

Boettger
Redwine
Szymoniak

SSB-1185

Human Resources
Succeeded by
SF/HF 439

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON BOETTGER)

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

A BILL FOR

1 An Act relating to the Iowa community empowerment Act and related
2 provisions, and providing an effective date.

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

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~~Amended~~

1 Section 1. Section 7I.1, subsection 5, Code 1999, is
2 amended to read as follows:

3 5. "Iowa empowerment board" or "Iowa board" means the Iowa
4 empowerment facilitation board created in this-chapter section
5 7I.2.

6 Sec. 2. NEW SECTION. 7I.1A PURPOSE AND SCOPE.

7 1. The purpose of creating the community empowerment area
8 initiative is to identify and achieve desired results for
9 improving the quality of life in this state. It is expected
10 that this purpose will be achieved by strengthening the
11 partnership between communities and state government. It is
12 believed that desired results identified by the state and
13 communities will be achieved as citizens, governments, and
14 agencies work collaboratively within communities. It is
15 believed that local citizens in local communities working
16 together will identify and implement the best means for
17 attaining the desired results for the citizens in the
18 communities.

19 2. The initial desired result of the initiative is for the
20 children in this state to arrive at school ready to learn. To
21 this end, the initiative's primary focus shall first be on the
22 efforts of the state and communities to work together to
23 improve the efficiency and effectiveness of education, health,
24 and human services programs to assist families with children
25 age birth through five years.

26 3. It is anticipated that the scope of the initiative will
27 expand as additional desired results are identified and agreed
28 upon by communities and the state. It is the intent of the
29 general assembly to identify from time to time the additional
30 desired results in statute.

31 Sec. 3. Section 7I.2, subsections 1 and 2, Code 1999, are
32 amended to read as follows:

33 1. An Iowa empowerment facilitation board is created as an
34 agency within the office of the governor to oversee facilitate
35 state and community efforts involving community empowerment

1 areas, including strategic planning, funding identification,
2 and guidance, and to promote collaboration among state and
3 local education, health, and human services programs.

4 2. The Iowa board shall consist of ~~eleven~~ fifteen voting
5 members with ~~eight~~ twelve citizen members and three state
6 agency members. The three state agency members shall be the
7 directors of the following departments: education, human
8 services, and public health. The twelve citizen members shall
9 be appointed by the governor, subject to confirmation by the
10 senate. The governor's appointments of citizen members shall
11 be made in a manner so that ~~all~~ each of the state's
12 congressional districts ~~are~~ is represented ~~along-with~~ by two
13 citizen members and so that all the appointments as a whole
14 reflect the ethnic, cultural, social, and economic diversity
15 of the state. ~~In-making-appointments, preference shall be~~
16 ~~given to citizens participating on a~~ The governor's appointees
17 shall be selected from individuals nominated by community
18 empowerment area board boards. The nominations shall reflect
19 the range of interests represented on the community boards so
20 that the governor is able to appoint one or more members each
21 for education, health, human services, business, faith, and
22 public interests. At least one of the citizen members shall
23 be a service consumer or the parent of a service consumer.
24 Terms of office of all citizen members are three years. A
25 vacancy on the board shall be filled in the same manner as the
26 original appointment for the balance of the unexpired term.

27 Sec. 4. Section 7I.2, subsection 4, Code 1999, is amended
28 to read as follows:

29 4. In addition to the ~~eleven~~ voting members, the Iowa
30 board shall include six members of the general assembly with
31 not more than two members from each chamber being from the
32 same political party. The three senators shall be appointed
33 by the majority leader of the senate after consultation with
34 the president of the senate and the minority leader of the
35 senate. The three representatives shall be appointed by the

1 speaker of the house of representatives after consultation
2 with the majority and minority leaders of the house of
3 representatives. Legislative members shall serve in an ex
4 officio, nonvoting capacity. A legislative member is eligible
5 for per diem and expenses as provided in section 2.10.

6 Sec. 5. Section 7I.2, subsection 5, unnumbered paragraph
7 1, Code 1999, is amended to read as follows:

8 The Iowa board shall designate a community empowerment
9 assistance team or teams of state agency staff to provide
10 technical assistance and other support to community
11 empowerment areas. A regional technical assistance system
12 shall be developed using local staff of the state agencies
13 represented on the Iowa board and other state agencies and
14 individuals involved with local community empowerment areas.
15 The technical assistance shall be available in at least three
16 levels of support as follows:

17 Sec. 6. Section 7I.2, subsection 6, Code 1999, is amended
18 to read as follows:

19 6. a. Staffing services to the Iowa board shall be
20 provided by the state agencies which are represented on the
21 Iowa board and by other state agencies making staffing
22 available to the Iowa board.

23 b. In addition, a community empowerment office is
24 established as part of the office of the governor to provide a
25 center for communication and coordination for community
26 empowerment activities. Staffing for the community
27 empowerment office shall be provided by a director appointed
28 by the governor, subject to confirmation by the senate, and
29 who serves at the pleasure of the governor. A deputy and
30 support staff may be designated, subject to appropriation made
31 for this purpose. The director shall report to the governor,
32 the Iowa board, and the general assembly. The director shall
33 provide primary staffing to the board, coordinate state
34 technical assistance activities and implementation of the
35 regional technical assistance system, and other communication

1 and coordination functions at the state and local levels.

2 Sec. 7. Section 7I.3, subsection 2, Code 1999, is amended
3 to read as follows:

4 2. Oversee Manage the provision of grant funding and other
5 moneys made available to community empowerment areas by
6 combining all or portions of appropriations or other revenues
7 as authorized by law.

8 Sec. 8. Section 7I.3, Code 1999, is amended by adding the
9 following new subsections:

10 NEW SUBSECTION. 10. Implement a process involving
11 community empowerment areas to identify desired results for
12 improving the quality of life in this state. The process
13 shall allow for consideration of updates, additions, and
14 deletions on a regular basis. The identified desired results
15 shall be submitted to the governor and general assembly.

16 NEW SUBSECTION. 11. Develop guidelines for recommended
17 coverage and take other actions to assist community
18 empowerment area boards in acquiring necessary insurance or
19 other liability coverage at a reasonable cost.

20 NEW SUBSECTION. 12. a. With extensive community
21 involvement, develop and annually update a five-year plan for
22 consolidating, blending, and redistributing state-administered
23 funding streams for children from birth through age five made
24 available to community empowerment area boards.

25 b. With extensive community involvement, develop and
26 annually update a ten-year plan for consolidating, blending,
27 and redistributing state-administered funding streams for
28 other age groups made available to community empowerment area
29 boards.

30 c. Submit plans and plan updates developed under
31 paragraphs "a" and "b" to the community empowerment areas, the
32 governor, and the general assembly annually in December.

33 d. It is the intent of the general assembly that the
34 following funding streams be made available to community
35 empowerment areas on or before the indicated fiscal year:

1 (1) Moneys for the healthy families Iowa program under
2 section 135.106 by the fiscal year beginning July 1, 2000, and
3 ending June 30, 2001.

4 (2) Moneys for parent education appropriated in section
5 279.51 and distributed through the child development
6 coordinating council, by the fiscal year beginning July 1,
7 2000, and ending June 30, 2001.

8 (3) Moneys for the preschool children at-risk program
9 appropriated in section 279.51 and distributed through the
10 child development coordinating council, by the fiscal year
11 beginning July 1, 2001, and ending June 30, 2002.

12 Sec. 9. Section 7I.5, subsection 1, Code 1999, is amended
13 by striking the subsection and inserting in lieu thereof the
14 following:

15 1. a. Community empowerment area functions shall be
16 performed under the authority of a community empowerment area
17 board. A majority of the members of a community board shall
18 be members of the public who are not employed by government or
19 a service provider and elected officials, and the remaining
20 members may be employees of government or a service provider
21 or otherwise serving on the community empowerment board as
22 part of their employment responsibilities. At least one
23 member shall be a service consumer or the parent of a service
24 consumer. Terms of office of community board members shall be
25 three years. The membership of a community empowerment area
26 board shall include members with education, health, human
27 services, business, faith, and public interests.

28 b. If a disagreement arises within a community empowerment
29 area regarding the interests represented on the community
30 board, board decisions, or other disputes that cannot be
31 locally resolved, upon request, state or regional technical
32 assistance may be provided to assist the area in resolving the
33 disagreement.

34 Sec. 10. Section 7I.5, Code 1999, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 5. A community empowerment area board is
 2 a unit of local government for purposes of chapter 670. For
 3 purposes of implementing a formal organizational structure, a
 4 community empowerment board may utilize recommended guidelines
 5 and bylaws established for this purpose by the Iowa board.
 6 All meetings of a community empowerment area board or any
 7 committee or other body established by a community board at
 8 which public business is discussed or formal action taken
 9 shall comply with the requirements of chapter 21. A community
 10 board shall maintain its records in accordance with chapter
 11 22.

12 Sec. 11. Section 7I.6, subsection 1, paragraph a, Code
 13 1999, is amended to read as follows:

14 a. Designate a public agency of this state, as defined in
 15 section 28E.2, a community action agency as defined in section
 16 216A.91, or nonprofit corporation, to be the fiscal agent for
 17 grant moneys and for other moneys administered by the
 18 community board.

19 Sec. 12. Section 7I.6, subsection 1, Code 1999, is amended
 20 by adding the following new paragraph:

21 NEW PARAGRAPH. cc. Coordinate planning and budgeting with
 22 the administrator for the county single entry point process
 23 for mental health, mental retardation, and developmental
 24 disabilities services for each county located within the
 25 community empowerment area boundaries.

26 Sec. 13. Section 7I.7, subsection 5, paragraphs b and c,
 27 Code 1999, are amended to read as follows:

28 b. The funding amounts of new and renewal school ready
 29 children grants approved on or after the effective date of
 30 this Act shall be determined based upon a distribution formula
 31 developed by the Iowa board. The distribution formula shall
 32 initially allocate moneys among political subdivisions of this
 33 state based upon the political subdivisions' relative
 34 proportion of the state's general population and population of
 35 children qualifying for free or reduced-price lunches. A

1 community empowerment area board may apply for the initial
2 allocation amount or amounts attributable to the geographic
3 area covered by that board in accordance with this section.

4 The Iowa empowerment board shall distribute school ready
5 children grant moneys to community boards with approved
6 comprehensive school ready children grant plans based upon the
7 degree a determination of readiness of the community
8 empowerment area to effectively utilize the moneys, with the
9 grant-moneys initial allocation being adjusted for other
10 federal and state grant moneys to be received by the area for
11 services to children from birth through five years of age.

12 c. A community board's degree-of readiness shall be
13 ascertained by evidence of successful collaboration among
14 public or private education, human services, or health
15 interests or a documented program design evincing a strong
16 likelihood of leading to a successful collaboration between
17 these interests. Other criteria which may be used by the Iowa
18 board to ascertain degree-of readiness and-to-determine
19 funding-amounts include one or more of the following:

20 (1) Experience or other evidence of capacity to
21 successfully implement the services in the plan.

22 (2) Local funding and other resources committed to
23 implementation of the plan.

24 (3) Adequacy of plans for commitment of local funding and
25 other resources for implementation of the plan.

26 Sec. 14. Section 71.8, Code 1999, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 4. Unless a different amount is
29 authorized by law, up to two percent of the moneys distributed
30 under the auspices of the Iowa board to a community
31 empowerment area board may be used by the community board for
32 administrative costs and other implementation expenses.

33 Sec. 15. Section 232.188, Code 1999, is amended by adding
34 the following new subsection:

35 NEW SUBSECTION. 8. A decategorization governance board

1 shall coordinate the board's planning and budgeting activities
2 with the community empowerment area board for the community
3 empowerment area within which the decategorization county is
4 located.

5 Sec. 16. Section 331.440, subsection 1, Code 1999, is
6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. d. The administrator for a county's or
8 consortium of counties' single entry point process shall
9 coordinate planning and budgeting with the board of any
10 community empowerment area within which the county or
11 multicounty area is located.

