

Reprinted

JAN 31 1990

Place On Calendar

HOUSE FILE 2235
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 550)

Passed House, Date 2-5-90 (p. 305) Passed Senate, Date _____
Vote: Ayes 90 Nays 0 Vote: Ayes _____ Nays _____

Approved _____

Motion to reconsider (p. 304) passed 2/20
Repassed House 2/20/90 (p. 496)
96-1

A BILL FOR

1 An Act relating to community action agencies by providing for an
2 annual report and establishing membership requirements for
3 community action agency boards.

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

5
6
7
8
9

HF 2235

HOUSE FILE 2235

H-5090

- 1 Amend House File 2235 as follows:
- 2 1. Page 1, by inserting after line 24, the
- 3 following:
- 4 "d. The board membership shall be gender balanced
- 5 in accordance with section 69.16A."

By HAMMOND of Story

H-5090 FILED FEBRUARY 6, 1990

Adopted 2/20 (p. 496)

18
19
20
21
22

1 Section 1. Section 601K.92, subsection 4, Code 1989, is
2 amended to read as follows:

3 4. Issue an annual report to the governor and general
4 assembly on-January-15-of-each-year regarding the community
5 action programs conducted within the state.

6 Sec. 2. Section 601K.94, subsection 1, paragraphs a, b,
7 and c, Code 1989, are amended by striking the paragraphs and
8 inserting in lieu thereof the following:

9 a. One-third of the members of the board shall be elected
10 public officials currently holding office or their
11 representatives. However, if the number of elected officials
12 available and willing to serve is less than one-third of the
13 membership of the board, the membership of the board
14 consisting of appointive public officials may be counted as
15 fulfilling the requirement that one-third of the members of
16 the board be elected public officials.

17 b. At least one-third of the members of the board shall be
18 chosen in accordance with procedures established by the
19 community action agency to assure representation of the poor
20 in an area served by the agency.

21 c. The remainder of the members of the board shall be
22 members of business, industry, labor, religious, welfare,
23 education, or other major groups or interests in the
24 community.

25 Sec. 3. Section 601K.100, Code 1989, is repealed.

26 EXPLANATION

27 This bill provides for the filing of an annual report with
28 the governor and the general assembly regarding community
29 action programs conducted within the state by the
30 administrator of the division of community action agencies of
31 the department of human rights. The bill also sets out the
32 membership requirements for community action agency boards.
33 The bill repeals a Code section providing for the
34 administrator to file an annual report since that requirement
35 is already set forth in another Code section.

50907

State - Sect 2/22 Amend per 5430. Do Pass 3/12 (p 990)

HOUSE FILE 2235
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 550)

(As Amended and Passed by the House February 20, 1990)

RePassed House, Date 4/7/90 (p. 2286) Passed Senate, Date 4/7/90 (p. 1676)
Vote: Ayes 95 Nays 0 Vote: Ayes 43 Nays 0
Approved May 6, 1990 *Passed Senate 4/7/90 (p. 1713)*
49-0

A BILL FOR

1 An Act relating to community action agencies by providing for an
2 annual report and establishing membership requirements for
3 community action agency boards.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

House Amendments _____

1 Section 1. Section 601K.92, subsection 4, Code 1989, is
2 amended to read as follows:

3 4. Issue an annual report to the governor and general
4 assembly ~~on-January-15-of-each-year~~ regarding the community
5 action programs conducted within the state.

6 Sec. 2. Section 601K.94, subsection 1, paragraphs a, b,
7 and c, Code 1989, are amended by striking the paragraphs and
8 inserting in lieu thereof the following:

9 a. One-third of the members of the board shall be elected
10 public officials currently holding office or their
11 representatives. However, if the number of elected officials
12 available and willing to serve is less than one-third of the
13 membership of the board, the membership of the board
14 consisting of appointive public officials may be counted as
15 fulfilling the requirement that one-third of the members of
16 the board be elected public officials.

17 b. At least one-third of the members of the board shall be
18 chosen in accordance with procedures established by the
19 community action agency to assure representation of the poor
20 in an area served by the agency.

21 c. The remainder of the members of the board shall be
22 members of business, industry, labor, religious, welfare,
23 education, or other major groups or interests in the
24 community.

25 d. The board membership shall be gender balanced in
26 accordance with section 69.16A.

