

FEB 20 1996

Place On Calendar

HOUSE FILE **2256**
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 620)

Passed House, Date 2/29/96 (p.491) Passed Senate, Date 4/2/96 (p.1176)
Vote: Ayes 95 Nays 0 Vote: Ayes 48 Nays 1
Approved April 16, 1996

A BILL FOR

1 An Act providing requirements for implementation of new or
2 revised federal block grant provisions which affect local
3 governments and providing an effective date and applicability
4 provision.

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

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HOUSE FILE 2256

H-5119

1 Amend House File 2256 as follows:
2 1. Page 1, line 28, by inserting after the word
3 "services," the following: "education,"

By VANDE HOEF of Osceola

H-5119 FILED FEBRUARY 26, 1996

Adopted 2/29/96 (p.490)

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2256

1 Section 1. NEW SECTION. 25B.7 FEDERAL BLOCK GRANTS.

2 It is the intent of the general assembly to enact new or
3 revised state statutes relating to federal block grant
4 provisions in the manner described in this section. Unless
5 otherwise provided by state law or federal law or regulation,
6 a state agency or department shall comply with all of the
7 following requirements in implementing a new or revised
8 federal block grant provision which affects a political
9 subdivision:

10 1. Utilize as primary goals the attaining of savings for
11 taxpayers and the avoidance of shifting costs from federal to
12 state and local government.

13 2. Planning activities shall be held jointly with
14 officials of the affected political subdivision and with
15 members of the public who may be affected. A proposed plan
16 shall address proposed expenditures and accountability
17 measures for the use of the expenditures. A proposed plan
18 shall be published in advance of adoption so as to provide
19 opportunity for public review and comment.

20 3. If a political subdivision has an existing service
21 delivery system capable of delivering a service pursuant to a
22 federal block grant, the political subdivision shall
23 administer funding under the federal block grant to utilize
24 that service system to the extent possible. The requirements
25 of this subsection shall apply to any service delivered
26 pursuant to a federal block grant, including but not limited
27 to any of the following federal block grant areas: health,
28 human services, employment, community and economic
29 development, and criminal justice.

30 4. If a service delivered pursuant to a federal block
31 grant and implemented by a political subdivision was
32 previously implemented by the political subdivision under a
33 categorical grant, the state shall allow the political
34 subdivision adequate transition time to accommodate related
35 changes in federal and state policy. Transition activities

1 may include but are not limited to revision of the political
2 subdivision's laws, budgets, and administrative procedures.

3 5. The political subdivision shall be allowed flexibility
4 to implement a service in a manner so as to address
5 identifiable needs within the context of meeting broad
6 national objectives.

7 6. State administrative costs associated with a service
8 implemented by a political subdivision shall be limited to an
9 amount which is reasonable and justifiable for the
10 administrative activities provided.

11 7. A federal mandate eliminated or waived for the state
12 shall be eliminated or waived for political subdivisions.

13 8. This section shall not be construed to permit the use
14 of federal block grant funds to supplant existing funding
15 efforts by the state.

16 Sec. 2. EFFECTIVE DATE -- APPLICABILITY. This Act, being
17 deemed of immediate importance, takes effect upon enactment
18 and applies to new or revised federal block grant provisions
19 which take effect on or after the effective date of this Act.

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EXPLANATION

21 This bill amends chapter 25B, relating to state mandates.
22 The new section states legislative intent and provides
23 requirements for implementation of new or revised federal
24 block grant provisions which affect political subdivisions.
25 As defined in chapter 25B, the term political subdivision
26 means a city, county, township, or school district.

27 The bill provides for policy goals, joint planning between
28 the state and the local government, implementation through
29 existing local government service delivery systems, allowing
30 reasonable transition time, allowing local flexibility,
31 limiting state administrative costs, and requiring waiver or
32 elimination of those mandates on local governments which the
33 federal government waived or eliminated for the state.

34 The bill also states the provision is not to be construed
35 as to permit the use of federal block grant funds to

1 supplement existing state funding efforts.

2 The bill takes effect upon enactment and applies to federal
3 changes taking effect on or after that date.

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Substituted for S.F. 2356

HOUSE FILE 2256
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 620)

(As Amended and Passed by the House, February 29, 1996)

Re-Passed House, Date 4/8/96 (p. 1417) Passed Senate, Date 4/2/96 (p. 1176)
Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 1
Approved April 16, 1996

A BILL FOR

1 An Act providing requirements for implementation of new or
2 revised federal block grant provisions which affect local
3 governments and providing an effective date and applicability
4 provision.

