies in the use of criminal and juvenile justice data. The division of criminal and juvenile justice planning and the statistical analysis center are considered criminal justice agencies for the purposes of receiving criminal history data."

14. Page 6, by striking lines 8 through 10 and inserting the following:

" ____ . Page 22, by striking line 30 and inserting the following:

"7. Division for the blind of criminal and juvenile justice planning.

Sec. ____ . Section 601K.3, subsection 1, Code 1987, is amended to read as follows:

1. A human rights policy-coordinating council composed of seven eight members is created within the department of human rights. The council is composed of the administrators within the department."

____. Page 23, by inserting after line 6, the following:
"Sec. ____ Chapter 80C, Code 1987, is repealed.""

15. Page 6, by striking lines 11 through 15 and inserting the following:

"____. Title page, by striking lines 4 through 6 and inserting the following: "the department of public health and establishing a division of criminal and juvenile justice planning.""

16. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

AL STURGEON, Chairperson
ALVIN V. MILLER
MICHAEL E. GRONSTAL
DAVID M. READINGER
DALE L. TIEDEN

ON THE PART OF THE HOUSE:

JOHNIE HAMMOND, Chairperson
FLORENCE D. BUHR
PATRICIA HARPER
DONALD F. HERMANN
BILL ROYER

Senate adopted 4/13 (p. 1492) CCR -7- House adopted 4/13 (p. 1242)



OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319

515 281-52

TERRY E. BRANSTAD
GOVERNOR

April 14, 1988

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

I hereby transmit Senate File 2310, an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health and establishing a division of criminal and juvenile justice planning.

Senate File 2310 is approved with the following exception which I hereby disapprove.

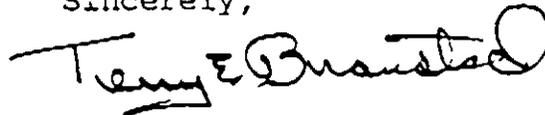
I am unable to approve the item designated as Sections 11 and 12 of Senate File 2310.

These sections of this bill authorize counties to levy additional property taxes to fund the training of emergency medical services personnel and the acquisition of emergency medical services equipment. I am unable to approve this authorization for an additional supplemental levy because I do not believe that property taxpayers should be made subject to the additional burden of paying for emergency medical services. This same bill adopts my recommendation to provide state funding of \$1 million for emergency medical services. These state dollars can be well utilized to make certain the rural areas retain access to critical emergency medical services. Thus, adding this additional burden on the property taxpayer is unnecessary and unwise.

The Honorable Jo Ann Zimmerman
April 14, 1988
Page 2

For the above reasons, I hereby respectfully disapprove of this item in accordance with Amendment IV of the Amendments of the 1968 Constitution of the State of Iowa. All other items in Senate File 2310 are hereby approved as of this date.

Sincerely,

A handwritten signature in cursive script that reads "Terry E. Branstad". The signature is written in black ink and is positioned above the typed name.

Terry E. Branstad
Governor

TEB/ps

cc: Secretary of State
Secretary of the Senate
Chief Clerk of the House

SENATE FILE 2310

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE IOWA STATE CIVIL RIGHTS COMMISSION, THE DEPARTMENT OF HUMAN RIGHTS, THE DEPARTMENT FOR THE BLIND, THE DEPARTMENT OF ELDER AFFAIRS, AND THE DEPARTMENT OF PUBLIC HEALTH AND ESTABLISHING A DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING.

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

Section 1. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries and support of not more than thirty-one full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 875,000

Sec. 2. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, for salaries and support of not more than thirty-four and three-tenths full-time equivalent positions and to be used for the purposes designated:

- 1. CENTRAL ADMINISTRATION DIVISION

Veto: Sections 11 & 12

For salaries and support of not more than five full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 104,000

It is the intent of the general assembly that the department establish a visitation rights advisory committee composed of volunteer members with expertise or interest in the area of visitation rights.