12 Sec. 17. DIRECTIONS TO CODE EDITOR. The Iowa Code editor
13 shall transfer chapter 7I, as amended by this or any other
14 enactment of the Seventy-eighth General Assembly, 1999
15 Session, to be placed in or near chapter 28L and shall correct
16 internal references as necessary.

17 Sec. 18. EFFECTIVE DATE AND TRANSITION PROVISIONS.

18 1. This Act, being deemed of immediate importance, takes
19 effect upon enactment.

20 2. The governor's appointments of four additional citizen
21 members shall be made from community empowerment area board
22 nominees in a manner so as to ensure that each congressional
23 district is represented by at least two citizen members. The
24 initial terms of the four additional members shall be
25 staggered so that not more than four members' terms expire in
26 any one year. The appointments shall be made within sixty
27 calendar days of the effective date of this Act.

28 EXPLANATION

29 This bill relates to the Iowa community empowerment Act,
30 the Iowa empowerment board, and related provisions.

31 The Code section 7I.1 definition of the Iowa empowerment
32 board is amended to reflect the bill's change in the board's
33 name to "Iowa empowerment facilitation board".

34 New Code section 7I.1A states the purpose of the community
35 empowerment initiative and the initial desired result that

1 children will arrive at school ready to learn. In addition,
2 the roles of communities and the state in achieving the
3 purpose and desired results are explained.

4 Code section 7I.2, relating to the Iowa empowerment board,
5 is amended to make the board an agency within the office of
6 the governor and to add additional voting members. The number
7 of citizen members appointed by the governor is increased from
8 eight to 12. The governor's appointments are to be selected
9 from individuals nominated by community empowerment area
10 boards. The nominations are to be made to reflect the
11 education, health, human services, business, faith, and public
12 interests represented on the community boards. Each of those
13 interests is to be represented by two citizen members. The
14 bill provides that a vacancy on the board is to be filled for
15 the balance of the unexpired term.

16 Code section 7I.2 requirements for technical assistance are
17 amended to establish a regional system for technical
18 assistance using local staff of agencies represented on the
19 board, other local agency staff which may include cooperative
20 extension, and individuals involved with local community
21 empowerment areas.

22 The authority of the Iowa board to oversee various
23 functions under Code sections 7I.2 and 7I.3 is changed to
24 "facilitate" or "manage".

25 Code section 7I.2 is also amended to authorize the governor
26 to appoint a director, subject to confirmation by the senate
27 and for other staffing to be designated. Current law already
28 authorizes staffing services to be provided by the state
29 agencies represented on the board and by other state agencies.
30 The community empowerment office director is to provide
31 primary staffing to the Iowa board, and perform various
32 communication and coordination functions at the state and
33 local levels.

34 Code section 7I.3, relating to the duties of the Iowa
35 empowerment board, is amended to correspond with the statement

1 of purpose contained in the bill. The Iowa empowerment board
 2 is directed to implement a process involving community
 3 empowerment areas to identify desired results for improving
 4 the quality of life in this state. The process is to allow
 5 for consideration of updates, additions, and deletions on a
 6 regular basis. The identified desired results are to be
 7 submitted to the governor and general assembly.

8 Code section 7I.3, relating to the duties of the Iowa
 9 empowerment board, is also amended to require the board to
 10 develop guidelines for recommended coverage and take other
 11 actions to assist community empowerment area boards in
 12 acquiring necessary insurance or liability coverage at a
 13 reasonable cost.

14 Code section 7I.3 is also amended to require the Iowa board
 15 to develop and annually update a five-year plan for blending
 16 of state funding directed to children from birth through age
 17 five through community empowerment areas and a ten-year plan
 18 for similar purposes directed to other age groups.
 19 Legislative intent is stated to begin distributing specified
 20 funding through community empowerment areas by particular
 21 fiscal years.

22 The Code section 7I.5 requirements for representation on
 23 the community empowerment area board are stricken and
 24 rewritten. An extensive listing of possible members in
 25 current law is replaced with required membership of education,
 26 health, human services, business, faith, and public interests.
 27 If a disagreement arises within a community empowerment area
 28 concerning the board membership or decisions that cannot be
 29 locally resolved, state or regional technical assistance may
 30 be requested to assist.

31 Code section 7I.5, relating to the creation of community
 32 empowerment boards, is also amended to provide that a
 33 community empowerment board is a unit of local government for
 34 purposes of Code chapter 670, which provides for the tort
 35 liability of local governments. In implementing a formal

1 organizational structure, a community board may utilize
2 recommended guidelines and bylaws which are to be developed by
3 the Iowa empowerment board. The community boards are made
4 subject to Code chapter 21, relating to open meetings, and
5 Code chapter 22, relating to public records.

6 The requirement in Code section 7I.6 for a community board
7 to designate a public agency to be the board's fiscal agent is
8 expanded to allow a community action agency as defined in Code
9 section 216A.91 or a nonprofit corporation to be the fiscal
10 agent.

11 Code section 7I.6, relating to the duties of a community
12 empowerment area board, is amended to require the board to
13 coordinate planning and budgeting activities with the
14 administrator of any county single entry point process for
15 mental health, mental retardation, and developmental
16 disabilities services located within the area. Corresponding
17 amendments are made to apply similar requirements for
18 governing boards and administrators under Code section
19 232.188, relating to child welfare funding decategorization,
20 and to Code section 331.440, relating to county and
21 multicounty single entry point processes for mental health,
22 mental retardation, and developmental disabilities services.

23 Code section 7I.7, relating to school ready children
24 grants, is amended to provide for implementation of a funding
25 distribution formula for the grant moneys. The formula will
26 identify an initial allocation for political subdivisions
27 based upon the political subdivisions' proportion of the state
28 general population and population of children eligible for
29 free or reduced-price school lunches. A community empowerment
30 area board may apply for the allocation attributable to that
31 area. The initial allocation is subject to adjustment for
32 existing state and federal funding in the area for similar
33 purposes. Current law restricts award of a grant until a
34 community empowerment area is determined to be ready.

35 Code section 7I.8, relating to the Iowa empowerment fund,

1 is amended to allow a community empowerment area to utilize up
2 to 2 percent of funding made available under the auspices of
3 the Iowa board for administrative costs or other
4 implementation expenses.

5 The bill directs the Code editor to transfer Code chapter
6 7I, as amended by the bill and any other enactment during the
7 1999 legislative session, to or near Code chapter 28L. Under
8 the organizational structure of the Iowa Code, Code chapter 28
9 and the succeeding lettered chapters constitute the joint
10 governmental activity subtitle of the state sovereignty and
11 management title.

12 The additional members of the Iowa empowerment board are to
13 be appointed from community empowerment area board nominees in
14 a manner so that each congressional district is represented by
15 at least two citizen members appointed by the governor. These
16 appointments are also to be made within 60 calendar days of
17 the effective date of the bill.

18 The bill takes effect upon enactment.

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3-31/99 *Boettger & Donald*
FILED MAR 15 1999 *motion - prevailed*

5-31/99 Defunct
439

SENATE FILE
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 1185)

Passed Senate, ^(P.764) Date 3/24/99

Passed House, ^(P.1768) Date 4/27/99

Vote: Ayes 49 Nays 0

Vote: Ayes 92 Nays 5

(P.1078)

Approved May 27, 1999
Repassed 4-13-99
vote 46-0

A BILL FOR

1 An Act relating to the Iowa community empowerment Act and related
2 provisions, and providing an effective date.

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

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SF 439

1 Section 1. Section 7I.1, subsection 5, Code 1999, is
2 amended to read as follows:

3 5. "Iowa empowerment board" or "Iowa board" means the Iowa
4 empowerment facilitation board created in ~~this-chapter~~ section
5 7I.2.

6 Sec. 2. NEW SECTION. 7I.1A PURPOSE AND SCOPE.

7 1. The purpose of creating the community empowerment area
8 initiative is to identify and achieve desired results for
9 improving the quality of life in this state. It is expected
10 that this purpose will be achieved by strengthening the
11 partnership between communities and state government. It is
12 believed that desired results identified by the state and
13 communities will be achieved as citizens, governments, and
14 agencies work collaboratively within communities. It is
15 believed that local citizens in local communities working
16 together will identify and implement the best means for
17 attaining the desired results for the citizens in the
18 communities.

19 2. It is intended that through the community empowerment
20 initiative, by June 30, 2005, every community in Iowa will
21 have developed the capacity and commitment for using local
22 decision making to achieve the following initial set of
23 desired results:

- 24 a. Healthy children.
- 25 b. Children ready to succeed in school.
- 26 c. Safe and supportive communities.
- 27 d. Secure and nurturing families.
- 28 e. Secure and nurturing child care environments.

29 3. To achieve the initial set of desired results, the
30 initiative's primary focus shall first be on the efforts of
31 the state and communities to work together to improve the
32 efficiency and effectiveness of education, health, and human
33 services provided to families with children from birth through
34 age five years.

35 4. It is anticipated that the scope of the initiative will

1 expand as additional desired results are identified and agreed
2 upon by communities and the state. It is the intent of the
3 general assembly to identify from time to time the additional
4 desired results in statute.

5 Sec. 3. Section 7I.2, subsections 1 and 2, Code 1999, are
6 amended to read as follows:

7 1. An Iowa empowerment board is created within the
8 department of management to oversee facilitate state and
9 community efforts involving community empowerment areas,
10 including strategic planning, funding identification, and
11 guidance, and to promote collaboration among state and local
12 education, health, and human services programs.

13 2. The Iowa board shall consist of ~~eleven~~ fifteen voting
14 members with ~~eight~~ twelve citizen members and three state
15 agency members. The three state agency members shall be the
16 directors of the following departments: education, human
17 services, and public health. The twelve citizen members shall
18 be appointed by the governor, subject to confirmation by the
19 senate. The governor's appointments of citizen members shall
20 be made in a manner so that ~~all~~ each of the state's
21 congressional districts ~~are~~ is represented ~~along-with~~ by two
22 citizen members and so that all the appointments as a whole
23 reflect the ethnic, cultural, social, and economic diversity
24 of the state. ~~In-making-appointments,-preference-shall-be~~
25 ~~given-to-citizens-participating-on-a~~ The governor's appointees
26 shall be selected from individuals nominated by community
27 empowerment area board boards. The nominations shall reflect
28 the range of interests represented on the community boards so
29 that the governor is able to appoint one or more members each
30 for education, health, human services, business, faith, and
31 public interests. At least one of the citizen members shall
32 be a service consumer or the parent of a service consumer.
33 Terms of office of all citizen members are three years. A
34 vacancy on the board shall be filled in the same manner as the
35 original appointment for the balance of the unexpired term.

1 Sec. 4. Section 7I.2, subsection 4, Code 1999, is amended
2 to read as follows:

3 4. In addition to the ~~eleven~~ voting members, the Iowa
4 board shall include six members of the general assembly with
5 not more than two members from each chamber being from the
6 same political party. The three senators shall be appointed
7 by the majority leader of the senate after consultation with
8 the president of the senate and the minority leader of the
9 senate. The three representatives shall be appointed by the
10 speaker of the house of representatives after consultation
11 with the majority and minority leaders of the house of
12 representatives. Legislative members shall serve in an ex
13 officio, nonvoting capacity. A legislative member is eligible
14 for per diem and expenses as provided in section 2.10.

15 Sec. 5. Section 7I.2, subsection 5, unnumbered paragraph
16 1, Code 1999, is amended to read as follows:

17 The Iowa board shall designate a community empowerment
18 assistance team or teams of state agency staff to provide
19 technical assistance and other support to community
20 empowerment areas. A regional technical assistance system
21 shall be developed using local staff of the state agencies
22 represented on the Iowa board and other state agencies and
23 individuals involved with local community empowerment areas.
24 The technical assistance shall be available in at least three
25 levels of support as follows:

26 Sec. 6. Section 7I.2, subsection 6, Code 1999, is amended
27 to read as follows:

28 6. a. Staffing services to the Iowa board shall be
29 provided by the state agencies which are represented on the
30 Iowa board and by other state agencies making staffing
31 available to the Iowa board.

