

3/29/93 Senate - Number Rep.  
4/7/93 Senate - Do Pass

HOUSE FILE 538

BY COMMITTEE ON HUMAN RESOURCES

MAR 16 1993

Place On Calendar

(SUCCESSOR TO HSB 201)

Passed House, <sup>(p.819)</sup> Date 3/25/93 Passed Senate, Date 3/4/93  
Vote: Ayes 93 Nays 4 Vote: Ayes 49 Nays 0  
Approved April 27, 1993

A BILL FOR

1 An Act repealing provisions relating to and abolishing the county  
2 boards of social welfare and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 538

1 Section 1. Section 217.30, subsection 4, paragraph c, Code  
2 1993, is amended to read as follows:

3 c. The department shall prepare and file in its office on  
4 or before the thirtieth day of each January, April, July, and  
5 October a report showing the names and last known addresses of  
6 all recipients of assistance under sections 249.2 to 249.4 or  
7 and chapters 239 or 249A, together with the amount paid to or  
8 for each recipient during the preceding calendar quarter. The  
9 report shall contain a separate section for each county,  
10 including all such recipients whose last known addresses are  
11 in the county. The department shall prepare and file in the  
12 office of each county board of ~~social-welfare~~ supervisors a  
13 copy of the county section of each report for that county, on  
14 or before the same day specified in this paragraph. Each  
15 report shall be securely fixed in a record book to be used  
16 only for such reports. Each record book shall be a public  
17 record, open to public inspection at all times during the  
18 regular office hours of the office where filed. Each person  
19 who examines the record shall first sign a written agreement  
20 that the signer will not use any information obtained from the  
21 record for commercial or political purposes.

22 Sec. 2. Section 217.43, Code 1993, is amended by adding  
23 the following new subsection:

24 NEW SUBSECTION. 4. The county cluster board shall act in  
25 an advisory capacity on programs within the jurisdiction of  
26 the department. The board shall review policies and  
27 procedures of the local departments of human services and make  
28 recommendations for changes to ensure that effective services  
29 are provided in the respective communities. The board may  
30 also make recommendations for new programs which it is  
31 believed could meet needs in the community. The board shall  
32 not duplicate the efforts of other county planning entities  
33 required by the state by performing reviews and developing  
34 recommendations concerning services to persons with mental  
35 illness, mental retardation, developmental disabilities, and

1 brain injury. The department shall establish a procedure to  
 2 ensure that county cluster board recommendations receive  
 3 appropriate review at the level of policy determination. In  
 4 addition, a county cluster board shall perform emergency  
 5 relief functions in accordance with section 251.5.

6 Sec. 3. Section 234.1, subsection 3, Code 1993, is amended  
 7 by striking the subsection.

8 Sec. 4. Section 237A.1, subsection 6, Code 1993, is  
 9 amended by striking the subsection.

10 Sec. 5. Section 249A.2, subsection 2, Code 1993, is  
 11 amended by striking the subsection.

12 Sec. 6. Section 251.3, subsection 1, Code 1993, is amended  
 13 to read as follows:

14 1. Appoint such personnel as may be necessary for the  
 15 efficient discharge of the duties imposed upon ~~it~~ the  
 16 administrator in the administration of emergency relief, and  
 17 to make such rules and regulations as ~~it~~ the administrator  
 18 deems necessary or advisable covering ~~its~~ the administrator's  
 19 activities and those of the county cluster boards created  
 20 under section 217.43, concerning emergency relief.

21 Sec. 7. Section 251.5, Code 1993, is amended to read as  
 22 follows:

23 251.5 DUTIES OF THE COUNTY CLUSTER BOARD OF-SOCIAL  
 24 WELFARE.

25 ~~The~~ A county cluster board of-social-welfare created in  
 26 section 217.43 shall perform the following activities for any  
 27 county in the board's county cluster concerning emergency  
 28 relief:

29 1. ~~Co-operate~~ Cooperate with ~~the-county~~ a county's board  
 30 of supervisors in all matters pertaining to administration of  
 31 relief.

32 2. At the request of ~~the-county~~ a county's board of  
 33 supervisors, prepare requests for grants of state funds.

34 3. At the request of ~~the-county~~ a county's board of  
 35 supervisors, administer county relief funds.

1 4. In ~~counties~~ a county receiving grants of state funds  
2 upon approval of the director of revenue and finance and the  
3 county's board of supervisors, administer both state and  
4 county relief funds.

5 5. Perform ~~such~~ other duties as may be prescribed by the  
6 administrator and ~~the-county~~ a county's board of supervisors.