2. SPANISH-SPEAKING PEOPLE DIVISION

For salaries and support of not more than one and one-half full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 60,000

3. PERSONS WITH DISABILITIES DIVISION

For salaries and support of not more than three full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 125,000

4. STATUS OF WOMEN DIVISION

For salaries and support of not more than two and eight-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 110,000

5. CHILDREN, YOUTH, AND FAMILIES DIVISION

For salaries and support of not more than five and five-tenths full-time equivalent positions annually, maintenance and miscellaneous purposes:

..... \$ 134,000

Of the funds appropriated in this subsection, no less than thirty-six thousand (36,000) dollars shall be spent for expenses relating to the administration of federal funds for juvenile and victim assistance. It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice delinquency prevention. The governor's advisory

council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for juvenile justice.

6. DEAF SERVICES DIVISION

For salaries and support of not more than ten full-time equivalent positions annually, maintenance, and miscellaneous purposes:
..... \$ 238,000

7. STATUS OF BLACKS DIVISION

For salaries and support of not more than one and one-half full-time equivalent positions annually, maintenance, and miscellaneous purposes:
..... \$ 52,000

8. DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING.

For salaries and support of not more than five full-time equivalent positions annually, maintenance, and miscellaneous purposes:
..... \$ 215,392

The criminal and juvenile justice advisory council of the division of criminal justice planning and the juvenile justice advisory council of the division of children, youth, and families shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 3. There is appropriated from the general fund of the state to the department for the blind, on the condition that the department is established statutorily under this Act, for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries and support of not more than one hundred two and five-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes:
..... \$ 1,298,000

Sec. 4. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the

following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For salaries and support of not more than twenty-eight full-time equivalent positions annually, maintenance, and miscellaneous purposes:
..... \$ 319,000

It is the intent of the general assembly that the department employ an alternative housing/long-term care coordinator as one of the full-time equivalent positions.

It is the intent of the general assembly that the department establish an Alzheimer's disease task force to collect comprehensive information regarding the incidence and impact of Alzheimer's disease in Iowa; to determine the existing programs and mechanisms for dealing with dementia-related illness including a determination of barriers to access; to develop policy recommendations based upon the scope of the problem, review of relevant literary data regarding cost-effectiveness of care delivery, and the perceived needs to families of Alzheimer's disease victims; and to recommend policy for the enhancement of service delivery and training for families and caregivers through coordination of the increased utilization of existing resources related to the treatment and understanding of Alzheimer's disease victims. The members of the task force shall be reimbursed for actual and necessary expenses incurred by them in the discharge of their official duties.

- 2. For the administration of area agencies on aging:
..... \$ 114,000
3. For the retired Iowans community employment program:
..... \$ 104,000
4. For the older Iowans legislature:
..... \$ 13,000
5. For the retired seniors volunteer program:
..... \$ 14,000

All of the funds appropriated under subsection 5 shall be divided equally among the programs in existence as of July 1,

1988, and shall not be used by the department for administrative purposes.

6. For elderly services programs:

..... \$ 1,356,000

All funds appropriated under this subsection shall be received and disbursed by the director of elder affairs for the elderly services program, shall not be used for administrative purposes, and shall be used for citizens of Iowa over sixty years of age for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section 104A.4 and make residences accessible to the physically handicapped. Funds appropriated under this subsection may be used to supplement federal funds under federal regulations. Funds appropriated under this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency for provision of the service within the area.

Of the funds appropriated in this subsection, one hundred fifty thousand (150,000) dollars, or so much thereof as is necessary, are allocated for a respite care program, administered by the department of elder affairs.

Area agencies on aging shall expend no less than the same amount expended on adult day care programs in the fiscal year beginning July 1, 1988, than during the fiscal year beginning July 1, 1987.