32 b. In addition, a community empowerment office is
33 established as a division of the department of management to
34 provide a center for communication and coordination for
35 community empowerment activities and funding. Staffing for

1 the community empowerment office shall be provided by an
2 administrator appointed by the governor, subject to
3 confirmation by the senate, and who serves at the pleasure of
4 the governor. A deputy and support staff may be designated,
5 subject to appropriation made for this purpose. The
6 administrator shall submit reports to the governor, the Iowa
7 board, and the general assembly. The administrator shall
8 provide primary staffing to the board, coordinate state
9 technical assistance activities and implementation of the
10 regional technical assistance system, and other communication
11 and coordination functions at the state and local levels.

12 Sec. 7. Section 7I.3, subsection 2, Code 1999, is amended
13 to read as follows:

14 2. Oversee Manage and coordinate the provision of grant
15 funding and other moneys made available to community
16 empowerment areas by combining all or portions of
17 appropriations or other revenues as authorized by law.

18 Sec. 8. Section 7I.3, Code 1999, is amended by adding the
19 following new subsections:

20 NEW SUBSECTION. 10. Implement a process involving
21 community empowerment areas to identify desired results for
22 improving the quality of life in this state. The process
23 shall allow for consideration of updates, additions, and
24 deletions on a regular basis. The identified desired results
25 shall be submitted to the governor and general assembly.

26 NEW SUBSECTION. 11. Develop guidelines for recommended
27 coverage and take other actions to assist community
28 empowerment area boards in acquiring necessary insurance or
29 other liability coverage at a reasonable cost.

30 NEW SUBSECTION. 12. a. With extensive community
31 involvement, develop and annually update a five-year plan for
32 consolidating, blending, and redistributing state-administered
33 funding streams for children from birth through age five made
34 available to community empowerment area boards.

35 b. With extensive community involvement, develop and

1 annually update a ten-year plan for consolidating, blending,
2 and redistributing state-administered funding streams for
3 other age groups made available to community empowerment area
4 boards.

5 c. Submit plans and plan updates developed under
6 paragraphs "a" and "b" to the community empowerment areas, the
7 governor, and the general assembly annually in December.

8 d. It is the intent of the general assembly that the
9 following funding streams be made available to community
10 empowerment areas on or before the indicated fiscal year:

11 (1) Moneys for the healthy families Iowa program under
12 section 135.106 by the fiscal year beginning July 1, 2000, and
13 ending June 30, 2001.

14 (2) Moneys for parent education appropriated in section
15 279.51 and distributed through the child development
16 coordinating council, by the fiscal year beginning July 1,
17 2000, and ending June 30, 2001.

18 (3) Moneys for the preschool children at-risk program
19 appropriated in section 279.51 and distributed through the
20 child development coordinating council, by the fiscal year
21 beginning July 1, 2001, and ending June 30, 2002.

22 (4) Moneys for home visitation and parent support annually
23 appropriated to the department of human services and
24 distributed or expended through child abuse prevention grants
25 and the family preservation program, by the fiscal year
26 beginning July 1, 2000, and ending June 30, 2001.

27 Sec. 9. Section 7I.5, subsection 1, Code 1999, is amended
28 by striking the subsection and inserting in lieu thereof the
29 following:

30 1. a. Community empowerment area functions shall be
31 performed under the authority of a community empowerment area
32 board. A majority of the members of a community board shall
33 be members of the public who are not employed by government or
34 a service provider and elected officials, and the remaining
35 members may be employees of government or a service provider

1 or otherwise serving on the community empowerment board as
2 part of their employment responsibilities. At least one
3 member shall be a service consumer or the parent of a service
4 consumer. Terms of office of community board members shall be
5 three years. The membership of a community empowerment area
6 board shall include members with education, health, human
7 services, business, faith, and public interests.

8 b. If a disagreement arises within a community empowerment
9 area regarding the interests represented on the community
10 board, board decisions, or other disputes that cannot be
11 locally resolved, upon request, state or regional technical
12 assistance may be provided to assist the area in resolving the
13 disagreement.

14 Sec. 10. Section 7I.5, Code 1999, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 5. A community empowerment area board is
17 a unit of local government for purposes of chapter 670,
18 relating to tort liability of governmental subdivisions. For
19 purposes of implementing a formal organizational structure, a
20 community empowerment board may utilize recommended guidelines
21 and bylaws established for this purpose by the Iowa board.
22 All meetings of a community empowerment area board or any
23 committee or other body established by a community board at
24 which public business is discussed or formal action taken
25 shall comply with the requirements of chapter 21. A community
26 board shall maintain its records in accordance with chapter
27 22.

28 Sec. 11. Section 7I.6, subsection 1, paragraph a, Code
29 1999, is amended to read as follows:

30 a. Designate a public agency of this state, as defined in
31 section 28E.2, a community action agency as defined in section
32 216A.91, or nonprofit corporation, to be the fiscal agent for
33 grant moneys and for other moneys administered by the
34 community board.

35 Sec. 12. Section 7I.7, subsection 5, paragraphs b and c,

1 Code 1999, are amended to read as follows:

2 b. The Iowa empowerment board shall distribute school
3 ready children grant moneys to community boards with approved
4 comprehensive school ready children grant plans based upon the
5 ~~degree~~ a determination of readiness of the community
6 empowerment area to effectively utilize the moneys, with the
7 grant moneys being adjusted for other federal and state grant
8 moneys to be received by the area for services to children
9 from birth through five years of age.

10 c. A community board's ~~degree-of~~ readiness shall be
11 ascertained by evidence of successful collaboration among
12 public or private education, human services, or health
13 interests or a documented program design evincing a strong
14 likelihood of leading to a successful collaboration between
15 these interests. Other criteria which may be used by the Iowa
16 board to ascertain ~~degree-of~~ readiness and to determine
17 funding amounts include one or more of the following:

18 (1) Experience or other evidence of capacity to
19 successfully implement the services in the plan.

20 (2) Local funding and other resources committed to
21 implementation of the plan.

22 (3) Adequacy of plans for commitment of local funding and
23 other resources for implementation of the plan.

24 Sec. 13. Section 71.8, Code 1999, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 4. Unless a different amount is
27 authorized by law, up to three percent, not to exceed sixty
28 thousand dollars, of the moneys distributed under the auspices
29 of the Iowa board to a community empowerment area board may be
30 used by the community board for administrative costs and other
31 implementation expenses.

32 Sec. 14. Section 232.188, Code 1999, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 8. A decategorization governance board
35 shall coordinate the board's planning and budgeting activities

1 with the community empowerment area board for the community
2 empowerment area within which the decategorization county is
3 located.

4 Sec. 15. FUNDING FORMULA.

5 1. The Iowa empowerment board shall develop a distribution
6 formula for allocation of school ready children grant funding
7 to new applicants and to applicants for renewal following
8 expiration of the original grants' funding period. The
9 distribution formula shall provide for an initial statewide
10 allocation of the funding among the geographic areas
11 represented by county and school district political
12 subdivisions. The initial allocation shall be based upon the
13 political subdivision area's relative proportion of the
14 state's general population and population of children
15 qualifying for free or reduced-price school lunches, plus a
16 base amount for each political subdivision area. A community
17 empowerment area board may apply for the initial allocation
18 amount or amounts attributable to the community empowerment
19 area covered by that board.

20 2. The Iowa empowerment board shall submit its recommended
21 funding formula to the governor and general assembly by
22 December 15, 1999, so that a formula may be enacted to be
23 first applicable to the fiscal year beginning July 1, 2000.
24 Notwithstanding section 7I.7, subsection 5, the duration of
25 any school ready children grant awarded on or after the
26 effective date of this Act, shall not be for a three-year
27 period but shall be adjusted so that renewal of the grant will
28 be subject to the funding allocation formula to be first
29 applicable to the fiscal year beginning July 1, 2000.

30 Sec. 16. DIRECTIONS TO CODE EDITOR. The Iowa Code editor
31 shall transfer chapter 7I, as amended by this or any other
32 enactment of the Seventy-eighth General Assembly, 1999
33 Session, to be placed in or near chapter 28L and shall correct
34 internal references as necessary.

35 Sec. 17. EFFECTIVE DATE AND TRANSITION PROVISIONS.

1 1. This Act, being deemed of immediate importance, takes
2 effect upon enactment.

3 2. The governor's appointments of four additional citizen
4 members shall be made from community empowerment area board
5 nominees in a manner so as to ensure that each congressional
6 district is represented by at least two citizen members. The
7 initial terms of the four additional members shall be
8 staggered so that not more than four members' terms expire in
9 any one year. The appointments shall be made within sixty
10 calendar days of the effective date of this Act.

11

EXPLANATION

12 This bill relates to the Iowa community empowerment Act,
13 the Iowa empowerment board, and related provisions.

14 New Code section 7I.1A states the purpose of the community
15 empowerment initiative and provides an initial set of desired
16 results. In addition, the roles of communities and the state
17 in achieving the purpose and desired results are explained.

18 Code section 7I.2, relating to the Iowa empowerment board,
19 is amended to make the board a part of the department of
20 management and to add additional voting members. The number
21 of citizen members appointed by the governor is increased from
22 eight to 12. The governor's appointments are to be selected
23 from individuals nominated by community empowerment area
24 boards. The nominations are to be made to reflect the
25 education, health, human services, business, faith, and public
26 interests represented on the community boards. Each of those
27 interests is to be represented by at least one citizen member.
28 The bill provides that a vacancy on the board is to be filled
29 for the balance of the unexpired term.

30 Code section 7I.2 requirements for technical assistance are
31 amended to establish a regional system for technical
32 assistance using local staff of agencies represented on the
33 board, other local staff of state agencies, and individuals
34 involved with local community empowerment areas.

35 The authority of the Iowa board to oversee various

1 functions under Code sections 7I.2 and 7I.3 is changed to
2 "facilitate" or "manage" or both.

3 Code section 7I.2 is also amended to establish a community
4 empowerment office as part of the department of management and
5 to authorize the governor to appoint an administrator, subject
6 to confirmation by the senate and for other staffing to be
7 designated. Current law already authorizes staffing services
8 to be provided by the state agencies represented on the board
9 and by other state agencies. The community empowerment office
10 administrator is to provide primary staffing to the Iowa
11 board, and perform various communication and coordination
12 functions at the state and local levels.

13 Code section 7I.3, relating to the duties of the Iowa
14 empowerment board, is amended to correspond with the statement
15 of purpose contained in the bill. The Iowa empowerment board
16 is directed to implement a process involving community
17 empowerment areas to identify desired results for improving
18 the quality of life in this state. The process is to allow
19 for consideration of updates, additions, and deletions on a
20 regular basis. The identified desired results are to be
21 submitted to the governor and general assembly.

22 Code section 7I.3, relating to the duties of the Iowa
23 empowerment board, is also amended to require the board to
24 develop guidelines for recommended coverage and take other
25 actions to assist community empowerment area boards in
26 acquiring necessary insurance or liability coverage at a
27 reasonable cost.

28 Code section 7I.3 is also amended to require the Iowa board
29 to develop and annually update a five-year plan for blending
30 of state funding directed to children from birth through age
31 five through community empowerment areas and a ten-year plan
32 for similar purposes directed to other age groups.
33 Legislative intent is stated to begin distributing specified
34 funding through community empowerment areas by particular
35 fiscal years.

1 The Code section 7I.5 requirements for representation on
2 the community empowerment area boards are stricken and
3 rewritten. An extensive listing of possible members in
4 current law is replaced with required membership of education,
5 health, human services, business, faith, and public interests.
6 If a disagreement arises within a community empowerment area
7 concerning the board membership or decisions that cannot be
8 locally resolved, state or regional technical assistance may
9 be requested to assist.

10 Code section 7I.5, relating to the creation of community
11 empowerment boards, is also amended to provide that a
12 community empowerment board is a unit of local government for
13 purposes of Code chapter 670, which provides for the tort
14 liability of local governments. In implementing a formal
15 organizational structure, a community board may utilize
16 recommended guidelines and bylaws which are to be developed by
17 the Iowa empowerment board. The community boards are made
18 subject to Code chapter 21, relating to open meetings, and
19 Code chapter 22, relating to public records.