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

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House Amendments _____

1 Section 1. NEW SECTION. 25B.7 FEDERAL BLOCK GRANTS.

2 It is the intent of the general assembly to enact new or
3 revised state statutes relating to federal block grant
4 provisions in the manner described in this section. Unless
5 otherwise provided by state law or federal law or regulation,
6 a state agency or department shall comply with all of the
7 following requirements in implementing a new or revised
8 federal block grant provision which affects a political
9 subdivision:

10 1. Utilize as primary goals the attaining of savings for
11 taxpayers and the avoidance of shifting costs from federal to
12 state and local government.

13 2. Planning activities shall be held jointly with
14 officials of the affected political subdivision and with
15 members of the public who may be affected. A proposed plan
16 shall address proposed expenditures and accountability
17 measures for the use of the expenditures. A proposed plan
18 shall be published in advance of adoption so as to provide
19 opportunity for public review and comment.

20 3. If a political subdivision has an existing service
21 delivery system capable of delivering a service pursuant to a
22 federal block grant, the political subdivision shall
23 administer funding under the federal block grant to utilize
24 that service system to the extent possible. The requirements
25 of this subsection shall apply to any service delivered
26 pursuant to a federal block grant, including but not limited
27 to any of the following federal block grant areas: health,
28 human services, education, employment, community and economic
29 development, and criminal justice.

30 4. If a service delivered pursuant to a federal block
31 grant and implemented by a political subdivision was
32 previously implemented by the political subdivision under a
33 categorical grant, the state shall allow the political
34 subdivision adequate transition time to accommodate related
35 changes in federal and state policy. Transition activities

1 may include but are not limited to revision of the political
2 subdivision's laws, budgets, and administrative procedures.

3 5. The political subdivision shall be allowed flexibility
4 to implement a service in a manner so as to address
5 identifiable needs within the context of meeting broad
6 national objectives.

7 6. State administrative costs associated with a service
8 implemented by a political subdivision shall be limited to an
9 amount which is reasonable and justifiable for the
10 administrative activities provided.

11 7. A federal mandate eliminated or waived for the state
12 shall be eliminated or waived for political subdivisions.

13 8. This section shall not be construed to permit the use
14 of federal block grant funds to supplant existing funding
15 efforts by the state.

16 Sec. 2. EFFECTIVE DATE -- APPLICABILITY. This Act, being
17 deemed of immediate importance, takes effect upon enactment
18 and applies to new or revised federal block grant provisions
19 which take effect on or after the effective date of this Act.

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HOUSE FILE 2256

S-5553

1 Amend House File 2256, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Sec. ____ . Section 8.41, Code 1995, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 3. a. If, in any federal fiscal
8 year, the federal government provides for a block
9 grant which requires a new or revised program than was
10 required in the prior fiscal year, each state agency
11 required to administer the block grant program shall
12 develop a block grant plan detailing program changes.

13 b. To the extent allowed by federal law, the block
14 grant plan shall be developed in accordance with the
15 following:

16 (1) The primary goal of the plan shall be to
17 attain savings for taxpayers and to avoid shifting
18 costs from the federal government to state and local
19 governments.

20 (2) State agency planning meetings shall be held
21 jointly with officials of the affected political
22 subdivision and affected members of the public.

23 (3) The plan shall address proposed expenditures
24 and accountability measures and shall be published so
25 as to provide reasonable opportunity for public review
26 and comment.

27 (4) (a) Preference shall be given to any existing
28 service delivery system capable of delivering the
29 required service. If an existing service delivery
30 system is not used, the plan shall identify those
31 existing delivery systems which were considered and
32 the reasons those systems were rejected. This
33 subparagraph subdivision applies to any service
34 delivered pursuant to a federal block grant,
35 including, but not limited to any of the following
36 block grant areas: health, human services, education,
37 employment, community and economic development, and
38 criminal justice.

39 (b) If a service delivered pursuant to a federal
40 block grant and implemented by a political subdivision
41 was previously provided for by a categorical grant,
42 the state agency shall allow the political subdivision
43 adequate transition time to accommodate related
44 changes in federal and state policy. Transition
45 activities may include, but are not limited to,
46 revision of the political subdivision's laws, budgets,
47 and administrative procedures.

48 (c) The state agency shall allow the political
49 subdivision the flexibility to implement a service in
50 a manner so as to address identifiable needs within

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Page 2

1 the context of meeting broad national objectives.
2 (5) State administrative costs shall not exceed
3 the limits allowed for under the federal law enacting
4 the block grant.
5 (6) A federal mandate that is eliminated or waived
6 for the state shall be eliminated or waived for a
7 political subdivision.
8 (7) Federal block grants shall not be used to
9 supplant existing funding efforts by the state.
10 c. The state agency shall send copies of the
11 proposed block grant plan to the legislative fiscal
12 committee and to the appropriate appropriations
13 subcommittee chairpersons and ranking members of the
14 general assembly. The plan and any program changes
15 contained within the plan shall be adopted as rules in
16 accordance with chapter 17A.
17 Sec. 2. EFFECTIVE DATE -- APPLICABILITY. This
18 Act, being deemed of immediate importance, takes
19 effect upon enactment and applies to new or revised
20 federal block grant provisions which take effect on or
21 after the effective date of this Act."