Of the funds appropriated in this subsection, thirty-five thousand (35,000) dollars, or so much thereof as is necessary, is allocated to each of the case management pilot projects established in Cerro Gordo and Linn counties for continuation of the projects; ten thousand (10,000) dollars, or so much thereof as is necessary, is allocated for the evaluation of both of the existing case management pilot projects in Cerro Gordo and Linn counties; and one hundred thousand (100,000) dollars, or so much thereof as is necessary, is allocated for the funding of grants for additional case management pilot

projects. The department shall establish grant application and grant acceptance criteria. It is the intent of the general assembly that existing and subsequent pilot projects funded under this subsection include a component for the preadmission screening of persons considering admittance to an intermediate care facility in order to determine whether or not the provision of alternative care services is more appropriate.

7. For contractual services for the elder law education program:

..... \$ 100,000

Sec. 5. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

For salaries and support of not more than forty-seven full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 737,000

2. HEALTH PLANNING DIVISION

For salaries and support of not more than eleven and seventy-six one-hundredths equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 1,222,000

The department shall allocate from the funds appropriated under this subsection eight hundred ninety-one thousand (891,000) dollars for the fiscal year beginning July 1, 1988, for the chronic renal disease program. The types of assistance to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed these allocations. If projected expenditures will exceed the

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allocations, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

3. DISEASE PREVENTION DIVISION

a. For salaries and support of not more than fifty-nine full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 1,717,000

b. For salaries and support of not more than five full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 1,000,000

It is the intent of the general assembly that the moneys appropriated under this paragraph shall be used for the training of emergency medical services personnel at the state, county, and local levels.

4. PROFESSIONAL LICENSURE

For salaries and support of not more than eleven full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 461,000

5. STATE BOARD OF DENTAL EXAMINERS

For salaries and support of not more than four full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 168,000

6. STATE BOARD OF MEDICAL EXAMINERS

For salaries and support of not more than eighteen full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 884,000

7. STATE BOARD OF NURSING EXAMINERS

For salaries and support of not more than seventeen full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 708,000

8. STATE BOARD OF PHARMACY EXAMINERS

For salaries and support of not more than twelve full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 516,000

Professional licensure pursuant to subsection 4 and the boards pursuant to subsections 5 through 8 shall prepare estimates of projected receipts to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected receipts equal projected costs.

9. SUBSTANCE ABUSE DIVISION

a. For salaries and support of not more than seventeen and fifty-five one-hundredths full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 471,000

b. For program grants:

..... \$ 7,021,000

c. For salaries and support of not more than four and three-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes for the governor's alliance on substance abuse:

..... \$ 45,000

10. HEALTH DATA COMMISSION

For the health data clearinghouse:

..... \$ 250,000

It is the intent of the general assembly that the commission shall not enter into an agreement with an entity that engages in whole or in part in the provision of health care services or an entity that has a material financial interest in the provision of such services.

11. FAMILY AND COMMUNITY HEALTH DIVISION

a. For salaries and support of not more than sixty-seven and two-tenths full-time equivalent positions annually, maintenance, and miscellaneous purposes:

..... \$ 2,210,000

The department shall allocate from the funds appropriated under this paragraph at least six hundred twenty-six thousand (626,000) dollars for the fiscal year beginning July 1, 1988, and ending June 30, 1989, for the birth defects and genetics counseling program and of these funds, thirty-nine thousand (39,000) dollars shall be allocated for a central birth defects registry program.

Of the funds appropriated under this paragraph forty-nine thousand (49,000) dollars shall be used for a lead abatement program.

Of the funds appropriated in this paragraph, the following amounts shall be allocated to the University of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

- (1) Mobile and regional child health specialty clinics:
..... \$ 308,000
- (2) Muscular dystrophy and related genetic disease programs:
..... \$ 125,000
- (3) Statewide perinatal program:
..... \$ 67,000

The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

Of the funds allocated to the mobile and regional child health specialty clinics under subparagraph (1) of this paragraph, sixty-eight thousand (68,000) dollars shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

The University of Iowa hospitals and clinics shall not receive indirect costs from the funds for each program.