20 The requirement in Code section 7I.6 for a community board
21 to designate a public agency to be the board's fiscal agent is
22 expanded to allow a community action agency as defined in Code
23 section 216A.91 or a nonprofit corporation to be the fiscal
24 agent.

25 Code section 7I.7, relating to school ready children
26 grants, is amended to remove a requirement for the Iowa
27 empowerment board to determine a community's degree of
28 readiness to receive a grant. The board still must make a
29 determination that an area is ready in order for a grant to be
30 awarded.

31 Code section 7I.8, relating to the Iowa empowerment fund,
32 is amended to allow a community empowerment area to utilize up
33 to 3 percent, not to exceed \$60,000, of funding made available
34 under the auspices of the Iowa board for administrative costs
35 or other implementation expenses.

1 Current law relating to the duties of a community
2 empowerment area board requires the board to coordinate
3 planning and budgeting activities with the governing board of
4 any child welfare decategorization project in the community
5 empowerment area. A corresponding amendment is made to apply
6 similar requirements for such governing boards under Code
7 section 232.188, relating to child welfare funding
8 decategorization.

9 The bill directs the Iowa empowerment board to develop a
10 recommended funding distribution formula for school ready
11 children grants. The formula is to include general population
12 and child population factors plus a base amount. The
13 recommended formula is to be submitted to the governor and
14 general assembly by December 15, 1999.

15 The bill directs the Code editor to transfer Code chapter
16 7I, as amended by the bill and any other enactment during the
17 1999 legislative session, to or near Code chapter 28L. Under
18 the organizational structure of the Iowa Code, Code chapter 28
19 and the succeeding lettered chapters constitute the joint
20 governmental activity subtitle of the state sovereignty and
21 management title.

22 The additional members of the Iowa empowerment board are to
23 be appointed from community empowerment area board nominees in
24 a manner so that each congressional district is represented by
25 at least two citizen members appointed by the governor. These
26 appointments are also to be made within 60 calendar days of
27 the effective date of the bill.

28 The bill takes effect upon enactment.

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**SENATE FILE 439
FISCAL NOTE**

A fiscal note for Senate File 439 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 439 relates to the Iowa Community Empowerment Act, the Iowa Empowerment Board, and related provisions. The Bill amends Section 71.2(6) of the Code of Iowa to establish a Community Empowerment Office within the Department of Management. The Office will serve as a center to coordinate community empowerment activities and funding. Senate File 439 specifies that the Community Empowerment Office shall be staffed by a Community Empowerment Office Administrator, and permits the designation of a deputy and support staff subject to available funding.

ASSUMPTIONS

1. The Community Empowerment Office will hire an administrator and support staff.
2. The salary and support costs will be approximately \$200,000 per year.

FISCAL IMPACT

The fiscal impact of Senate File 439 is estimated to be a General Fund cost of \$200,000 in FY 2000 and FY 2001.

SOURCES

Department of Education
Department of Human Services
Department of Public Health

(LSB 3005SV, DAA)

FILED MARCH 17, 1999

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 439

S-3131

- 1 Amend Senate File 439 as follows:
2 1. Page 1, line 4, by striking the word
3 "facilitation".
4 2. Page 1, by striking lines 7 through 18 and
5 inserting the following:
6 "1. The purpose of creating the community
7 empowerment initiative is to empower individuals and
8 their communities to achieve desired results for
9 improving the quality of life in the communities in
10 this state. It is expected that the empowerment of
11 individuals will strengthen the individuals' sense of
12 responsibility for their neighbors and promote
13 partnerships in order for all to succeed. It is
14 believed that the desired results identified by
15 individuals and their communities, with the support of
16 the state, will be achieved as individuals,
17 governments, and agencies work collaboratively within
18 communities. It is believed that local individuals in
19 local communities working together will identify and
20 implement the best means for attaining the desired
21 results for themselves and their neighbors. The role
22 of the Iowa empowerment board, the state, and local
23 governments is to support and facilitate growth of
24 individual and community responsibility in place of
25 the directive role that the public has come to expect
26 of government."
27 3. Page 2, by striking lines 7 and 8 and
28 inserting the following:
29 "1. An Iowa empowerment board is created to
30 oversee facilitate state and".
31 4. Page 3, line 34, by striking the word
32 "communication" and inserting the following:
33 "facilitation, communication,".
34 5. Page 4, lines 1 and 2, by striking the words
35 "an administrator" and inserting the following: "a
36 facilitator".
37 6. Page 4, line 6, by striking the word
38 "administrator" and inserting the following:
39 "facilitator".
40 7. Page 4, line 7, by striking the word
41 "administrator" and inserting the following:
42 "facilitator".
43 8. Page 4, by striking line 11 and inserting the
44 following: "and coordination functions to move
45 authority and decision-making responsibility from the
46 state to communities and individuals."
47 9. Page 4, line 20, by striking the word
48 "involving" and inserting the following: "for".
49 10. Page 5, line 4, by inserting after the word
50 "boards." the following: "The focus for the early

S-3131

-1-

S-3131

Page 2

1 years of the initial ten-year plan shall be on the
2 efforts of the Iowa board and affected state agencies
3 to facilitate implementation of individual community
4 empowerment area board requests for pooling,
5 consolidating, blending, and redistributing state-
6 administered funding streams for other age groups."

7 11. Page 5, by striking lines 8 through 10 and
8 inserting the following:

9 "d. The Iowa empowerment board shall regularly
10 make information available identifying community
11 empowerment funding and funding distributed through
12 the funding streams listed under this paragraph "d" to
13 communities. It is the intent of the general assembly
14 that the community empowerment area boards and the
15 administrators of the programs located within the
16 community empowerment areas that are supported by the
17 listed funding streams shall fully cooperate with one
18 another on or before the indicated fiscal years, in
19 order to avoid duplication, enhance efforts, combine
20 planning, and take other steps to best utilize the
21 funding to meet the needs of the families in the
22 areas. The community empowerment area boards and the
23 administrators shall annually report to the governor
24 and the general assembly concerning such efforts. The
25 funding streams shall include all of the following:"

26 12. Page 7, line 20, by inserting after the word
27 "Local" the following: "public and private".

By NANCY BOETTGER
MAGGIE TINSMAN
ELAINE SZYMONIAK

S-3131 FILED MARCH 24, 1999

ADOPTED

(p. 764)

SENATE FILE 439

S-3344

- 1 Amend Senate File 439 as follows:
2 1. Page 3, line 20, by striking the word
3 "regional".
4 2. Page 4, line 10, by striking the word
5 "regional".
6 3. Page 8, line 23, by striking the figure "2000"
7 and inserting the following: "2001".
8 4. Page 8, line 29, by striking the figure "2000"
9 and inserting the following: "2001".
10 5. Page 8, by inserting after line 29 the
11 following:
12 "3. School ready children grants awarded for
13 applications submitted on or after the effective date
14 of this Act for an initial award in the fiscal year
15 beginning July 1, 1999, shall be designed to achieve
16 the desired results identified in section 7I.1A, as
17 enacted by this Act, with a primary focus of
18 supporting newborns, infants, and very young children
19 and their parents and other family members."

By NANCY BOETTGER
ELAINE SZYMONIAK

S-3344 FILED APRIL 13, 1999

ADOPTED

(P.1077)

4-27-99
(P. 1763)

H. 4/28/99 Motion to R/C by Boettgen
H. 4/28/99 Motion to R/C - Withdrawn

SENATE FILE 439
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 1185)

(AS AMENDED AND PASSED BY THE SENATE APRIL 13, 1999)

_____ - New Language by the Senate
* - Language Stricken by the Senate (P. 1768)

Passed Senate, Date ^(P. 1374) 4/28/99 Passed House, Date 4-27-99
Vote: Ayes 50 Nays 0 Vote: Ayes 92 Nays 5
Approved May 27, 1999

A BILL FOR

1 An Act relating to the Iowa community empowerment Act and related
2 provisions, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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S.F. 439

1 Section 1. Section 7I.1, subsection 5, Code 1999, is
2 amended to read as follows:

3 5. "Iowa empowerment board" or "Iowa board" means the Iowa
* 4 empowerment board created in ~~this chapter~~ section 7I.2.

5 Sec. 2. NEW SECTION. 7I.1A PURPOSE AND SCOPE.

6 1. The purpose of creating the community empowerment
7 initiative is to empower individuals and their communities to
8 achieve desired results for improving the quality of life in
9 the communities in this state. It is expected that the
10 empowerment of individuals will strengthen the individuals'
11 sense of responsibility for their neighbors and promote
12 partnerships in order for all to succeed. It is believed that
13 the desired results identified by individuals and their
14 communities, with the support of the state, will be achieved
15 as individuals, governments, and agencies work collaboratively
16 within communities. It is believed that local individuals in
17 local communities working together will identify and implement
18 the best means for attaining the desired results for
19 themselves and their neighbors. The role of the Iowa
20 empowerment board, the state, and local governments is to
21 support and facilitate growth of individual and community
22 responsibility in place of the directive role that the public
23 has come to expect of government.

24 2. It is intended that through the community empowerment
25 initiative, by June 30, 2005, every community in Iowa will
26 have developed the capacity and commitment for using local
27 decision making to achieve the following initial set of
28 desired results:

- 29 a. Healthy children.
- 30 b. Children ready to succeed in school.
- 31 c. Safe and supportive communities.
- 32 d. Secure and nurturing families.
- 33 e. Secure and nurturing child care environments.

34 3. To achieve the initial set of desired results, the
35 initiative's primary focus shall first be on the efforts of

1 the state and communities to work together to improve the
2 efficiency and effectiveness of education, health, and human
3 services provided to families with children from birth through
4 age five years.

5 4. It is anticipated that the scope of the initiative will
6 expand as additional desired results are identified and agreed
7 upon by communities and the state. It is the intent of the
8 general assembly to identify from time to time the additional
9 desired results in statute.

10 Sec. 3. Section 71.2, subsections 1 and 2, Code 1999, are
11 amended to read as follows:

12 1. An Iowa empowerment board is created to oversee
13 facilitate state and community efforts involving community
14 empowerment areas, including strategic planning, funding
15 identification, and guidance, and to promote collaboration
16 among state and local education, health, and human services
17 programs.

18 2. The Iowa board shall consist of ~~eleven~~ fifteen voting
19 members with ~~eight~~ twelve citizen members and three state
20 agency members. The three state agency members shall be the
21 directors of the following departments: education, human
22 services, and public health. The twelve citizen members shall
23 be appointed by the governor, subject to confirmation by the
24 senate. The governor's appointments of citizen members shall
25 be made in a manner so that ~~all~~ each of the state's
26 congressional districts ~~are~~ is represented ~~along-with~~ by two
27 citizen members and so that all the appointments as a whole
28 reflect the ethnic, cultural, social, and economic diversity
29 of the state. ~~In-making-appointments, preference-shall-be~~
30 ~~given-to-citizens-participating-on-a~~ The governor's appointees
31 shall be selected from individuals nominated by community
32 empowerment area board boards. The nominations shall reflect
33 the range of interests represented on the community boards so
34 that the governor is able to appoint one or more members each
35 for education, health, human services, business, faith, and

1 public interests. At least one of the citizen members shall
2 be a service consumer or the parent of a service consumer.
3 Terms of office of all citizen members are three years. A
4 vacancy on the board shall be filled in the same manner as the
5 original appointment for the balance of the unexpired term.

6 Sec. 4. Section 7I.2, subsection 4, Code 1999, is amended
7 to read as follows:

8 4. In addition to the ~~eleven~~ voting members, the Iowa
9 board shall include six members of the general assembly with
10 not more than two members from each chamber being from the
11 same political party. The three senators shall be appointed
12 by the majority leader of the senate after consultation with
13 the president of the senate and the minority leader of the
14 senate. The three representatives shall be appointed by the
15 speaker of the house of representatives after consultation
16 with the majority and minority leaders of the house of
17 representatives. Legislative members shall serve in an ex
18 officio, nonvoting capacity. A legislative member is eligible
19 for per diem and expenses as provided in section 2.10.