By PATTY JUDGE

S-5553 FILED MARCH 27, 1996

Adapted 4/2/96 (p. 1176)

HOUSE FILE 2256

S-5581

1 Amend the amendment, S-5553, to House File 2256, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 2, line 9, by inserting after the word
5 "state" the following: "or a political subdivision of
6 the state".

By PATTY JUDGE

S-5581 FILED MARCH 27, 1996

w/d 4/2/96 (p. 1176)

SENATE AMENDMENT TO HOUSE FILE 2256

H-5812

1 Amend House File 2256, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Sec. ____ . Section 8.41, Code 1995, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 3. a. If, in any federal fiscal
8 year, the federal government provides for a block
9 grant which requires a new or revised program than was
10 required in the prior fiscal year, each state agency
11 required to administer the block grant program shall
12 develop a block grant plan detailing program changes.

13 b. To the extent allowed by federal law, the block
14 grant plan shall be developed in accordance with the
15 following:

16 (1) The primary goal of the plan shall be to
17 attain savings for taxpayers and to avoid shifting
18 costs from the federal government to state and local
19 governments.

20 (2) State agency planning meetings shall be held
21 jointly with officials of the affected political
22 subdivision and affected members of the public.

23 (3) The plan shall address proposed expenditures
24 and accountability measures and shall be published so
25 as to provide reasonable opportunity for public review
26 and comment.

27 (4) (a) Preference shall be given to any existing
28 service delivery system capable of delivering the
29 required service. If an existing service delivery
30 system is not used, the plan shall identify those
31 existing delivery systems which were considered and
32 the reasons those systems were rejected. This
33 subparagraph subdivision applies to any service
34 delivered pursuant to a federal block grant,
35 including, but not limited to any of the following
36 block grant areas: health, human services, education,
37 employment, community and economic development, and
38 criminal justice.

39 (b) If a service delivered pursuant to a federal
40 block grant and implemented by a political subdivision
41 was previously provided for by a categorical grant,
42 the state agency shall allow the political subdivision
43 adequate transition time to accommodate related
44 changes in federal and state policy. Transition
45 activities may include, but are not limited to,
46 revision of the political subdivision's laws, budgets,
47 and administrative procedures.

48 (c) The state agency shall allow the political
49 subdivision the flexibility to implement a service in
50 a manner so as to address identifiable needs within

H-5812

H-5812

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1 the context of meeting broad national objectives.

2 (5) State administrative costs shall not exceed
3 the limits allowed for under the federal law enacting
4 the block grant.

5 (6) A federal mandate that is eliminated or waived
6 for the state shall be eliminated or waived for a
7 political subdivision.

8 (7) Federal block grants shall not be used to
9 supplant existing funding efforts by the state.

10 c. The state agency shall send copies of the
11 proposed block grant plan to the legislative fiscal
12 committee and to the appropriate appropriations
13 subcommittee chairpersons and ranking members of the
14 general assembly. The plan and any program changes
15 contained within the plan shall be adopted as rules in
16 accordance with chapter 17A.

17 Sec. 2. EFFECTIVE DATE -- APPLICABILITY. This
18 Act, being deemed of immediate importance, takes
19 effect upon enactment and applies to new or revised
20 federal block grant provisions which take effect on or
21 after the effective date of this Act."

RECEIVED FROM THE SENATE

H-5812 FILED APRIL 2, 1996

House concurred 4/8/96 (p. 1417)

*VandeHoef chr
Carrick
Meyer*

HSB 620

LOCAL GOVERNMENT

HOUSE FILE _____ § _____ 256
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON VANDE HOEF)

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

A BILL FOR

1 An Act providing requirements for implementation of new or
2 revised federal block grant provisions which affect local
3 governments and providing an effective date and applicability
4 provision.

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1 Section 1. NEW SECTION. 25B.7 FEDERAL BLOCK GRANTS.

2 It is the intent of the general assembly to enact new or
3 revised state statutes relating to federal block grant
4 provisions in the manner described in this section. Unless
5 otherwise provided by state law or federal law or regulation,
6 a state agency or department shall comply with all of the
7 following requirements in implementing a new or revised
8 federal block grant provision which affects a political
9 subdivision:

10 1. Utilize as primary goals the attaining of savings for
11 taxpayers and the avoidance of shifting costs from federal to
12 state and local government.

