

MAY 20 1976

HOUSE FILE 1589

APPROPRIATIONS CALENDAR, Pass 5/20
Sen. " 5/25, Pass 5/28

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 5-24-76 (p. 3063) Passed Senate, Date 5-29-76 (p. 2499)

Vote: Ayes 91 Nays 0 Vote: Ayes 47 Nays 1

Approved June 26, 1976

A BILL FOR

1 An Act relating to and appropriating funds for programs for
2 low income and elderly persons.

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

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H-6838

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1 Amend House File 1589 as follows:

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1. Page 5, line 28, by striking the words

8

3 "department of social services" and inserting in

9

4 lieu thereof the words "employment security

10

5 commission".

H-6838 FILED, ADOPTED BY BY CUSACK of Scott

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UNANIMOUS CONSENT (3063)

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MAY 24, 1976

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1 Section 1. Any person who, on or after the effective date
2 of this Act, is receiving or has obtained approval of an
3 application to receive assistance under chapter two hundred
4 thirty-nine (239) of the Code, and who is an eligible person
5 as defined by section two hundred forty-nine C point one
6 (249C.1), subsection five (5) of the Code, may be referred
7 to the employment security commission for placement in public
8 works positions available pursuant to this Act or to such
9 other authority as may be applicable.

10 Sec. 2. The employment security commission, in consultation
11 with the commissioner of social services, shall establish a
12 procedure for assignment of persons referred under section
13 one (1) of this Act to positions available in public works
14 projects. The employment security commission shall arrange
15 with units of local government for establishment of such
16 projects, which may include any type of work or endeavor that
17 is within the scope of authority of the unit of local
18 government involved so long as the project meets the following
19 requirements:

20 1. The project must create new employment opportunities
21 and not fund existing employment of persons working for the
22 local government unit or resume funding of projects for which
23 the local government unit has, without fault, terminated
24 employees within the previous six months and has not recalled
25 those employees.

26 2. The benefits of the project result must inure primarily
27 to the community or public at large.

28 3. The following conditions of employment must be
29 satisfied:

30 a. The unit of local government with which the project
31 is arranged must be the employer of the persons hired under
32 the project.

33 b. The employees under the project must be paid at the
34 same rate as other employees doing similar work for that unit
35 of local government.

1 c. The employees must be considered regular employees
2 of the unit of local government involved and must be entitled
3 to participate in benefit programs of that unit of local
4 government, including but not limited to workmen's
5 compensation, but shall not be entitled to qualify for
6 unemployment compensation benefits on the basis of employment
7 under the project.

8 Sec. 3. The employment security commission shall select
9 not to exceed two target counties for implementation of
10 sections one (1) and two (2) of this Act. In selecting the
11 target county or counties in which this Act is to be
12 implemented, the employment security commission shall be
13 guided by the following criteria:

14 1. The total number of unemployed persons in the county.

15 2. The number of unemployed persons in the county as a
16 percentage of the available work force there.

17 3. The total number of persons receiving assistance under
18 chapter two hundred thirty-nine (239) of the Code in that
19 county.

20 4. The number of persons receiving assistance under chapter
21 two hundred thirty-nine (239) of the Code in that county as
22 a percentage of the total population of the county.

23 5. The number of unemployed heads of households receiving
24 assistance under chapter two hundred thirty-nine (239) of
25 the Code in that county.

26 6. The number of unemployed heads of households receiving
27 assistance under chapter two hundred thirty-nine (239) in
28 that county as a percentage of all recipients of such
29 assistance in that county.

30 Sec. 4. Acts of the Sixty-sixth General Assembly, 1975
31 Session, chapter one hundred ten (110), section fourteen (14),
32 is amended to read as follows:

33 SEC. 14. There is appropriated from the general fund of
34 the state for the fiscal ~~year~~ period beginning July 1, 1975
35 and ending June 30, ~~1976~~ 1977 to the office for planning

1 and programming the sum of ~~eighty one hundred twenty thousand~~
2 ~~(80,000)~~ (120,000) dollars, ~~or so much thereof as is necessary~~
3 to carry out the provisions of section fifteen (15) of this
4 Act. Notwithstanding the provisions of section eight point
5 thirty-three (8.33) of the Code, funds appropriated by this
6 section shall be expended in their entirety and shall not
7 revert to the general fund of the state.