The Iowa department of public health shall administer the statewide maternal and child health program and the crippled children's program by conducting mobile and regional child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.

b. Sudden infant death syndrome autopsies.

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j":
..... \$ 14,000

c. For grants to local boards of health for the public health nursing program:

..... \$ 2,175,000

Funds appropriated under this paragraph shall be used to maintain and expand the existing public health nursing program for elderly and low-income persons with the objective of preventing or reducing inappropriate institutionalization. The funds shall not be used for any other purpose. As used in this paragraph, "elderly person" means a person who is sixty years of age or older and "low-income person" means a person whose income and resources are below the guidelines established by the department.

One-fourth of the total amount to be allocated shall be divided so that an equal amount is available for use in each county in the state. Three-fourths of the total amount to be allocated shall be divided so that the share available for use in each county is proportionate to the number of elderly and low-income persons living in that county in relation to the total number of elderly and low-income persons living in the state.

In order to receive allocations under this paragraph, the local board of health having jurisdiction shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded public health nursing care to elderly and low-income persons in the jurisdiction. After approval of the proposal by the department, the department shall enter into a contract with the local board of health. The local board of health shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body to use the allocated funds to provide public health nursing care. Local boards of health shall make an effort to prevent duplication of services.

If by July 30 of each fiscal year, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this paragraph an unallocated pool. If the unallocated pool is fifty thousand (\$50,000) dollars or more it shall be reallocated to the counties in substantially the same manner as the original allocations. The reallocated funds are available for use in those counties during the period beginning January 1 and ending June 30 of each fiscal year. If the unallocated pool is less than fifty thousand (\$50,000) dollars, the department may allocate it to counties with demonstrated special needs for public health nursing.

The department shall maintain rules governing the expenditure of funds appropriated by paragraph "d". The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the care.

The department shall annually evaluate the success of the public health nursing program. The evaluation shall include the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program increased the availability of public health nursing care to elderly and low-income persons, and the extent of

public health nursing care provided to elderly and low-income persons. The department shall submit a report of each annual evaluation to the governor and the general assembly.

d. For grants to county boards of supervisors for the homemaker-home health aide program:

..... \$ 7,787,000

Funds appropriated under this paragraph shall be used to provide homemaker-home health aide services with emphasis on services to elderly and persons below the poverty level and children and adults in need of protective services with the objective of preventing or reducing inappropriate institutionalization. In addition, up to fifteen percent of the funds appropriated under this paragraph may be used to provide chore services. The funds shall not be used for any other purposes. As used in this paragraph:

(1) "Chore services" means services provided to individuals or families, who, due to absence, incapacity, or illness, are unable to perform certain home maintenance functions. The services include but are not limited to yard work such as mowing lawns, raking leaves, and shoveling walks; window and door maintenance such as hanging screen windows and doors, replacing window panes, and washing windows; and minor repairs to walls, floors, stairs, railings, and handles. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(2) "Elderly person" means a person who is sixty years of age or older.

(3) "Homemaker-home health aide services" means services intended to enhance the capacity of household members to attain or maintain the independence of the household members and provided by trained and supervised workers to individuals or families, who, due to the absence, incapacity, or limitations of the usual homemaker, are experiencing stress or crisis. The services include but are not limited to essential

shopping, housekeeping, meal preparation, child care, respite care, money management and consumer education, family management, personal services, transportation and providing information, assistance, and household management.

(4) "Low-income person" means a person whose income and resources are below the guidelines established by the department.

(5) "Protective services" means those homemaker-home health aide services intended to stabilize a child's or an adult's residential environment and relationships with relatives, caretakers, and other persons or household members in order to alleviate a situation involving abuse or neglect or to otherwise protect the child or adult from a threat of abuse or neglect.