27 Sec. 3. Section 601K.100, Code 1989, is repealed.
28
29
30
31
32
33
34
35

HOUSE FILE 2235

S-5932

1 Amend House File 2235, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 601K.91, Code 1989, is amended
6 by adding the following new subsection 1, and
7 renumbering subsequent subsections:
8 NEW SUBSECTION. 1. "Commission" means the
9 commission on community action agencies."
10 2. Page 1, by striking lines 1 through 5, and
11 inserting the following:
12 "Sec. ____ . Section 601K.92, Code 1989, is amended
13 to read as follows:
14 601K.92 DIRECTOR DUTIES.
15 The administrator shall:
16 1. Administer the division.
17 2. Implement programs required in the division.
18 3. Adopt rules pursuant to chapter 17A to
19 administer the division.
20 4. Issue an annual report to the governor and
21 general assembly ~~on January 15 of each year~~ regarding
22 the community action programs conducted within the
23 state.
24 Sec. ____ . NEW SECTION. 601K.92A COMMISSION
25 ESTABLISHED.
26 1. The commission on community action agencies is
27 created, composed of nine members appointed by the
28 governor, subject to confirmation by the Senate. The
29 membership of the commission shall reflect the
30 composition of local community action agency boards as
31 follows:
32 a. One-third of the members shall be elected
33 officials.
34 b. One-third of the members shall be
35 representatives of business, industry, labor,
36 religious, welfare, and educational organizations, or
37 other major interest groups.
38 c. One-third of the members shall be persons who,
39 according to federal guidelines, have incomes at or
40 below poverty level.
41 2. Commission members shall serve three-year terms
42 which shall begin and end pursuant to section 69.19.
43 Vacancies on the commission shall be filled for the
44 remainder of the term of the original appointment.
45 Members whose terms expire may be reappointed.
46 Members of the commission shall receive actual
47 expenses for their services. Members may also be
48 eligible to receive compensation as provided in
49 section 7E.6. The membership of the commission shall
50 also comply with the political party affiliation and

S-5932

Page 2

1 gender balance requirements of sections 69.16 and
2 69.16A.

3 3. The commission shall select from its membership
4 a chairperson and other officers as it deems
5 necessary. A majority of the members of the
6 commission shall constitute a quorum.

7 Sec. ____ . NEW SECTION. 601K.92B DUTIES OF THE
8 COMMISSION.

9 The commission shall:

10 1. Meet at least quarterly to review the progress
11 of programs of the division.

12 2. Adopt rules pursuant to chapter 17A as it deems
13 necessary for the commission and division, including
14 rules concerning programs and policies for all bureaus
15 of the division.

16 3. Supervise the collection of data relative to
17 the scope of services provided by the community action
18 agencies.

19 4. Recommend legislation to the governor and the
20 general assembly designed to improve the status of
21 low-income persons in the state."

22 3. Page 1, by inserting after line 27 the
23 following:

24 "Sec. ____ . CONTINGENCY -- CREATION OF COMMISSION
25 ON COMMUNITY ACTION AGENCIES.

26 If the commission on community action agencies is
27 established, the provisions of 1990 Iowa Acts, House
28 File 2294, creating the affordable heating program
29 advisory council, shall not be implemented."

By BEVERLY A. HANNON
JULIA GENTLEMAN

S-5932 FILED APRIL 5, 1990

w/k 4/7 (p.1676)

HOUSE FILE 2235

S-5430

1 Amend House File 2235, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 25 and 26.

By COMMITTEE ON STATE GOVERNMENT
JOHN P. KIBBIE, Chairperson

S-5430 FILED MARCH 12, 1990

Adopted 4/7 (p.1676)

HOUSE FILE 2235

S-5962

1 Amend House File 2235, as amended, passed, and
2 reprinted by the House, as follows:

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

5 "Section 1. Section 601K.91, Code 1989, is amended
6 by adding the following new subsection 1, and
7 renumbering subsequent subsections:

8 NEW SUBSECTION. 1. "Commission" means the
9 commission on community action agencies."

10 2. Page 1, by striking lines 1 through 5, and
11 inserting the following:

12 "Sec. ____ . Section 601K.92, Code 1989, is amended
13 to read as follows:

14 601K.92 DIRECTOR ADMINISTRATOR DUTIES.

15 The administrator shall:

16 1. Administer the division.