20 Sec. 5. Section 7I.2, subsection 5, unnumbered paragraph
21 1, Code 1999, is amended to read as follows:

22 The Iowa board shall designate a community empowerment
23 assistance team or teams of state agency staff to provide
24 technical assistance and other support to community
* 25 empowerment areas. A technical assistance system shall be
26 developed using local staff of the state agencies represented
27 on the Iowa board and other state agencies and individuals
28 involved with local community empowerment areas. The
29 technical assistance shall be available in at least three
30 levels of support as follows:

31 Sec. 6. Section 7I.2, subsection 6, Code 1999, is amended
32 to read as follows:

33 6. a. Staffing services to the Iowa board shall be
34 provided by the state agencies which are represented on the
35 Iowa board and by other state agencies making staffing

1 available to the Iowa board.

2 b. In addition, a community empowerment office is
3 established as a division of the department of management to
4 provide a center for facilitation, communication, and
5 coordination for community empowerment activities and funding.

6 Staffing for the community empowerment office shall be
7 provided by a facilitator appointed by the governor, subject
8 to confirmation by the senate, and who serves at the pleasure
9 of the governor. A deputy and support staff may be

10 designated, subject to appropriation made for this purpose.

11 The facilitator shall submit reports to the governor, the Iowa
12 board, and the general assembly. The facilitator shall

* 13 provide primary staffing to the board, coordinate state
14 technical assistance activities and implementation of the
15 technical assistance system, and other communication and
16 coordination functions to move authority and decision-making
17 responsibility from the state to communities and individuals.

18 Sec. 7. Section 7I.3, subsection 2, Code 1999, is amended
19 to read as follows:

20 2. Oversee Manage and coordinate the provision of grant
21 funding and other moneys made available to community
22 empowerment areas by combining all or portions of
23 appropriations or other revenues as authorized by law.

24 Sec. 8. Section 7I.3, Code 1999, is amended by adding the
25 following new subsections:

26 NEW SUBSECTION. 10. Implement a process for community
27 empowerment areas to identify desired results for improving
28 the quality of life in this state. The process shall allow
29 for consideration of updates, additions, and deletions on a
30 regular basis. The identified desired results shall be
31 submitted to the governor and general assembly.

32 NEW SUBSECTION. 11. Develop guidelines for recommended
33 coverage and take other actions to assist community
34 empowerment area boards in acquiring necessary insurance or
35 other liability coverage at a reasonable cost.

1 NEW SUBSECTION. 12. a. With extensive community
2 involvement, develop and annually update a five-year plan for
3 consolidating, blending, and redistributing state-administered
4 funding streams for children from birth through age five made
5 available to community empowerment area boards.

6 b. With extensive community involvement, develop and
7 annually update a ten-year plan for consolidating, blending,
8 and redistributing state-administered funding streams for
9 other age groups made available to community empowerment area
10 boards. The focus for the early years of the initial ten-year
11 plan shall be on the efforts of the Iowa board and affected
12 state agencies to facilitate implementation of individual
13 community empowerment area board requests for pooling,
14 consolidating, blending, and redistributing state-administered
15 funding streams for other age groups.

16 c. Submit plans and plan updates developed under
17 paragraphs "a" and "b" to the community empowerment areas, the
18 governor, and the general assembly annually in December.

19 d. The Iowa empowerment board shall regularly make
20 information available identifying community empowerment
21 funding and funding distributed through the funding streams
22 listed under this paragraph "d" to communities. It is the
23 intent of the general assembly that the community empowerment
24 area boards and the administrators of the programs located
25 within the community empowerment areas that are supported by
26 the listed funding streams shall fully cooperate with one
27 another on or before the indicated fiscal years, in order to
28 avoid duplication, enhance efforts, combine planning, and take
29 other steps to best utilize the funding to meet the needs of
30 the families in the areas. The community empowerment area
31 boards and the administrators shall annually report to the
32 governor and the general assembly concerning such efforts.
33 The funding streams shall include all of the following:

34 (1) Moneys for the healthy families Iowa program under
35 section 135.106 by the fiscal year beginning July 1, 2000, and

1 ending June 30, 2001.

2 (2) Moneys for parent education appropriated in section
3 279.51 and distributed through the child development
4 coordinating council, by the fiscal year beginning July 1,
5 2000, and ending June 30, 2001.

6 (3) Moneys for the preschool children at-risk program
7 appropriated in section 279.51 and distributed through the
8 child development coordinating council, by the fiscal year
9 beginning July 1, 2001, and ending June 30, 2002.

10 (4) Moneys for home visitation and parent support annually
11 appropriated to the department of human services and
12 distributed or expended through child abuse prevention grants
13 and the family preservation program, by the fiscal year
14 beginning July 1, 2000, and ending June 30, 2001.

15 Sec. 9. Section 7I.5, subsection 1, Code 1999, is amended
16 by striking the subsection and inserting in lieu thereof the
17 following:

18 1. a. Community empowerment area functions shall be
19 performed under the authority of a community empowerment area
20 board. A majority of the members of a community board shall
21 be members of the public who are not employed by government or
22 a service provider and elected officials, and the remaining
23 members may be employees of government or a service provider
24 or otherwise serving on the community empowerment board as
25 part of their employment responsibilities. At least one
26 member shall be a service consumer or the parent of a service
27 consumer. Terms of office of community board members shall be
28 three years. The membership of a community empowerment area
29 board shall include members with education, health, human
30 services, business, faith, and public interests.

31 b. If a disagreement arises within a community empowerment
32 area regarding the interests represented on the community
33 board, board decisions, or other disputes that cannot be
34 locally resolved, upon request, state or regional technical
35 assistance may be provided to assist the area in resolving the

1 disagreement.

2 Sec. 10. Section 7I.5, Code 1999, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 5. A community empowerment area board is
5 a unit of local government for purposes of chapter 670,
6 relating to tort liability of governmental subdivisions. For
7 purposes of implementing a formal organizational structure, a
8 community empowerment board may utilize recommended guidelines
9 and bylaws established for this purpose by the Iowa board.
10 All meetings of a community empowerment area board or any
11 committee or other body established by a community board at
12 which public business is discussed or formal action taken
13 shall comply with the requirements of chapter 21. A community
14 board shall maintain its records in accordance with chapter
15 22.

16 Sec. 11. Section 7I.6, subsection 1, paragraph a, Code
17 1999, is amended to read as follows:

18 a. Designate a public agency of this state, as defined in
19 section 28E.2, a community action agency as defined in section
20 216A.91, or nonprofit corporation, to be the fiscal agent for
21 grant moneys and for other moneys administered by the
22 community board.

23 Sec. 12. Section 7I.7, subsection 5, paragraphs b and c,
24 Code 1999, are amended to read as follows:

25 b. The Iowa empowerment board shall distribute school
26 ready children grant moneys to community boards with approved
27 comprehensive school ready children grant plans based upon the
28 degree a determination of readiness of the community
29 empowerment area to effectively utilize the moneys, with the
30 grant moneys being adjusted for other federal and state grant
31 moneys to be received by the area for services to children
32 from birth through five years of age.

33 c. A community board's ~~degree-of~~ readiness shall be
34 ascertained by evidence of successful collaboration among
35 public or private education, human services, or health

1 interests or a documented program design evincing a strong
2 likelihood of leading to a successful collaboration between
3 these interests. Other criteria which may be used by the Iowa
4 board to ascertain ~~degree-of~~ readiness and to determine
5 funding amounts include one or more of the following:

6 (1) Experience or other evidence of capacity to
7 successfully implement the services in the plan.

8 (2) Local public and private funding and other resources
9 committed to implementation of the plan.

10 (3) Adequacy of plans for commitment of local funding and
11 other resources for implementation of the plan.

12 Sec. 13. Section 7I.8, Code 1999, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 4. Unless a different amount is
15 authorized by law, up to three percent, not to exceed sixty
16 thousand dollars, of the moneys distributed under the auspices
17 of the Iowa board to a community empowerment area board may be
18 used by the community board for administrative costs and other
19 implementation expenses.

20 Sec. 14. Section 232.188, Code 1999, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 8. A decategorization governance board
23 shall coordinate the board's planning and budgeting activities
24 with the community empowerment area board for the community
25 empowerment area within which the decategorization county is
26 located.

27 Sec. 15. FUNDING FORMULA.

28 1. The Iowa empowerment board shall develop a distribution
29 formula for allocation of school ready children grant funding
30 to new applicants and to applicants for renewal following
31 expiration of the original grants' funding period. The
32 distribution formula shall provide for an initial statewide
33 allocation of the funding among the geographic areas
34 represented by county and school district political
35 subdivisions. The initial allocation shall be based upon the

1 political subdivision area's relative proportion of the
2 state's general population and population of children
3 qualifying for free or reduced-price school lunches, plus a
4 base amount for each political subdivision area. A community
5 empowerment area board may apply for the initial allocation
6 amount or amounts attributable to the community empowerment
7 area covered by that board.

8 2. The Iowa empowerment board shall submit its recommended
9 funding formula to the governor and general assembly by
10 December 15, 1999, so that a formula may be enacted to be
11 first applicable to the fiscal year beginning July 1, 2001.
12 Notwithstanding section 7I.7, subsection 5, the duration of
13 any school ready children grant awarded on or after the
14 effective date of this Act, shall not be for a three-year
15 period but shall be adjusted so that renewal of the grant will
16 be subject to the funding allocation formula to be first
17 applicable to the fiscal year beginning July 1, 2001.

18 3. School ready children grants awarded for applications
19 submitted on or after the effective date of this Act for an
20 initial award in the fiscal year beginning July 1, 1999, shall
21 be designed to achieve the desired results identified in
22 section 7I.1A, as enacted by this Act, with a primary focus of
23 supporting newborns, infants, and very young children and
24 their parents and other family members.

25 Sec. 16. DIRECTIONS TO CODE EDITOR. The Iowa Code editor
26 shall transfer chapter 7I, as amended by this or any other
27 enactment of the Seventy-eighth General Assembly, 1999
28 Session, to be placed in or near chapter 28L and shall correct
29 internal references as necessary.

30 Sec. 17. EFFECTIVE DATE AND TRANSITION PROVISIONS.

31 1. This Act, being deemed of immediate importance, takes
32 effect upon enactment.

33 2. The governor's appointments of four additional citizen
34 members shall be made from community empowerment area board
35 nominees in a manner so as to ensure that each congressional

1 district is represented by at least two citizen members. The
2 initial terms of the four additional members shall be
3 staggered so that not more than four members' terms expire in
4 any one year. The appointments shall be made within sixty
5 calendar days of the effective date of this Act.

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SENATE FILE 439

H-1851

1 Amend Senate File 439, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 22 and 23 and
4 inserting the following:

5 ~~"The Iowa board shall designate a~~ A community
6 empowerment assistance team or teams of state agency
7 staff representatives shall be designated to provide".

8 2. Page 3, line 26, by striking the word "staff"
9 and inserting the following: "representatives".

10 3. Page 4, by inserting after line 23 the
11 following:

12 "Sec. _____. Section 7I.3, subsection 9, Code 1999,
13 is amended by adding the following new paragraph:

14 NEW PARAGRAPH. c. Core functions for home
15 visitation, parent support, and preschool services
16 provided under a school ready children grant."

17 4. Page 4, line 35, by inserting after the word
18 "cost." the following: "Moneys expended by a
19 community empowerment area board to acquire necessary
20 insurance or other liability coverage shall be
21 considered an administrative cost and implementation
22 expense."

23 5. Page 5, by striking lines 31 and 32 and
24 inserting the following: "boards and the
25 administrators shall annually submit a report
26 concerning such efforts to the community empowerment
27 office. If a community empowerment area is receiving
28 a school ready children grant, this report shall be an
29 addendum to the annual report required under section
30 7I.7. The state community empowerment facilitator
31 shall compile and summarize the reports which shall be
32 submitted to the governor, general assembly, and Iowa
33 board."