The amount appropriated under this paragraph shall be allocated for use in the counties of the state. Fifteen percent of the amount shall be divided so that an equal amount is available for use in each county in the state. The following percentages of the remaining amount shall be allocated to each county according to that county's proportion of residents with the following demographic characteristics: sixty percent according to the number of elderly persons living in the county; twenty percent according to the number of persons below the poverty level living in the county; and twenty percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

In order to receive allocations under this paragraph, the county board of supervisors, after consultation with the local boards of health, county board of social welfare, area agency on aging advisory council, local office of the department of human services, and other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded homemaker-home health aide services to elderly and low-income persons

and children and adults in need of protective services in the jurisdiction. The proposal may provide that a maximum of fifteen percent of the allocated funds will be used to provide chore services. The proposal shall include a statement assuring that children and adults in need of protective services are given priority for homemaker-home health aide services and that the appropriate local agencies have participated in the planning for the proposal. After approval of the proposal by the department, the department shall enter into a contract with the county board of supervisors or a governmental body designated by the county board of supervisors. The county board of supervisors or its designee shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body to use the allocated funds to provide homemaker-home health aide services and chore services providing that the subcontract requires any service provided away from the home to be documented in a report available for review by the department, and that each homemaker-home health aide subcontracting agency shall maintain the direct service workers' time assigned to direct client service at seventy percent or more of the workers' paid time and that no more than thirty-five percent of the total cost of the service be in the combined costs for service administration and agency administration. The subcontract shall require that each homemaker-home health aide subcontracting agency shall pay the employer's contribution of Social Security and provide workers' compensation coverage for persons providing direct homemaker-home health aide service and meet any other applicable legal requirements of an employer/employee relationship.

If by July 30 of each fiscal year, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this paragraph an unallocated pool. The department shall also identify any allocated funds which the

counties do not anticipate spending during each fiscal year. If the anticipated excess funds to any county are substantial, the department and the county may agree to return those excess funds, if the funds are other than program revenues, to the department, and if returned, the department shall consider the returned funds a part of the unallocated pool. The department shall prior to February 15 of each fiscal year, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this paragraph. The department shall also review the first ten months' expenditures for each county in May of each year, to determine if any counties have contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new reallocation pool. The department may, prior to June 1 of each year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated by this paragraph. The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the services and shall require the payments to be applied to the cost of the services. The department shall also maintain rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually evaluate the success of the homemaker-home health aide program. The evaluation shall include a description of the program and its implementation, the extent of local participation, the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program provided or increased the availability of homemaker-home health aide services to

elderly and low-income persons and children and adults in need of protective services, any problems and recommendations concerning the program, and an analysis of the costs of services across the state. The department shall submit a report of the annual evaluation to the governor and the general assembly.

e. For the development and maintenance of well-elderly clinics in the state:
 \$ 494,000

Appropriations made in this paragraph shall be provided to well-elderly clinics by a formula prioritizing clinics located in counties which provide funding on a matching basis for the well-elderly clinics.

f. For the decentralized indigent obstetrical patient program for salaries and support of not more than one full-time equivalent position annually, maintenance, and miscellaneous purposes there is appropriated the amount of seven hundred seventy thousand (770,000) dollars; however, if the provisions of 1988 Iowa Acts, House File 2447, section 3, subsection 14 are not enacted, there is appropriated, in lieu of the prior amount, the amount of one million seventy thousand (1,070,000) dollars.

It is the intent of the general assembly that a person certified under chapter 255A, who is not included in the patient quota for which care is provided at the university hospitals, but who gives birth or receives obstetrical care at the university hospitals, shall receive payment for care through the funds available under chapter 255 and the moneys not expended for the person certified under chapter 255A shall be available for use by the county of residence of the person certified.

It is also the intent of the general assembly that if delivery costs for persons certified under chapter 255A are less than one thousand nine hundred (1,900) dollars, the excess moneys shall revert to a fund for reallocation under chapter 255A in accordance with the allowable reimbursement

level established and in accordance with the patient quota formula.

Appropriations made in this paragraph shall be provided in accordance with the county patient quota formula established. The costs of provision of services to indigent obstetrical patients not provided services locally that are provided services at the university hospital shall be paid from the appropriation for the support of the hospital.