7 Sec. 8. Section 251.7, Code 1993, is amended to read as  
8 follows:

9 251.7 COUNTY ~~DIRECTORS~~ APPOINTEES TO ACT AS EXECUTIVE  
10 OFFICERS.

11 The county ~~director-of-social-welfare-is~~ board of  
12 supervisors may appoint an individual to serve as the  
13 executive officer of the county cluster board ~~of-social~~  
14 ~~welfare~~ in all matters pertaining to relief for that county.

15 Sec. 9. Section 252.6, Code 1993, is amended to read as  
16 follows:

17 252.6 ENFORCEMENT OF LIABILITY.

18 Upon the failure of such relatives to assist or maintain a  
19 poor person who has made application for assistance, the  
20 county board of supervisors, county ~~social-welfare~~ cluster  
21 board created under section 217.43, or state division of child  
22 and family services of the department of human services may  
23 apply to the district court of the county where the poor  
24 person resides or may be found, for an order to compel the  
25 assistance or maintenance.

26 Sec. 10. Section 331.321, subsection 1, paragraph g, Code  
27 1993, is amended to read as follows:

28 g. The members of the county cluster board ~~of-social~~  
29 ~~welfare~~ in accordance with section ~~234-9~~ 217.43.

30 Sec. 11. Section 598.16, unnumbered paragraph 1, Code  
31 1993, is amended to read as follows:

32 A majority of the judges in any judicial district, with the  
33 co-operation cooperation of any county board of ~~social-welfare~~  
34 supervisors in such the district, may establish a domestic  
35 relations division of the district court of the county where

1 such the board is located. ~~Said~~ The division shall offer  
2 counseling and related services to persons before such the  
3 court.

4 Sec. 12. Sections 234.9, 234.10, 234.11, 237A.13, 237A.14,  
5 237A.15, 237A.16, 237A.17, and 237A.18, Code 1993, are  
6 repealed.

7 Sec. 13. EFFECTIVE DATE. This Act, being deemed of  
8 immediate importance, takes effect upon enactment.

9 EXPLANATION

10 This bill repeals provisions relating to and abolishes the  
11 county boards of social welfare and assigns various duties  
12 performed by county boards of social welfare to county cluster  
13 boards.

14 County cluster boards were created in 1992 as part of the  
15 department of human services' field services restructuring.  
16 The members of the county cluster boards are appointed by the  
17 county boards of supervisors of the counties which comprise a  
18 county cluster. Under current law, a cluster board performs  
19 various communication functions between the department of  
20 human services and counties.

21 Planning and policy recommendation functions delineated for  
22 the county boards of social welfare in chapter 234 are  
23 repealed and these functions are made a part of the county  
24 cluster board responsibilities. Other responsibilities  
25 relating to emergency relief, support of the poor,  
26 distribution of child day care facility assistance, and  
27 establishment of domestic relations divisions in the district  
28 court are repealed or made a responsibility of the county  
29 cluster boards or the county boards of supervisors.

30 The bill takes effect upon enactment.

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HOUSE FILE 538  
FISCAL NOTE

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A fiscal note for House File 538 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.

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House File 538 abolishes the County Boards of Social Welfare and assigns various duties performed by these Boards to County Cluster Boards. The County Cluster Boards are appointed by the County Boards of Supervisors.

Fiscal Impact:

This Bill is not expected to have a significant fiscal effect.

Sources: Department of Human Services  
Iowa State Association of Counties

(LSB 1975hv, JMN)

FILED APRIL 14, 1993

BY DENNIS PROUTY, FISCAL DIRECTOR

Meyer, Ch.  
Houser  
Burke

HSB 201

HUMAN RESOURCES

HOUSE FILE 538

BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON PLASIER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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6 Sec. 5. Section 249A.1, subsection 2, Code 1993, is  
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HOUSE FILE 538

AN ACT

REPEALING PROVISIONS RELATING TO AND ABOLISHING THE COUNTY  
BOARDS OF SOCIAL WELFARE AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 217.30, subsection 4, paragraph c, Code 1993, is amended to read as follows:

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4. In counties a county receiving grants of state funds upon approval of the director of revenue and finance and the county's board of supervisors, administer both state and county relief funds.

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Sec. 13. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

-----  
HAROLD VAN MAANEN  
Speaker of the House

-----  
LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 538, Seventy-fifth General Assembly.

-----  
ELIZABETH ISAACSON  
Chief Clerk of the House

Approved April 27, 1993

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TERRY E. BRANSTAD  
Governor