34 6. Page 6, by striking lines 20 through 25 and
35 inserting the following: "board. A majority of the
36 members of a community board shall be elected
37 officials and members of the public who are not
38 employed by a provider of services to or for the
39 community board. At least one".

40 7. Page 6, line 28, by striking the words "three
41 years" and inserting the following: "not more than
42 three years and the terms shall be staggered".

43 8. Page 8, by inserting after line 11 the
44 following:

45 "Sec. _____. Section 7I.8, subsection 3, Code 1999,
46 is amended to read as follows:

47 3. An early childhood programs grant account is
48 created in the Iowa empowerment fund under the
49 authority of the director of human services. Moneys
50 credited to the account shall be distributed by the

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1 department of human services in the form of grants to
2 community empowerment areas pursuant to criteria
3 established by the Iowa board in accordance with law.
4 The criteria shall include but are not limited to a
5 requirement that a community empowerment area must be
6 ~~eligible to receive a school ready children grant~~
7 designated by the Iowa board in accordance with
8 section 7I.4, in order to be eligible to receive an
9 early childhood programs grant."

10 9. Page 8, line 14, by striking the word "Unless"
11 and inserting the following: "Beginning July 1, 1999,
12 unless".

13 10. Page 8, line 16, by inserting before the word
14 "moneys" the following: "school ready children
15 grant".

16 11. Page 8, by inserting after line 26 the
17 following:

18 "Sec. 100. 1999 Iowa Acts, House File 760, section
19 2, subsection 1, paragraphs a and b, if enacted, are
20 amended to read as follows:

21 a. The area must be approved designated as a
22 community empowerment area by the Iowa empowerment
23 board in accordance with section 7I.4.

24 b. The maximum funding amount a designated
25 community empowerment area is eligible to receive
26 shall be determined by applying the area's percentage
27 of the state's average monthly family investment
28 program population in the preceding fiscal year to the
29 total amount appropriated in this section for fiscal
30 year 1999-2000. If the a community empowerment
31 board's request for funding official designation is
32 received by the Iowa empowerment board on or after
33 August September 1, 1999, upon designation, the
34 maximum funding amount shall be prorated for the
35 fiscal year and rounded up to the nearest full month.
36 The department of human services may adopt emergency
37 rules to implement the provisions of this paragraph
38 and the amendment in 1999 Iowa Acts, Senate File 439,
39 to section 7I.8, subsection 3, if enacted."

40 12. Page 9, line 17, by inserting after the
41 figure "2001" the following: ", and the duration of
42 such grants and of grants initially awarded prior to
43 the effective date of this Act shall be adjusted to
44 annualize the distribution of funding to grantees as
45 follows:

46 a. For the fiscal year beginning July 1, 1999, the
47 duration of the second year of school ready children
48 grants that were initially funded in the previous
49 fiscal year shall be shortened to end on June 30,
50 2000, and the amount of the grant paid out in the

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1 fiscal year beginning July 1, 1999, shall be prorated
2 accordingly. However, in the fiscal year beginning
3 July 1, 1999, the three school ready children grant
4 applications submitted in the December 1998 grant
5 cycle which were recognized by the Iowa empowerment
6 board for showing a high degree of readiness, received
7 community empowerment area designation, and received
8 partial funding in the fiscal year beginning July 1,
9 1998, shall each receive during the fiscal year
10 beginning July 1, 1999, the annual amount applied for
11 as adjusted by subtracting half of the amount of the
12 partial funding received in the previous fiscal year.
13 For those three grantees this adjusted amount shall
14 apply to the entire 1999-2000 fiscal year and shall be
15 considered to be the second year of grant funding.
16 All grantees described in this lettered paragraph
17 shall be eligible to receive the full annual amount
18 applied for and approved, in the fiscal year beginning
19 July 1, 2000.

20 b. The total amount that may be distributed in the
21 fiscal year beginning July 1, 1999, to designated
22 community empowerment areas for new school ready
23 children grants initially awarded in that fiscal year
24 shall not exceed \$3,750,000, the first-year funding
25 period for those grants in that fiscal year shall
26 commence October 1, 1999, and end June 30, 2000, and
27 the annual amount applied for and approved shall be
28 prorated accordingly. Those grantees shall be
29 eligible to receive the full annual amount applied for
30 and approved, in the fiscal year beginning July 1,
31 2000.

32 c. Of the funding appropriated for school ready
33 children grants for the fiscal year beginning July 1,
34 1999, not more than \$200,000 is allocated for the
35 community empowerment office and other technical
36 assistance activities."

37 13. Page 9, by striking lines 18 through 24 and
38 inserting the following:

39 "3. The deadline for applications for school ready
40 children grants in the fiscal year beginning July 1,
41 1999, shall be August 31, 1999, with grant awards to
42 be made on October 1, 1999.

43 4. The percentage of school ready children grant
44 funding committed to home visitation and parent
45 support services that is designed for families with
46 newborns and infants by the designated community
47 empowerment areas awarded grants in the fiscal year
48 beginning July 1, 1998, is approximately 60 percent.
49 For the fiscal year beginning July 1, 1999, based upon
50 the need identified in the community needs assessment

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1 performed by an applicant community empowerment area,
2 the applicant community empowerment area shall strive
3 to commit an equivalent percentage of any approved
4 school ready children grant funding to such services.
5 5. If unobligated school ready children grant
6 funding can be identified by the Iowa empowerment
7 board for the fiscal year beginning July 1, 1999, the
8 board may authorize a school ready children grant
9 supplement for partial assistance to those designated
10 community empowerment areas for which the costs of
11 necessary insurance or other liability coverage
12 consumes a majority or other substantial portion of
13 such areas' school ready children and early childhood
14 grant moneys that may be used for administrative and
15 other implementation expenses. The Iowa empowerment
16 board shall determine procedures and other
17 requirements to ensure the need for the assistance and
18 to contain the total supplementation within the amount
19 identified."

20 14. Page 9, by striking lines 31 and 32 and
21 inserting the following:

22 "1. Except for the provisions of this Act listed
23 in this subsection, this Act, being deemed of
24 immediate importance, takes effect upon enactment.
25 The following provisions of this Act take effect July
26 1, 1999:

27 a. Section 6, amending section 7I.2, subsection 6.

28 b. Section 12, amending section 7I.7, subsection

29 5.

30 c. Section 13, enacting 7I.8, subsection 4.

31 d. Section 100, amending 1999 Iowa Acts, House
32 File 760, section 2."

33 15. Page 10, by inserting after line 5 the
34 following:

35 "3. The Iowa empowerment board shall obtain
36 extensive community input and involvement in adopting
37 the administrative rules to implement the provisions
38 of section 7I.3, subsection 9, paragraph "c", as
39 enacted by this Act, to be applicable to grants
40 initially awarded or renewed on or after the effective
41 date of this Act. The Iowa empowerment board may
42 adopt emergency rules under section 17A.4, subsection
43 2, and section 17A.5, subsection 2, paragraph "b", to
44 implement the provisions of section 7I.3, subsection
45 9, paragraph "c", as enacted by this Act, on or before
46 August 31, 1999, and the rules shall be effective
47 immediately upon filing unless the effective date is
48 delayed by the administrative rules review committee,
49 notwithstanding section 17A.4, subsection 5, and
50 section 17A.8, subsection 9, or a later date is

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1 specified in the rules. Any rules adopted in
 2 accordance with this subsection shall not take effect
 3 before the rules are reviewed by the administrative
 4 rules review committee. Any rules adopted in
 5 accordance with this subsection shall also be
 6 published as a notice of intended action as provided
 7 in section 17A.4.

8 4. The advisory council of representatives from
 9 community empowerment areas shall be used by the Iowa
 10 empowerment board to revise the application and the
 11 application process for school ready children grants
 12 for the grant cycle immediately following the
 13 effective date of this Act."

14 16. Title page, line 2, by striking the words "an
 15 effective date" and inserting the following:
 16 "effective dates".

17 17. By renumbering as necessary.

By FOEGE of Linn
 HOUSER of Pottawattamie
 GRUNDBERG of Polk

H-1851 FILED APRIL 27, 1999

ADOPTED

(P. 1768)

HOUSE AMENDMENT TO
SENATE FILE 439

S-3509

1 Amend Senate File 439, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 22 and 23 and
4 inserting the following:

5 ~~"The Iowa board shall designate a~~ A community
6 empowerment assistance team or teams of state agency
7 ~~staff~~ representatives shall be designated to provide".

8 2. Page 3, line 26, by striking the word "staff"
9 and inserting the following: "representatives".

10 3. Page 4, by inserting after line 23 the
11 following:

12 "Sec. _____. Section 7I.3, subsection 9, Code 1999,
13 is amended by adding the following new paragraph:

14 NEW PARAGRAPH. c. Core functions for home
15 visitation, parent support, and preschool services
16 provided under a school ready children grant."

17 4. Page 4, line 35, by inserting after the word
18 "cost." the following: "Moneys expended by a
19 community empowerment area board to acquire necessary
20 insurance or other liability coverage shall be
21 considered an administrative cost and implementation
22 expense."

23 5. Page 5, by striking lines 31 and 32 and
24 inserting the following: "boards and the
25 administrators shall annually submit a report
26 concerning such efforts to the community empowerment
27 office. If a community empowerment area is receiving
28 a school ready children grant, this report shall be an
29 addendum to the annual report required under section
30 7I.7. The state community empowerment facilitator
31 shall compile and summarize the reports which shall be
32 submitted to the governor, general assembly, and Iowa
33 board."

34 6. Page 6, by striking lines 20 through 25 and
35 inserting the following: "board. A majority of the
36 members of a community board shall be elected
37 officials and members of the public who are not
38 employed by a provider of services to or for the
39 community board. At least one".

40 7. Page 6, line 28, by striking the words "three
41 years" and inserting the following: "not more than
42 three years and the terms shall be staggered".

43 8. Page 8, by inserting after line 11 the
44 following:

45 "Sec. _____. Section 7I.8, subsection 3, Code 1999,
46 is amended to read as follows:

47 3. An early childhood programs grant account is
48 created in the Iowa empowerment fund under the
49 authority of the director of human services. Moneys
50 credited to the account shall be distributed by the

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1 department of human services in the form of grants to
2 community empowerment areas pursuant to criteria
3 established by the Iowa board in accordance with law.
4 The criteria shall include but are not limited to a
5 requirement that a community empowerment area must be
6 ~~eligible to receive a school ready children grant~~
7 designated by the Iowa board in accordance with
8 section 7I.4, in order to be eligible to receive an
9 early childhood programs grant."

10 9. Page 8, line 14, by striking the word "Unless"
11 and inserting the following: "Beginning July 1, 1999,
12 unless".

13 10. Page 8, line 16, by inserting before the word
14 "moneys" the following: "school ready children
15 grant".

16 11. Page 8, by inserting after line 26 the
17 following:

18 "Sec. 100. 1999 Iowa Acts, House File 760, section
19 2, subsection 1, paragraphs a and b, if enacted, are
20 amended to read as follows:

21 a. The area must be approved designated as a
22 community empowerment area by the Iowa empowerment
23 board in accordance with section 7I.4.

24 b. The maximum funding amount a designated
25 community empowerment area is eligible to receive
26 shall be determined by applying the area's percentage
27 of the state's average monthly family investment
28 program population in the preceding fiscal year to the
29 total amount appropriated in this section for fiscal
30 year 1999-2000. If the a community empowerment
31 board's request for funding official designation is
32 received by the Iowa empowerment board on or after
33 August September 1, 1999, upon designation, the
34 maximum funding amount shall be prorated for the
35 fiscal year and rounded up to the nearest full month.
36 The department of human services may adopt emergency
37 rules to implement the provisions of this paragraph
38 and the amendment in 1999 Iowa Acts, Senate File 439,
39 to section 7I.8, subsection 3, if enacted."