8 Sec. 5. Acts of the Sixty-sixth General Assembly, 1975
9 Session, chapter one hundred ten (110), section fifteen (15),
10 subsections one (1) and two (2), are amended to read as
11 follows:

12 1. The office for planning and programming shall distribute
13 the sum appropriated under section fourteen (14) of this Act
14 for the purpose of assisting lower income elderly persons
15 to winterize their homes. For purposes of this section,
16 "lower income" means persons ~~who meet the requirements for~~
17 ~~"lower income families" described in section eight (8),~~
18 ~~subsection f of the United States Housing Act of 1937, as~~
19 ~~amended by the Housing and Community Development Act of 1974~~
20 ~~(Public Law ninety-three dash three hundred eighty-three (93-~~
21 ~~383))~~, section two hundred one (201), subsection a whose
22 income, as defined in section four hundred twenty-five point
23 seventeen (425.17), subsection one (1) of the Code, is less
24 than nine thousand dollars.

25 2. ~~Such sum~~ Funds shall be allocated ~~at the rate of no~~
26 ~~more than five thousand (5,000) dollars for~~ equally between
27 each of the office's sixteen planning regions and shall be
28 distributed to those political subdivisions or their agencies
29 or other local organizations within each region which best
30 demonstrate an ability to provide assistance in winterizing
31 the homes of lower income elderly persons in that region.
32 "Best demonstrating an ability to provide assistance" means
33 the ability to deliver adequate assistance to the largest
34 number of persons within each region. Not more than one
35 hundred fifty dollars of state funds shall be used to winterize

1 a living unit. Preference shall be given in the distribution
2 of state funds to elderly homeowners.

3 Sec. 6. Acts of the Sixty-sixth General Assembly, 1975
4 Session, chapter one hundred ten (110), section seventeen
5 (17), is amended to read as follows:

6 SEC. 17. There is appropriated from the general fund of
7 the state to the retired Iowan employment fund created in
8 section seven (7) of this Act for the fiscal year period
9 beginning July 1, 1975 and ending June 30, ~~1976~~ 1977, the
10 sum of ~~one~~ two hundred thousand ~~(400,000)~~ (200,000) dollars,
11 or so much thereof as is necessary, to be used according to
12 the provisions of sections six (6) through ten (10) of this
13 Act.

14 Sec. 7. Acts of the Sixty-sixth General Assembly, 1975
15 Session, chapter ninety-four (94), is repealed.

16 Sec. 8. There is appropriated from the general fund of
17 the state for the fiscal period commencing with the effective
18 date of this Act and ending June 30, 1977 the following
19 amounts, or so much thereof as is necessary, for the following
20 agencies to be used in the manner designated:

21 1. To the employment security
22 commission to provide alternative
23 employment through public work proj-
24 ects pursuant to sections one (1)
25 and three (3) of this Act and chap-
26 ter two hundred forty-nine C (249C)
27 of the Code \$ 260,000

28 2. To the state conservation
29 commission \$ 400,000

30 a. One-half of the funds appropriated by this subsection
31 may be allocated by the state conservation commission, upon
32 application, to county conservation boards. In determining
33 the allocations the commission shall consider the unemployment
34 rate in the applicant's county and the improvement or
35 maintenance proposed in the application.

1 b. The funds appropriated by this subsection shall be
2 used to provide public employment programs maintaining and
3 developing lands and waters owned by the state conservation
4 commission and county conservation boards. Persons who are
5 unemployed shall be eligible to participate in the public
6 employment programs. Persons whose unemployment benefits
7 have expired or who are ineligible for unemployment benefits
8 and unemployed persons who are heads of households shall be
9 given preference for participation in the public employment
10 programs.

11 c. The participants shall be paid at the same rate as
12 employees of the state conservation commission or county
13 conservation board doing similar work. A participant shall
14 not be deemed an employee of the state or of its subdivisions
15 except for the purposes of workmen's compensation.