17 2. Implement programs required in the division.

18 ~~3. Adopt rules pursuant to chapter 17A to~~

19 ~~administer the division.~~

20 4 3. Issue an annual report to the governor and
21 general assembly ~~on January 15 of each year~~ regarding
22 the community action programs conducted within the
23 state.

24 Sec. ____ . NEW SECTION. 601K.92A COMMISSION
25 ESTABLISHED.

26 1. The commission on community action agencies is
27 created, composed of nine members appointed by the
28 governor, subject to confirmation by the Senate. The
29 membership of the commission shall reflect the
30 composition of local community action agency boards as
31 follows:

32 a. One-third of the members shall be elected
33 officials.

34 b. One-third of the members shall be
35 representatives of business, industry, labor,
36 religious, welfare, and educational organizations, or
37 other major interest groups.

38 c. One-third of the members shall be persons who,
39 according to federal guidelines, have incomes at or
40 below poverty level.

41 2. Commission members shall serve three-year terms
42 which shall begin and end pursuant to section 69.19.

43 Vacancies on the commission shall be filled for the
44 remainder of the term of the original appointment.

45 Members whose terms expire may be reappointed.

46 Members of the commission shall receive actual
47 expenses for their services. Members may also be

48 eligible to receive compensation as provided in
49 section 7E.6. The membership of the commission shall

50 also comply with the political party affiliation and

S-5962

Page 2

1 gender balance requirements of sections 69.16 and
2 69.16A.

3 3. The commission shall select from its membership
4 a chairperson and other officers as it deems
5 necessary. A majority of the members of the
6 commission shall constitute a quorum.

7 Sec. ____ . NEW SECTION. 601K.92B DUTIES OF THE
8 COMMISSION.

9 The commission shall:

10 1. Meet at least quarterly to review the progress
11 of programs of the division.

12 2. Adopt rules pursuant to chapter 17A as it deems
13 necessary for the commission and division, including
14 rules concerning programs and policies for all bureaus
15 of the division.

16 3. Supervise the collection of data relative to
17 the scope of services provided by the community action
18 agencies.

19 4. Recommend legislation to the governor and the
20 general assembly designed to improve the status of
21 low-income persons in the state."

22 3. Page 1, by inserting after line 27 the
23 following:

24 "Sec. ____ . CONTINGENCY -- CREATION OF COMMISSION
25 ON COMMUNITY ACTION AGENCIES.

26 If the commission on community action agencies is
27 established, the provisions of 1990 Iowa Acts, House
28 File 2294, creating the affordable heating program
29 advisory council, shall not be implemented."

By BEVERLY A. HANNON
JULIA GENTLEMAN

S-5962 FILED APRIL 6, 1990

Adopted 4/7 (f. 1676)

SENATE AMENDMENT TO HOUSE FILE 2235

H-6178

1 Amend House File 2235, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 601K.91, Code 1989, is amended
6 by adding the following new subsection 1, and
7 renumbering subsequent subsections:
8 NEW SUBSECTION. 1. "Commission" means the
9 commission on community action agencies."
10 2. Page 1, by striking lines 1 through 5, and
11 inserting the following:
12 "Sec. ____ . Section 601K.92, Code 1989, is amended
13 to read as follows:
14 601K.92 ~~DIRECTOR~~ ADMINISTRATOR DUTIES.
15 The administrator shall:
16 1. Administer the division.
17 2. Implement programs required in the division.
18 ~~3. Adopt rules pursuant to chapter 17A to~~
19 ~~administer the division.~~
20 + 3. Issue an annual report to the governor and
21 general assembly on January 15 of each year regarding
22 the community action programs conducted within the
23 state.
24 Sec. ____ . NEW SECTION. 601K.92A COMMISSION
25 ESTABLISHED.
26 1. The commission on community action agencies is
27 created, composed of nine members appointed by the
28 governor, subject to confirmation by the Senate. The
29 membership of the commission shall reflect the
30 composition of local community action agency boards as
31 follows:
32 a. One-third of the members shall be elected
33 officials.
34 b. One-third of the members shall be
35 representatives of business, industry, labor,
36 religious, welfare, and educational organizations, or
37 other major interest groups.
38 c. One-third of the members shall be persons who,
39 according to federal guidelines, have incomes at or
40 below poverty level.
41 2. Commission members shall serve three-year terms
42 which shall begin and end pursuant to section 69.19.
43 Vacancies on the commission shall be filled for the
44 remainder of the term of the original appointment.
45 Members whose terms expire may be reappointed.
46 Members of the commission shall receive actual
47 expenses for their services. Members may also be
48 eligible to receive compensation as provided in
49 section 7E.6. The membership of the commission shall
50 also comply with the political party affiliation and

H-6178

Page 2

1 gender balance requirements of sections 69.16 and
2 69.16A.