40 12. Page 9, line 17, by inserting after the
41 figure "2001" the following: ", and the duration of
42 such grants and of grants initially awarded prior to
43 the effective date of this Act shall be adjusted to
44 annualize the distribution of funding to grantees as
45 follows:

46 a. For the fiscal year beginning July 1, 1999, the
47 duration of the second year of school ready children
48 grants that were initially funded in the previous
49 fiscal year shall be shortened to end on June 30,
50 2000, and the amount of the grant paid out in the

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1 fiscal year beginning July 1, 1999, shall be prorated
2 accordingly. However, in the fiscal year beginning
3 July 1, 1999, the three school ready children grant
4 applications submitted in the December 1998 grant
5 cycle which were recognized by the Iowa empowerment
6 board for showing a high degree of readiness, received
7 community empowerment area designation, and received
8 partial funding in the fiscal year beginning July 1,
9 1998, shall each receive during the fiscal year
10 beginning July 1, 1999, the annual amount applied for
11 as adjusted by subtracting half of the amount of the
12 partial funding received in the previous fiscal year.
13 For those three grantees this adjusted amount shall
14 apply to the entire 1999-2000 fiscal year and shall be
15 considered to be the second year of grant funding.
16 All grantees described in this lettered paragraph
17 shall be eligible to receive the full annual amount
18 applied for and approved, in the fiscal year beginning
19 July 1, 2000.

20 b. The total amount that may be distributed in the
21 fiscal year beginning July 1, 1999, to designated
22 community empowerment areas for new school ready
23 children grants initially awarded in that fiscal year
24 shall not exceed \$3,750,000, the first-year funding
25 period for those grants in that fiscal year shall
26 commence October 1, 1999, and end June 30, 2000, and
27 the annual amount applied for and approved shall be
28 prorated accordingly. Those grantees shall be
29 eligible to receive the full annual amount applied for
30 and approved, in the fiscal year beginning July 1,
31 2000.

32 c. Of the funding appropriated for school ready
33 children grants for the fiscal year beginning July 1,
34 1999, not more than \$200,000 is allocated for the
35 community empowerment office and other technical
36 assistance activities."

37 13. Page 9, by striking lines 18 through 24 and
38 inserting the following:

39 "3. The deadline for applications for school ready
40 children grants in the fiscal year beginning July 1,
41 1999, shall be August 31, 1999, with grant awards to
42 be made on October 1, 1999.

43 4. The percentage of school ready children grant
44 funding committed to home visitation and parent
45 support services that is designed for families with
46 newborns and infants by the designated community
47 empowerment areas awarded grants in the fiscal year
48 beginning July 1, 1998, is approximately 60 percent.
49 For the fiscal year beginning July 1, 1999, based upon
50 the need identified in the community needs assessment

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1 performed by an applicant community empowerment area,
2 the applicant community empowerment area shall strive
3 to commit an equivalent percentage of any approved
4 school ready children grant funding to such services.
5 5. If unobligated school ready children grant
6 funding can be identified by the Iowa empowerment
7 board for the fiscal year beginning July 1, 1999, the
8 board may authorize a school ready children grant
9 supplement for partial assistance to those designated
10 community empowerment areas for which the costs of
11 necessary insurance or other liability coverage
12 consumes a majority or other substantial portion of
13 such areas' school ready children and early childhood
14 grant moneys that may be used for administrative and
15 other implementation expenses. The Iowa empowerment
16 board shall determine procedures and other
17 requirements to ensure the need for the assistance and
18 to contain the total supplementation within the amount
19 identified."

20 14. Page 9, by striking lines 31 and 32 and
21 inserting the following:

22 "1. Except for the provisions of this Act listed
23 in this subsection, this Act, being deemed of
24 immediate importance, takes effect upon enactment.
25 The following provisions of this Act take effect July
26 1, 1999:

27 a. Section 6, amending section 7I.2, subsection 6.

28 b. Section 12, amending section 7I.7, subsection
29 5.

30 c. Section 13, enacting 7I.8, subsection 4.

31 d. Section 100, amending 1999 Iowa Acts, House
32 File 760, section 2."

33 15. Page 10, by inserting after line 5 the
34 following:

35 "3. The Iowa empowerment board shall obtain
36 extensive community input and involvement in adopting
37 the administrative rules to implement the provisions
38 of section 7I.3, subsection 9, paragraph "c", as
39 enacted by this Act, to be applicable to grants
40 initially awarded or renewed on or after the effective
41 date of this Act. The Iowa empowerment board may
42 adopt emergency rules under section 17A.4, subsection
43 2, and section 17A.5, subsection 2, paragraph "b", to
44 implement the provisions of section 7I.3, subsection
45 9, paragraph "c", as enacted by this Act, on or before
46 August 31, 1999, and the rules shall be effective
47 immediately upon filing unless the effective date is
48 delayed by the administrative rules review committee,
49 notwithstanding section 17A.4, subsection 5, and
50 section 17A.8, subsection 9, or a later date is

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1 specified in the rules. Any rules adopted in
2 accordance with this subsection shall not take effect
3 before the rules are reviewed by the administrative
4 rules review committee. Any rules adopted in
5 accordance with this subsection shall also be
6 published as a notice of intended action as provided
7 in section 17A.4.

8 4. The advisory council of representatives from
9 community empowerment areas shall be used by the Iowa
10 empowerment board to revise the application and the
11 application process for school ready children grants
12 for the grant cycle immediately following the
13 effective date of this Act."

14 16. Title page, line 2, by striking the words "an
15 effective date" and inserting the following:
16 "effective dates".

17 17. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3509 FILED APRIL 28, 1999

CONCURRED, MTR FILED, MTR - WITHDRAWN

(P. 1374)

SENATE FILE 439

S-3525

1 Amend the House amendment, S-3509, to Senate File
2 439, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 43 through page 2,
5 line 9.

6 2. Page 2, by striking lines 16 through 39.

7 3. Page 4, by striking lines 31 and 32.

8 4. By renumbering as necessary.

By NANCY BOETTGER

ELAINE SZYMONIAK

MAGGIE TINSMAN

S-3525 FILED APRIL 28, 1999

WITHDRAWN

(P. 1374)

SENATE FILE 439

AN ACT

RELATING TO THE IOWA COMMUNITY EMPOWERMENT ACT AND RELATED PROVISIONS, AND PROVIDING EFFECTIVE DATES.

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

Section 1. Section 71.1, subsection 5, Code 1999, is amended to read as follows:

5. "Iowa empowerment board" or "Iowa board" means the Iowa empowerment board created in ~~this chapter~~ section 71.2.

Sec. 2. NEW SECTION. 71.1A PURPOSE AND SCOPE.

1. The purpose of creating the community empowerment initiative is to empower individuals and their communities to achieve desired results for improving the quality of life in the communities in this state. It is expected that the empowerment of individuals will strengthen the individuals' sense of responsibility for their neighbors and promote partnerships in order for all to succeed. It is believed that the desired results identified by individuals and their communities, with the support of the state, will be achieved as individuals, governments, and agencies work collaboratively within communities. It is believed that local individuals in local communities working together will identify and implement the best means for attaining the desired results for themselves and their neighbors. The role of the Iowa empowerment board, the state, and local governments is to support and facilitate growth of individual and community responsibility in place of the directive role that the public has come to expect of government.

2. It is intended that through the community empowerment initiative, by June 30, 2005, every community in Iowa will have developed the capacity and commitment for using local decision making to achieve the following initial set of

desired results:

- a. Healthy children.
- b. Children ready to succeed in school.
- c. Safe and supportive communities.
- d. Secure and nurturing families.
- e. Secure and nurturing child care environments.

3. To achieve the initial set of desired results, the initiative's primary focus shall first be on the efforts of the state and communities to work together to improve the efficiency and effectiveness of education, health, and human services provided to families with children from birth through age five years.

4. It is anticipated that the scope of the initiative will expand as additional desired results are identified and agreed upon by communities and the state. It is the intent of the general assembly to identify from time to time the additional desired results in statute.

Sec. 3. Section 71.2, subsections 1 and 2, Code 1999, are amended to read as follows:

1. An Iowa empowerment board is created to oversee facilitate state and community efforts involving community empowerment areas, including strategic planning, funding identification, and guidance, and to promote collaboration among state and local education, health, and human services programs.

2. The Iowa board shall consist of ~~eleven~~ fifteen voting members with ~~eight~~ twelve citizen members and three state agency members. The three state agency members shall be the directors of the following departments: education, human services, and public health. The twelve citizen members shall be appointed by the governor, subject to confirmation by the senate. The governor's appointments of citizen members shall be made in a manner so that all each of the state's congressional districts are is represented along-with by two citizen members and so that all the appointments as a whole

~~reflect the ethnic, cultural, social, and economic diversity of the state. In making appointments, preference shall be given to citizens participating on a~~ The governor's appointees shall be selected from individuals nominated by community empowerment area board boards. The nominations shall reflect the range of interests represented on the community boards so that the governor is able to appoint one or more members each for education, health, human services, business, faith, and public interests. At least one of the citizen members shall be a service consumer or the parent of a service consumer. Terms of office of all citizen members are three years. A vacancy on the board shall be filled in the same manner as the original appointment for the balance of the unexpired term.

Sec. 4. Section 7I.2, subsection 4, Code 1999, is amended to read as follows:

4. In addition to the eleven voting members, the Iowa board shall include six members of the general assembly with not more than two members from each chamber being from the same political party. The three senators shall be appointed by the majority leader of the senate after consultation with the president of the senate and the minority leader of the senate. The three representatives shall be appointed by the speaker of the house of representatives after consultation with the majority and minority leaders of the house of representatives. Legislative members shall serve in an ex officio, nonvoting capacity. A legislative member is eligible for per diem and expenses as provided in section 2.10.

Sec. 5. Section 7I.2, subsection 5, unnumbered paragraph 1, Code 1999, is amended to read as follows:

~~The Iowa board shall designate a~~ A community empowerment assistance team or teams of state agency staff representatives shall be designated to provide technical assistance and other support to community empowerment areas. A technical assistance system shall be developed using local representatives of the state agencies represented on the Iowa

board and other state agencies and individuals involved with local community empowerment areas. The technical assistance shall be available in at least three levels of support as follows:

Sec. 5. Section 7I.2, subsection 6, Code 1999, is amended to read as follows:

6. a. Staffing services to the Iowa board shall be provided by the state agencies which are represented on the Iowa board and by other state agencies making staffing available to the Iowa board.

b. In addition, a community empowerment office is established as a division of the department of management to provide a center for facilitation, communication, and coordination for community empowerment activities and funding. Staffing for the community empowerment office shall be provided by a facilitator appointed by the governor, subject to confirmation by the senate, and who serves at the pleasure of the governor. A deputy and support staff may be designated, subject to appropriation made for this purpose. The facilitator shall submit reports to the governor, the Iowa board, and the general assembly. The facilitator shall provide primary staffing to the board, coordinate state technical assistance activities and implementation of the technical assistance system, and other communication and coordination functions to move authority and decision-making responsibility from the state to communities and individuals.

Sec. 7. Section 7I.3, subsection 2, Code 1999, is amended to read as follows:

2. Oversee Manage and coordinate the provision of grant funding and other moneys made available to community empowerment areas by combining all or portions of appropriations or other revenues as authorized by law.

Sec. 8. Section 7I.3, subsection 9, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Core functions for home visitation, parent support, and preschool services provided under a school ready children grant.

Sec. 9. Section 7I.3, Code 1999, is amended by adding the following new subsections:

NEW SUBSECTION. 10. Implement a process for community empowerment areas to identify desired results for improving the quality of life in this state. The process shall allow for consideration of updates, additions, and deletions on a regular basis. The identified desired results shall be submitted to the governor and general assembly.

NEW SUBSECTION. 11. Develop guidelines for recommended coverage and take other actions to assist community empowerment area boards in acquiring necessary insurance or other liability coverage at a reasonable cost. Moneys expended by a community empowerment area board to acquire necessary insurance or other liability coverage shall be considered an administrative cost and implementation expense.