16 d. The director of the state conservation commission shall
17 develop procedures and forms for applications by the county
18 conservation boards, monitor the programs for compliance with
19 the provisions of this Act, evaluate the effects of the
20 programs, and provide the necessary staff support to carry
21 out the provisions of this Act.

22 3. To the office for plan-
23 ning and programming, to estab-
24 lish up to five additional Iowa
25 youth conservation corps camps
26 for youth from both rural and
27 urban counties \$ 85,000

28 Sec. 9. The department of social services, the state
29 conservation commission and the office for planning and
30 programming shall each submit to the general assembly by March
31 1, 1978 a report evaluating the programs conducted by them
32 with the funds appropriated by section five (5) of this Act.

33 Sec. 10. There is appropriated from the general fund of
34 the state to the commission on the aging for the fiscal year
35 commencing July 1, 1976 and ending June 30, 1977, the sum

1 of one hundred thousand (100,000) dollars, or so much thereof
2 as may be necessary, to be distributed to area agencies on
3 aging for use in establishing not more than eight senior
4 citizens centers. Area agencies shall submit requests for
5 funds accompanied by a program plan to the commission. In
6 allocating funds provided by this section, the commission
7 shall give preference to those area agencies whose programs
8 plans include provisions for offering elderly day care services
9 and which indicate how the programs to be offered by the
10 center will provide alternatives to the institutionalization
11 of elderly persons. However, the inclusion of elderly day
12 care services in the program plan shall not be a prerequisite
13 for the receipt of funds. Funds shall be distributed equally
14 among urban and rural areas served by agencies submitting
15 acceptable program plans. The commission on the aging shall
16 submit a report to the First Session of the Sixty-seventh
17 General Assembly not later than thirty days after its convening
18 which shall assess the effectiveness of the programs offered
19 by the senior citizens centers which are receiving funds,
20 including how the centers provide effective alternatives to
21 the institutionalization of elderly persons. The report shall
22 also recommend to the general assembly policy changes and
23 additional programs designed to prevent the
24 institutionalization of elderly persons.

25 Sec. 11. This Act, being deemed of immediate importance,
26 shall take effect and be in force from and after its
27 publication in the Quad-City Times, a newspaper published in
28 Davenport, Iowa, and in The Altoona Herald, a newspaper
29 published in Altoona, Iowa.

30 EXPLANATION

31 This bill is intended to more effectively implement the
32 policy established by chapter 249C of the Code that able-
33 bodied adults of pre-retirement age who are receiving public
34 assistance should be required to engage in work, including
35 temporary public employment as an alternative to employment

1 in the private sector if that is not available. The bill
2 appropriates \$260,000 for such alternative public employment
3 to the employment security commission, and authorizes the
4 commission to contract with units of local government to
5 provide public works projects in the course of the units'
6 normal functions.

7 The bill also appropriates \$400,000 for public employment
8 projects to be conducted by the state conservation commission
9 and the county conservation boards, and \$85,000 for up to
10 five additional Iowa youth conservation corps camps.

11 Each of the departments involved shall file a report on
12 the programs with the general assembly by March 1, 1978.

13 The bill also repeals Acts of the Sixty-sixth General
14 Assembly, 1975 Session, chapter 94 which created an employment
15 opportunity board. The funds appropriated for this board
16 reverted when federal matching funds did not become available.

17 This bill also appropriates \$100,000 to the commission
18 on the aging for distribution to area agencies on aging which
19 submit acceptable proposals for establishing senior citizens
20 centers. Not more than four centers will be funded by the
21 appropriation.

22 In addition this bill appropriates \$40,000 for the low
23 income elderly home winterization program funded and
24 administered through the office for planning and programming
25 last year. Requirements for the receipt of assistance are
26 changed to make elderly persons with an annual income of less
27 than \$9,000 eligible and to give preference to low income
28 elderly homeowners. Not more than \$150 in state funds may
29 be used to winterize a living unit.