3 3. The commission shall select from its membership
4 a chairperson and other officers as it deems
5 necessary. A majority of the members of the
6 commission shall constitute a quorum.

7 Sec. ____ . NEW SECTION. 601K.92B DUTIES OF THE
8 COMMISSION.

9 The commission shall:

10 1. Meet at least quarterly to review the progress
11 of programs of the division.

12 2. Adopt rules pursuant to chapter 17A as it deems
13 necessary for the commission and division, including
14 rules concerning programs and policies for all bureaus
15 of the division.

16 3. Supervise the collection of data relative to
17 the scope of services provided by the community action
18 agencies.

19 4. Recommend legislation to the governor and the
20 general assembly designed to improve the status of
21 low-income persons in the state."

22 3. Page 1, by striking lines 25 and 26.

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

25 "Sec. ____ . CONTINGENCY -- CREATION OF COMMISSION
26 ON COMMUNITY ACTION AGENCIES.

27 If the commission on community action agencies is
28 established, the provisions of 1990 Iowa Acts, House
29 File 2294, creating the affordable heating program
30 advisory council, shall not be implemented."

31 5. By renumbering, relettering, or redesignating
32 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-6178 FILED APRIL 7, 1990

CONCURRED AS AMENDED *by 6180 (p. 2286)*

HOUSE FILE 2235

H-6180

1 Amend the Senate amendment, H-6178, to House File
2 2235, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 2, by striking lines 25 through 30 and
5 inserting the following:

6 "Sec. ____ .

7 The provisions of 1990 Iowa Acts, House File 2294,
8 creating the affordable heating program advisory
9 council, are repealed July 1, 1992."

By BUHR of Polk
CARPENTER of Polk

H-6180 FILED APRIL 7, 1990

ADOPTED *(p. 2296)*

~~HOUSE AMENDMENT TO SENATE AMENDMENT TO~~
HOUSE FILE 2235

S-6021

1 Amend the Senate amendment, H-6178, to Senate File
2 2235, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 2, by striking lines 25 through 30 and
5 inserting the following:

6 "Sec. _____.

7 The provisions of 1990 Iowa Acts, House File 2294,
8 creating the affordable heating program advisory
9 council, are repealed July 1, 1992."

RECEIVED FROM THE HOUSE

S-6021 FILED APRIL 7, 1990
CONCURRED (p. 1713)

HSB 550

STATE GOVERNMENT

Now

HOUSE FILE 2735

BY (PROPOSED DEPARTMENT OF
HUMAN RIGHTS/COMMUNITY
ACTION AGENCIES DIVISION
BILL)

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

A BILL FOR

1 An Act relating to community action agencies by providing for an
2 annual report and establishing membership requirements for
3 community action agency boards.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

1 Section 1. Section 601K.92, subsection 4, Code 1989, is
2 amended to read as follows:

3 4. Issue an annual report to the governor and general
4 assembly ~~on January 15 of each year~~ regarding the community
5 action programs conducted within the state.

6 Sec. 2. Section 601K.94, subsection 1, paragraphs a, b,
7 and c, Code 1989, are amended by striking the paragraphs and
8 inserting in lieu thereof the following:

9 a. One-third of the members of the board shall be elected
10 public officials currently holding office or their
11 representatives. However, if the number of elected officials
12 available and willing to serve is less than one-third of the
13 membership of the board, the membership of the board
14 consisting of appointive public officials may be counted as
15 fulfilling the requirement that one-third of the members of
16 the board be elected public officials.

17 b. At least one-third of the members of the board shall be
18 chosen in accordance with procedures established by the
19 community action agency to assure representation of the poor
20 in an area served by the agency.

21 c. The remainder of the members of the board shall be
22 members of business, industry, labor, religious, welfare,
23 education, or other major groups or interests in the
24 community.