Sec. 6. There is appropriated from the separate fund created under section 321J.17 to the family and community health division of the Iowa department of public health for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the amount of seventy-six thousand (76,000) dollars, or so much thereof as is necessary, to pay the costs of medical examinations in crimes of sexual abuse and of treatments for prevention of venereal disease as required by section 709.10.

Sec. 7. There is appropriated from the separate fund created under section 601K.117 to the division of deaf services of the department of human rights for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the amount of fifty thousand (50,000) dollars, or so much thereof as is necessary, to be used for the funding of interpretation services provided by the division. If the moneys generated for deposit in the separate fund created under section 601K.117 are less than fifty thousand (50,000) dollars, an amount which is the difference between fifty thousand dollars and the amount generated for deposit in the fund shall be appropriated from the general fund of the state to the division of deaf services of the department of human rights for the year beginning July 1, 1988, and ending June 30, 1989. Four thousand (4,000) dollars of the moneys appropriated under this section shall be used for the payment of interpretation services contracted by the division of deaf services for the fiscal period beginning July 1, 1988, and ending June 30, 1989. Any balance in the fund on June 30, 1989, or June 30 of a succeeding fiscal year shall remain in the fund.

Sec. 8. The licensing boards for which general fund appropriations have been provided for in section 5, subsections 4, 5, 6, 7, and 8 of this Act may expend additional funds, if those additional expenditures are directly the cause of actual examination expenses exceeding funds budgeted for examinations. Before a licensing board included in section 5, subsections 4, 5, 6, 7, and 8 of this Act expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the board and the board does not have other funds from which examination expenses can be paid. Upon approval of the department of management the licensing board may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected as fees from additional examination applicants and shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 9. All federal grants to and federal receipts of the agencies appropriated funds under this division of this Act are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly. Full-time equivalent positions funded entirely with federal funds are exempt from the limits on the number of full-time equivalent positions provided in this division of this Act, but are approved only for the period of time for which the federal funds are available for the position.

Sec. 10. NEW SECTION. 255A.14 FUNDS -- REVERSION OF UNENCUMBERED BALANCE.

Notwithstanding the provisions of section 8.33 or any other provision of law, any unencumbered balance remaining in the decentralized indigent obstetrical patient program fund on June 30 of each year shall be used for the payment of warrants issued pursuant to section 255.25.

Sec. 11. Section 331.424, subsection 1, Code 1987, is amended by adding the following new paragraph:

NEW PARAGRAPH. p. Training of emergency medical services personnel and the acquisition of emergency medical services equipment.

Sec. 12. Section 331.424, subsection 2, Code 1987, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Training of emergency medical services personnel and the acquisition of emergency medical services equipment.

Sec. 13. NEW SECTION. 601K.117 INTERPRETATION SERVICES FUND.

All fees collected by the division for provision of interpretation service by the division to obligated agencies shall be transmitted to the treasurer of the state who shall deposit the money in a separate fund dedicated to and used by the division for the provision of continued and expanded interpretation services. The commission shall adopt rules which establish a fee schedule for the costs of provision of interpretation services, for collection of the fees, and for disposition of moneys received under this section.

*Message
Sent to
11/12/87
by Fred R.*

DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING.

Sec. 14. NEW SECTION. 601K.131 DEFINITIONS.

For the purpose of this subchapter, unless the context otherwise requires:

1. "Council" means the criminal and juvenile justice advisory council.
2. "Division" means the division of criminal and juvenile justice planning.
3. "Administrator" means the administrator of the division of criminal and juvenile justice planning.

Sec. 15. NEW SECTION. 601K.132 COUNCIL ESTABLISHED -- TERMS -- COMPENSATION.