30 This bill also appropriates \$100,000 for the retired Iowan
31 employment program initiated in Acts of the Sixty-sixth General
32 Assembly, 1975 Session, chapter 110.

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LSB 4341H
pb/jw/5

HOUSE FILE 1589

AN ACT

RELATING TO AND APPROPRIATING FUNDS FOR PROGRAMS FOR LOW
INCOME AND ELDERLY PERSONS.

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

Section 1. Any person who, on or after the effective date of this Act, is receiving or has obtained approval of an application to receive assistance under chapter two hundred thirty-nine (239) of the Code, and who is an eligible person as defined by section two hundred forty-nine C point one (249C.1), subsection five (5) of the Code, may be referred to the employment security commission for placement in public works positions available pursuant to this Act or to such other authority as may be applicable.

Sec. 2. The employment security commission, in consultation with the commissioner of social services, shall establish a procedure for assignment of persons referred under section one (1) of this Act to positions available in public works projects. The employment security commission shall arrange with units of local government for establishment of such projects, which may include any type of work or endeavor that is within the scope of authority of the unit of local government involved so long as the project meets the following requirements:

1. The project must create new employment opportunities and not fund existing employment of persons working for the local government unit or resume funding of projects for which the local government unit has, without fault, terminated employees within the previous six months and has not recalled those employees.
2. The benefits of the project result must inure primarily to the community or public at large.

3. The following conditions of employment must be satisfied:

- a. The unit of local government with which the project is arranged must be the employer of the persons hired under the project.
- b. The employees under the project must be paid at the same rate as other employees doing similar work for that unit of local government.
- c. The employees must be considered regular employees of the unit of local government involved and must be entitled to participate in benefit programs of that unit of local government, including but not limited to workmen's compensation, but shall not be entitled to qualify for unemployment compensation benefits on the basis of employment under the project.

Sec. 3. The employment security commission shall select not to exceed two target counties for implementation of sections one (1) and two (2) of this Act. In selecting the target county or counties in which this Act is to be implemented, the employment security commission shall be guided by the following criteria:

1. The total number of unemployed persons in the county.
2. The number of unemployed persons in the county as a percentage of the available work force there.
3. The total number of persons receiving assistance under chapter two hundred thirty-nine (239) of the Code in that county.
4. The number of persons receiving assistance under chapter two hundred thirty-nine (239) of the Code in that county as a percentage of the total population of the county.
5. The number of unemployed heads of households receiving assistance under chapter two hundred thirty-nine (239) of the Code in that county.
6. The number of unemployed heads of households receiving assistance under chapter two hundred thirty-nine (239) in

that county as a percentage of all recipients of such assistance in that county.

Sec. 4. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred ten (110), section fourteen (14), is amended to read as follows:

SEC. 14. There is appropriated from the general fund of the state for the fiscal year period beginning July 1, 1975 and ending June 30, ~~1976~~ 1977 to the office for planning and programming the sum of eighty one hundred twenty thousand ~~(100,000)~~ (120,000) dollars, ~~or so much thereof as is necessary~~ to carry out the provisions of section fifteen (15) of this Act. Notwithstanding the provisions of section eight point thirty-three (8.33) of the Code, funds appropriated by this section shall be expended in their entirety and shall not revert to the general fund of the state.

Sec. 5. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred ten (110), section fifteen (15), subsections one (1) and two (2), are amended to read as follows:

1. The office for planning and programming shall distribute the sum appropriated under section fourteen (14) of this Act for the purpose of assisting lower income elderly persons to winterize their homes. For purposes of this section, "lower income" means persons ~~who meet the requirements for "lower income families" described in section eight (8), subsection f of the United States Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 (Public Law ninety-three dash three hundred eighty-three (93-383)), section two hundred one (201), subsection a~~ whose income, as defined in section four hundred twenty-five point seventeen (425.17), subsection one (1) of the Code, is less than nine thousand dollars.