25 Sec. 3. Section 601K.100, Code 1989, is repealed.

26 EXPLANATION

27 This bill provides for the filing of an annual report with
28 the governor and the general assembly regarding community
29 action programs conducted within the state by the
30 administrator of the division of community action agencies of
31 the department of human rights. The bill also sets out the
32 membership requirements for community action agency boards.
33 The bill repeals a Code section providing for the
34 administrator to file an annual report since that requirement
35 is already set forth in another Code section.

1 BACKGROUND STATEMENT
2 SUBMITTED BY THE AGENCY

3 The proposed changes to section 601K.94 will bring the Code
4 of Iowa in line with the language of the federal regulations
5 regarding the composition of community action agency boards of
6 directors. While the changes are minimal, the proposed
7 language will give the community action agencies additional
8 options in selection of public officials.

9 The proposed language will also allow for community action
10 agencies to establish procedures to assure that the low-income
11 of the area are represented on the policymaking board.

12 The proposed language clarifies the reporting requirements
13 of the division of community action agencies, department of
14 human rights, eliminating a duplication of reporting
15 requirements.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2235

AN ACT

RELATING TO COMMUNITY ACTION AGENCIES BY PROVIDING FOR AN ANNUAL REPORT AND ESTABLISHING MEMBERSHIP REQUIREMENTS FOR COMMUNITY ACTION AGENCY BOARDS.

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

Section 1. Section 601K.91, Code 1989, is amended by adding the following new subsection 1, and renumbering subsequent subsections:

NEW SUBSECTION. 1. "Commission" means the commission on community action agencies.

Sec. 2. Section 601K.92, Code 1989, is amended to read as follows:

601K.92 DIRECTOR ADMINISTRATOR DUTIES.

The administrator shall:

1. Administer the division.
2. Implement programs required in the division.

~~3. Adopt rules pursuant to chapter 17A to administer the division.~~

4 3. Issue an annual report to the governor and general assembly ~~on January 15 of each year~~ regarding the community action programs conducted within the state.

Sec. 3. NEW SECTION. 601K.92A COMMISSION ESTABLISHED.

1. The commission on community action agencies is created, composed of nine members appointed by the governor, subject to confirmation by the Senate. The membership of the commission shall reflect the composition of local community action agency boards as follows:

- a. One-third of the members shall be elected officials.
- b. One-third of the members shall be representatives of business, industry, labor, religious, welfare, and educational organizations, or other major interest groups.
- c. One-third of the members shall be persons who, according to federal guidelines, have incomes at or below poverty level.

2. Commission members shall serve three-year terms which shall begin and end pursuant to section 69.19. Vacancies on the commission shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed. Members of the commission shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. The membership of the commission shall also comply with the political party affiliation and gender balance requirements of sections 69.16 and 69.16A.

3. The commission shall select from its membership a chairperson and other officers as it deems necessary. A majority of the members of the commission shall constitute a quorum.

Sec. 4. NEW SECTION. 601K.92B DUTIES OF THE COMMISSION.

The commission shall:

1. Meet at least quarterly to review the progress of programs of the division.

2. Adopt rules pursuant to chapter 17A as it deems necessary for the commission and division, including rules concerning programs and policies for all bureaus of the division.

3. Supervise the collection of data relative to the scope of services provided by the community action agencies.

4. Recommend legislation to the governor and the general assembly designed to improve the status of low-income persons in the state.

Sec. 5. Section 601K.94, subsection 1, paragraphs a, b, and c, Code 1989, are amended by striking the paragraphs and inserting in lieu thereof the following:

a. One-third of the members of the board shall be elected public officials currently holding office or their representatives. However, if the number of elected officials available and willing to serve is less than one-third of the membership of the board, the membership of the board consisting of appointive public officials may be counted as fulfilling the requirement that one-third of the members of the board be elected public officials.

b. At least one-third of the members of the board shall be chosen in accordance with procedures established by the community action agency to assure representation of the poor in an area served by the agency.

c. The remainder of the members of the board shall be members of business, industry, labor, religious, welfare, education, or other major groups or interests in the community.

Sec. 6. Section 601K.100, Code 1989, is repealed.

Sec. 7.

The provisions of 1990 Iowa Acts, House File 2294, creating the affordable heating program advisory council, are repealed July 1, 1992.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2235, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 6, 1990

TERRY E. BRANSTAD
Governor