NEW SUBSECTION. 12. a. With extensive community involvement, develop and annually update a five-year plan for consolidating, blending, and redistributing state-administered funding streams for children from birth through age five made available to community empowerment area boards.

b. With extensive community involvement, develop and annually update a ten-year plan for consolidating, blending, and redistributing state-administered funding streams for other age groups made available to community empowerment area boards. The focus for the early years of the initial ten-year plan shall be on the efforts of the Iowa board and affected state agencies to facilitate implementation of individual community empowerment area board requests for pooling, consolidating, blending, and redistributing state-administered funding streams for other age groups.

c. Submit plans and plan updates developed under paragraphs "a" and "b" to the community empowerment areas, the governor, and the general assembly annually in December.

d. The Iowa empowerment board shall regularly make information available identifying community empowerment funding and funding distributed through the funding streams listed under this paragraph "d" to communities. It is the intent of the general assembly that the community empowerment area boards and the administrators of the programs located within the community empowerment areas that are supported by the listed funding streams shall fully cooperate with one another on or before the indicated fiscal years, in order to avoid duplication, enhance efforts, combine planning, and take other steps to best utilize the funding to meet the needs of the families in the areas. The community empowerment area boards and the administrators shall annually submit a report concerning such efforts to the community empowerment office. If a community empowerment area is receiving a school ready children grant, this report shall be an addendum to the annual report required under section 7I.7. The state community empowerment facilitator shall compile and summarize the reports which shall be submitted to the governor, general assembly, and Iowa board. The funding streams shall include all of the following:

(1) Moneys for the healthy families Iowa program under section 135.106 by the fiscal year beginning July 1, 2000, and ending June 30, 2001.

(2) Moneys for parent education appropriated in section 279.51 and distributed through the child development coordinating council, by the fiscal year beginning July 1, 2000, and ending June 30, 2001.

(3) Moneys for the preschool children at-risk program appropriated in section 279.51 and distributed through the child development coordinating council, by the fiscal year beginning July 1, 2001, and ending June 30, 2002.

(4) Moneys for home visitation and parent support annually appropriated to the department of human services and distributed or expended through child abuse prevention grants

and the family preservation program, by the fiscal year beginning July 1, 2000, and ending June 30, 2001.

Sec. 10. Section 71.5, subsection 1, Code 1999, is amended by striking the subsection and inserting in lieu thereof the following:

1. a. Community empowerment area functions shall be performed under the authority of a community empowerment area board. A majority of the members of a community board shall be elected officials and members of the public who are not employed by a provider of services to or for the community board. At least one member shall be a service consumer or the parent of a service consumer. Terms of office of community board members shall be not more than three years and the terms shall be staggered. The membership of a community empowerment area board shall include members with education, health, human services, business, faith, and public interests.

b. If a disagreement arises within a community empowerment area regarding the interests represented on the community board, board decisions, or other disputes that cannot be locally resolved, upon request, state or regional technical assistance may be provided to assist the area in resolving the disagreement.

Sec. 11. Section 71.5, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 5. A community empowerment area board is a unit of local government for purposes of chapter 670, relating to tort liability of governmental subdivisions. For purposes of implementing a formal organizational structure, a community empowerment board may utilize recommended guidelines and bylaws established for this purpose by the Iowa board. All meetings of a community empowerment area board or any committee or other body established by a community board at which public business is discussed or formal action taken shall comply with the requirements of chapter 21. A community board shall maintain its records in accordance with chapter 22.

Sec. 12. Section 71.6, subsection 1, paragraph a, Code 1999, is amended to read as follows:

a. Designate a public agency of this state, as defined in section 28E.2, a community action agency as defined in section 216A.91, or nonprofit corporation, to be the fiscal agent for grant moneys and for other moneys administered by the community board.

Sec. 13. Section 71.7, subsection 5, paragraphs b and c, Code 1999, are amended to read as follows:

b. The Iowa empowerment board shall distribute school ready children grant moneys to community boards with approved comprehensive school ready children grant plans based upon the degree a determination of readiness of the community empowerment area to effectively utilize the moneys, with the grant moneys being adjusted for other federal and state grant moneys to be received by the area for services to children from birth through five years of age.

c. A community board's degree-of readiness shall be ascertained by evidence of successful collaboration among public or private education, human services, or health interests or a documented program design evincing a strong likelihood of leading to a successful collaboration between these interests. Other criteria which may be used by the Iowa board to ascertain degree-of readiness and to determine funding amounts include one or more of the following:

- (1) Experience or other evidence of capacity to successfully implement the services in the plan.
- (2) Local public and private funding and other resources committed to implementation of the plan.
- (3) Adequacy of plans for commitment of local funding and other resources for implementation of the plan.

Sec. 14. Section 71.8, subsection 3, Code 1999, is amended to read as follows:

3. An early childhood programs grant account is created in the Iowa empowerment fund under the authority of the director

of human services. Moneys credited to the account shall be distributed by the department of human services in the form of grants to community empowerment areas pursuant to criteria established by the Iowa board in accordance with law. The criteria shall include but are not limited to a requirement that a community empowerment area must be eligible-to-receive a-school-ready-children-grant designated by the Iowa board in accordance with section 71.4, in order to be eligible to receive an early childhood programs grant.

Sec. 15. Section 71.8, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Beginning July 1, 1999, unless a different amount is authorized by law, up to three percent, not to exceed sixty thousand dollars, of the school ready children grant moneys distributed under the auspices of the Iowa board to a community empowerment area board may be used by the community board for administrative costs and other implementation expenses.

Sec. 16. Section 232.188, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 8. A decategorization governance board shall coordinate the board's planning and budgeting activities with the community empowerment area board for the community empowerment area within which the decategorization county is located.

Sec. 17. 1999 Iowa Acts, House File 760, section 2, subsection 1, paragraphs a and b, if enacted, are amended to read as follows:

a. The area must be approved designated as a community empowerment area by the Iowa empowerment board in accordance with section 71.4.

b. The maximum funding amount a designated community empowerment area is eligible to receive shall be determined by applying the area's percentage of the state's average monthly family investment program population in the preceding fiscal

year to the total amount appropriated in this section for fiscal year 1999-2000. If the a community empowerment board's request for funding official designation is received by the Iowa empowerment board on or after August September 1, 1999, upon designation, the maximum funding amount shall be prorated for the fiscal year and rounded up to the nearest full month. The department of human services may adopt emergency rules to implement the provisions of this paragraph and the amendment in 1999 Iowa Acts, Senate File 439, to section 71.8, subsection 3, if enacted.

Sec. 18. FUNDING FORMULA.

1. The Iowa empowerment board shall develop a distribution formula for allocation of school ready children grant funding to new applicants and to applicants for renewal following expiration of the original grants' funding period. The distribution formula shall provide for an initial statewide allocation of the funding among the geographic areas represented by county and school district political subdivisions. The initial allocation shall be based upon the political subdivision area's relative proportion of the state's general population and population of children qualifying for free or reduced-price school lunches, plus a base amount for each political subdivision area. A community empowerment area board may apply for the initial allocation amount or amounts attributable to the community empowerment area covered by that board.

2. The Iowa empowerment board shall submit its recommended funding formula to the governor and general assembly by December 15, 1999, so that a formula may be enacted to be first applicable to the fiscal year beginning July 1, 2001. Notwithstanding section 71.7, subsection 5, the duration of any school ready children grant awarded on or after the effective date of this Act, shall not be for a three-year period but shall be adjusted so that renewal of the grant will be subject to the funding allocation formula to be first

applicable to the fiscal year beginning July 1, 2001, and the duration of such grants and of grants initially awarded prior to the effective date of this Act shall be adjusted to annualize the distribution of funding to grantees as follows:

a. For the fiscal year beginning July 1, 1999, the duration of the second year of school ready children grants that were initially funded in the previous fiscal year shall be shortened to end on June 30, 2000, and the amount of the grant paid out in the fiscal year beginning July 1, 1999, shall be prorated accordingly. However, in the fiscal year beginning July 1, 1999, the three school ready children grant applications submitted in the December 1998 grant cycle which were recognized by the Iowa empowerment board for showing a high degree of readiness, received community empowerment area designation, and received partial funding in the fiscal year beginning July 1, 1998, shall each receive during the fiscal year beginning July 1, 1999, the annual amount applied for as adjusted by subtracting half of the amount of the partial funding received in the previous fiscal year. For those three grantees this adjusted amount shall apply to the entire 1999-2000 fiscal year and shall be considered to be the second year of grant funding. All grantees described in this lettered paragraph shall be eligible to receive the full annual amount applied for and approved, in the fiscal year beginning July 1, 2000.

b. The total amount that may be distributed in the fiscal year beginning July 1, 1999, to designated community empowerment areas for new school ready children grants initially awarded in that fiscal year shall not exceed \$3,750,000, the first-year funding period for those grants in that fiscal year shall commence October 1, 1999, and end June 30, 2000, and the annual amount applied for and approved shall be prorated accordingly. Those grantees shall be eligible to receive the full annual amount applied for and approved, in the fiscal year beginning July 1, 2000.

c. Of the funding appropriated for school ready children grants for the fiscal year beginning July 1, 1999, not more than \$200,000 is allocated for the community empowerment office and other technical assistance activities.

3. The deadline for applications for school ready children grants in the fiscal year beginning July 1, 1999, shall be August 31, 1999, with grant awards to be made on October 1, 1999.

4. The percentage of school ready children grant funding committed to home visitation and parent support services that is designed for families with newborns and infants by the designated community empowerment areas awarded grants in the fiscal year beginning July 1, 1998, is approximately 60 percent. For the fiscal year beginning July 1, 1999, based upon the need identified in the community needs assessment performed by an applicant community empowerment area, the applicant community empowerment area shall strive to commit an equivalent percentage of any approved school ready children grant funding to such services.

5. If unobligated school ready children grant funding can be identified by the Iowa empowerment board for the fiscal year beginning July 1, 1999, the board may authorize a school ready children grant supplement for partial assistance to those designated community empowerment areas for which the costs of necessary insurance or other liability coverage consumes a majority or other substantial portion of such areas' school ready children and early childhood grant moneys that may be used for administrative and other implementation expenses. The Iowa empowerment board shall determine procedures and other requirements to ensure the need for the assistance and to contain the total supplementation within the amount identified.

Sec. 19. DIRECTIONS TO CODE EDITOR. The Iowa Code editor shall transfer chapter 7I, as amended by this or any other enactment of the Seventy-eighth General Assembly, 1999

Session, to be placed in or near chapter 28L and shall correct internal references as necessary.

Sec. 20. EFFECTIVE DATE AND TRANSITION PROVISIONS.

1. Except for the provisions of this Act listed in this subsection, this Act, being deemed of immediate importance, takes effect upon enactment. The following provisions of this Act take effect July 1, 1999:

- a. Section 6, amending section 7I.2, subsection 6.
- b. Section 13, amending section 7I.7, subsection 5.
- c. Section 15, enacting 7I.8, subsection 4.
- d. Section 17, amending 1999 Iowa Acts, House File 760, section 2.

2. The governor's appointments of four additional citizen members shall be made from community empowerment area board nominees in a manner so as to ensure that each congressional district is represented by at least two citizen members. The initial terms of the four additional members shall be staggered so that not more than four members' terms expire in any one year. The appointments shall be made within sixty calendar days of the effective date of this Act.

3. The Iowa empowerment board shall obtain extensive community input and involvement in adopting the administrative rules to implement the provisions of section 7I.3, subsection 9, paragraph "c", as enacted by this Act, to be applicable to grants initially awarded or renewed on or after the effective date of this Act. The Iowa empowerment board may adopt emergency rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions of section 7I.3, subsection 9, paragraph "c", as enacted by this Act, on or before August 31, 1999, and the rules shall be effective immediately upon filing unless the effective date is delayed by the administrative rules review committee, notwithstanding section 17A.4, subsection 5, and section 17A.8, subsection 9, or a later date is specified in the rules. Any rules adopted in accordance with this

subsection shall not take effect before the rules are reviewed by the administrative rules review committee. Any rules adopted in accordance with this subsection shall also be published as a notice of intended action as provided in section 17A.4.

4. The advisory council of representatives from community empowerment areas shall be used by the Iowa empowerment board to revise the application and the application process for school ready children grants for the grant cycle immediately following the effective date of this Act.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 439, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved *May 27*, 1999

THOMAS J. VILSACK
Governor