2. ~~Such sum~~ Funds shall be allocated ~~at the rate of no more than five thousand (5,000) dollars for~~ equally between each of the office's sixteen planning regions and shall be

distributed to those political subdivisions or their agencies or other local organizations within each region which best demonstrate an ability to provide assistance in winterizing the homes of lower income elderly persons in that region. "Best demonstrating an ability to provide assistance" means the ability to deliver adequate assistance to the largest number of persons within each region. Not more than one hundred fifty dollars of state funds shall be used to winterize a living unit. Preference shall be given in the distribution of state funds to elderly homeowners.

Sec. 6. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred ten (110), section seventeen (17), is amended to read as follows:

SEC. 17. There is appropriated from the general fund of the state to the retired Iowan employment fund created in section seven (7) of this Act for the fiscal year period beginning July 1, 1975 and ending June 30, ~~1976~~ 1977, the sum of ~~one~~ two hundred thousand ~~(100,000)~~ (200,000) dollars, or so much thereof as is necessary, to be used according to the provisions of sections six (6) through ten (10) of this Act.

Sec. 7. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter ninety-four (94), is repealed.

Sec. 8. There is appropriated from the general fund of the state for the fiscal period commencing with the effective date of this Act and ending June 30, 1977 the following amounts, or so much thereof as is necessary, for the following agencies to be used in the manner designated:

1. To the employment security commission to provide alternative employment through public work projects pursuant to sections one (1) and three (3) of this Act and chapter two hundred forty-nine C (249C) of the Code \$ 260,000

2. To the state conservation commission \$ 400,000

a. One-half of the funds appropriated by this subsection may be allocated by the state conservation commission, upon application, to county conservation boards. In determining the allocations the commission shall consider the unemployment rate in the applicant's county and the improvement or maintenance proposed in the application.

b. The funds appropriated by this subsection shall be used to provide public employment programs maintaining and developing lands and waters owned by the state conservation commission and county conservation boards. Persons who are unemployed shall be eligible to participate in the public employment programs. Persons whose unemployment benefits have expired or who are ineligible for unemployment benefits and unemployed persons who are heads of households shall be given preference for participation in the public employment programs.

c. The participants shall be paid at the same rate as employees of the state conservation commission or county conservation board doing similar work. A participant shall not be deemed an employee of the state or of its subdivisions except for the purposes of workmen's compensation.

d. The director of the state conservation commission shall develop procedures and forms for applications by the county conservation boards, monitor the programs for compliance with the provisions of this Act, evaluate the effects of the programs, and provide the necessary staff support to carry out the provisions of this Act.

3. To the office for planning and programming, to establish up to five additional Iowa youth conservation corps camps for youth from both rural and urban counties \$ 85,000

Sec. 9. The employment security commission, the state conservation commission and the office for planning and programming shall each submit to the general assembly by March 1, 1978 a report evaluating the programs conducted by them with the funds appropriated by section five (5) of this Act.

Sec. 10. There is appropriated from the general fund of the state to the commission on the aging for the fiscal year commencing July 1, 1976 and ending June 30, 1977, the sum of one hundred thousand (100,000) dollars, or so much thereof as may be necessary, to be distributed to area agencies on aging for use in establishing not more than eight senior citizens centers. Area agencies shall submit requests for funds accompanied by a program plan to the commission. In allocating funds provided by this section, the commission shall give preference to those area agencies whose programs plans include provisions for offering elderly day care services and which indicate how the programs to be offered by the center will provide alternatives to the institutionalization of elderly persons. However, the inclusion of elderly day care services in the program plan shall not be a prerequisite for the receipt of funds. Funds shall be distributed equally among urban and rural areas served by agencies submitting acceptable program plans. The commission on the aging shall submit a report to the First Session of the Sixty-seventh General Assembly not later than thirty days after its convening which shall assess the effectiveness of the programs offered by the senior citizens centers which are receiving funds, including how the centers provide effective alternatives to the institutionalization of elderly persons. The report shall also recommend to the general assembly policy changes and additional programs designed to prevent the institutionalization of elderly persons.

Sec. 11. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Quad-City Times, a newspaper published

in Davenport, Iowa, and in The Altoona Herald, a newspaper published in Altoona, Iowa.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1589, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 26, 1976

ROBERT D. RAY
Governor