A criminal and juvenile justice advisory council is established consisting of thirteen members. The governor shall appoint seven members each for a four-year term

beginning and ending as provided in section 69.19 and subject to confirmation by the senate as follows:

1. Three persons, each of whom is a county supervisor, county sheriff, mayor, city chief of police, or county attorney.
2. Two persons who represent the general public and are not employed in any law enforcement, judicial, or corrections capacity.
3. Two persons who are knowledgeable about Iowa's juvenile justice system.

The departments of human rights, human services, corrections, and public safety, the attorney general, and the chief justice of the supreme court shall each designate a person to serve on the council.

Members of the council shall receive reimbursement from the state for actual and necessary expenses incurred in the performance of their official duties. Members may also be eligible to receive compensation as provided in section 7E.3.

Sec. 16. NEW SECTION. 601K.133 DUTIES.

The council shall do all of the following:

1. Identify issues and analyze the operation and impact of present criminal and juvenile justice policy and make recommendations for policy changes.
2. Coordinate with data resource agencies to provide data and analytical information to federal, state, and local governments, and assist agencies in the use of criminal and juvenile justice data.
3. Report criminal and juvenile justice system needs to the governor, the general assembly, and other decision makers to improve the criminal and juvenile justice system.
4. Provide technical assistance upon request to state and local agencies.
5. Administer federal funds and funds appropriated by the state or that are otherwise available for study, research, investigation, planning, and implementation in the areas of criminal and juvenile justice.

6. Make grants to cities, counties, and other entities pursuant to applicable law.

Sec. 17. NEW SECTION. 601K.134 ADMINISTRATOR.

The administrator shall be responsible to the council, and pursuant to section 601K.2, with the approval of the council, shall employ and supervise other persons necessary to carry out the programs and policies established by the council.

Sec. 18. NEW SECTION. 601K.135 PLAN AND REPORT.

Beginning in 1989, and every five years thereafter, the division shall develop a twenty-year criminal and juvenile justice plan for the state which shall include ten-year, fifteen-year, and twenty-year goals and a comprehensive five-year plan for criminal and juvenile justice programs. The five-year plan shall be updated annually and each twenty-year plan and annual updates of the five-year plan shall be submitted to the governor and the general assembly by February 1.

Sec. 19. NEW SECTION. 601K.136 STATISTICAL ANALYSIS CENTER.

The division shall maintain an Iowa statistical analysis center for the purpose of coordinating with data resource agencies to provide data and analytical information to federal, state, and local governments, and assist agencies in the use of criminal and juvenile justice data. The division of criminal and juvenile justice planning and the statistical analysis center are considered criminal justice agencies for the purposes of receiving criminal history data.

Sec. 20. Section 7E.5, subsection 1, paragraph t, Code 1987, is amended to read as follows:

t. The department of human rights, created in section 601K.1, which has primary responsibility for services relating to Spanish-speaking people, children, youth, and families, women, persons with disabilities, community action agencies, and deaf--and-blind persons.

Sec. 21. Section 7E.5, Code 1987, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. v. The department for the blind, created in section 601L.1, which has primary responsibility for services relating to blind persons.

Sec. 22. Section 7E.6, subsection 5, Code 1987, is amended by striking the subsection.

Sec. 23. Section 18.3, subsection 1, unnumbered paragraphs 1 and 2, Code Supplement 1987, are amended to read as follows:

Establishing and developing, in co-operation with the various state agencies, a system of uniform standards and specifications for purchasing. When the system is developed, all items of general use shall be purchased through the department, except items used by the state department of transportation, institutions under the control of the board of regents, the commission department for the blind, and any other agencies exempted by law.

Life cycle cost and energy efficiency shall be included in the criteria used by the department of general services, institutions under the state board of regents, the state department of transportation, the commission department for the blind and other state agencies in developing standards and specifications for purchasing energy consuming products. As used in this paragraph "life cycle cost" means the expected total cost of ownership during the life of a product.

Sec. 24. Section 18.8, Code 1987, is amended to read as follows:

18.8 CAPITOL BUILDINGS AND GROUNDS -- SERVICES.

The director shall provide necessary telephone, telegraph, lighting, fuel, and water services for the state buildings and grounds located at the seat of government, except the buildings and grounds referred to in section ~~601K.123~~ 601L.3, subsection 6.

The director shall establish, supervise, and maintain a central mail unit for the use of all state officials and agencies located at the seat of government. All state officials and agencies located at the seat of government shall be required to dispatch first and second class mail and parcel

post mail, at the mail unit for the purpose of having the mail sealed, metered, and posted.

The director shall allow a department to seal, meter or stamp, and post mail directly from such department if it would be more efficient and economical.

Postage shall not be furnished to the general assembly, its members, officers, employees, or committees.

Except for buildings and grounds described in section ~~601K.123~~ 601L.3, subsection 6, and section 2.43, unnumbered paragraph 1, the director shall assign office space at the capitol, other state buildings and elsewhere in the city of Des Moines, for all executive and judicial state agencies. Assignments may be changed at any time. The various officers to whom rooms have been so assigned may control the same while the assignment to them is in force. Official apartments shall be used only for the purpose of conducting the business of the state. The term "capitol" or "capitol building" as used in the Code shall be descriptive of all buildings upon the capitol grounds. The capitol building itself is reserved for the operations of the general assembly, the governor and the courts and the assignment and use of physical facilities for the general assembly shall be pursuant to section 2.43.

The director shall appoint a superintendent of buildings and grounds, who shall serve at the pleasure of the director and shall not be governed by the provisions of chapter 19A.

Sec. 25. Section 18.12, subsection 2, Code Supplement 1987, is amended to read as follows:

2. Have at all times, charge of and supervision over the janitors, and other employees of the department in and about the capitol and other state buildings, except the buildings and grounds referred to in section ~~601K.123~~ 601L.3, subsection 6, at the seat of government.

Sec. 26. Section 135.62, subsection 2, paragraph c, Code 1987, is amended to read as follows:

c. MEETINGS. The council shall hold an organizational meeting in July of each odd-numbered year, or as soon

thereafter as the new appointee or appointees are confirmed and have qualified. Other meetings shall be held at least once each month, and may be held more frequently if necessary to enable the council to expeditiously discharge its duties. Meeting dates shall be set upon adjournment or by call of the chairperson upon five days' notice to the other members. Each member of the council shall receive ~~an annual salary of three thousand dollars~~ a forty dollar per diem and reimbursement for actual expenses while engaged in official duties.

Sec. 27. Section 601K.1, Code Supplement 1987, is amended to read as follows:

601K.1 DEPARTMENT OF HUMAN RIGHTS.

A department of human rights is created, with the following divisions:

1. Division of Spanish-speaking people.
2. Division of children, youth, and families.
3. Division on the status of women.
4. Division of persons with disabilities.
5. Division of community action agencies.
6. Division of deaf services.
7. Division ~~for the blind~~ of criminal and juvenile justice planning.

Sec. 28. Section 601K.3, subsection 1, Code 1987, is amended to read as follows:

1. A human rights policy-coordinating council composed of ~~seven~~ eight members is created within the department of human rights. The council is composed of the administrators within the department.

Sec. 29. Section 601K.121, Code 1987, is amended to read as follows:

601K.121 DEFINITIONS.

For purposes of this subchapter ~~chapter~~, unless the context otherwise requires:

1. "Commission" means the commission for the blind.
2. "Division" "Department" means the ~~division~~ department for the blind of the ~~department of human resources~~.

3. "Administrator" "Director" means the administrator director of the division department for the blind ~~of-the~~ department-of-human-rights.

Sec. 30. Chapter 80C, Code 1987, is repealed.

Sec. 31. The Code editor shall renumber sections 601K.121 through 601K.127 of the Code as a new chapter 601L.

Sec. 32. Section 13 of this Act takes effect upon enactment.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2310, Seventy-second General Assembly.

John F. Dwyer
Approved April 14, 1988

JOHN F. DWYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor

SF 2310