13 2. Planning activities shall be held jointly with
14 officials of the affected political subdivision and with
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21 delivery system capable of delivering a service pursuant to a
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23 administer funding under the federal block grant to utilize
24 that service system to the extent possible. The requirements
25 of this subsection shall apply to any service delivered
26 pursuant to a federal block grant, including but not limited
27 to any of the following federal block grant areas: health,
28 human services, employment, community and economic
29 development, and criminal justice.

30 4. If a service delivered pursuant to a federal block
31 grant and implemented by a political subdivision was
32 previously implemented by the political subdivision under a
33 categorical grant, the state shall allow the political
34 subdivision adequate transition time to accommodate related
35 changes in federal and state policy. Transition activities

1 may include but are not limited to revision of the political
2 subdivision's laws, budgets, and administrative procedures.

3 5. The political subdivision shall be allowed flexibility
4 to implement a service in a manner so as to address
5 identifiable needs within the context of meeting broad
6 national objectives.

7 6. State administrative costs associated with a service
8 implemented by a political subdivision shall be limited to an
9 amount which is reasonable and justifiable for the
10 administrative activities provided.

11 7. A federal mandate eliminated or waived for the state
12 shall be eliminated or waived for political subdivisions.

13 Sec. 2. EFFECTIVE DATE -- APPLICABILITY. This Act, being
14 deemed of immediate importance, takes effect upon enactment
15 and applies to new or revised federal block grant provisions
16 which take effect on or after the effective date of this Act.

17 EXPLANATION

18 This bill amends chapter 25B, relating to state mandates.
19 The new section states legislative intent and provides
20 requirements for implementation of new or revised federal
21 block grant provisions which affect political subdivisions.
22 As defined in chapter 25B, the term political subdivision
23 means a city, county, township, or school district.

24 The bill provides for policy goals, joint planning between
25 the state and the local government, implementation through
26 existing local government service delivery systems, allowing
27 reasonable transition time, allowing local flexibility,
28 limiting state administrative costs, and requiring waiver or
29 elimination of those mandates on local governments which the
30 federal government waived or eliminated for the state.

31 The bill takes effect upon enactment and applies to federal
32 changes taking effect on or after that date.

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HOUSE FILE 2256

AN ACT
PROVIDING REQUIREMENTS FOR IMPLEMENTATION OF NEW OR REVISED
FEDERAL BLOCK GRANT PROVISIONS WHICH AFFECT LOCAL GOVERNMENTS
AND PROVIDING AN EFFECTIVE DATE AND APPLICABILITY PROVISION.

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

Section 1. Section 8.41, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 3. a. If, in any federal fiscal year, the federal government provides for a block grant which requires a new or revised program than was required in the prior fiscal year, each state agency required to administer the block grant program shall develop a block grant plan detailing program changes.

b. To the extent allowed by federal law, the block grant plan shall be developed in accordance with the following:

(1) The primary goal of the plan shall be to attain savings for taxpayers and to avoid shifting costs from the federal government to state and local governments.

(2) State agency planning meetings shall be held jointly with officials of the affected political subdivision and affected members of the public.

(3) The plan shall address proposed expenditures and accountability measures and shall be published so as to provide reasonable opportunity for public review and comment.

(4) (a) Preference shall be given to any existing service delivery system capable of delivering the required service. If an existing service delivery system is not used, the plan shall identify those existing delivery systems which were considered and the reasons those systems were rejected. This subparagraph subdivision applies to any service delivered pursuant to a federal block grant, including, but not limited to any of the following block grant areas: health, human services, education, employment, community and economic development, and criminal justice.

(b) If a service delivered pursuant to a federal block grant and implemented by a political subdivision was previously provided for by a categorical grant, the state agency shall allow the political subdivision adequate transition time to accommodate related changes in federal and state policy. Transition activities may include, but are not limited to, revision of the political subdivision's laws, budgets, and administrative procedures.

(c) The state agency shall allow the political subdivision the flexibility to implement a service in a manner so as to address identifiable needs within the context of meeting broad national objectives.

(5) State administrative costs shall not exceed the limits allowed for under the federal law enacting the block grant.

(6) A federal mandate that is eliminated or waived for the state shall be eliminated or waived for a political subdivision.

(7) Federal block grants shall not be used to supplant existing funding efforts by the state.

c. The state agency shall send copies of the proposed block grant plan to the legislative fiscal committee and to the appropriate appropriations subcommittee chairpersons and ranking members of the general assembly. The plan and any program changes contained within the plan shall be adopted as rules in accordance with chapter 17A.

Sec. 2. EFFECTIVE DATE -- APPLICABILITY. This Act, being deemed of immediate importance, takes effect upon enactment and applies to new or revised federal block grant provisions which take effect on or after the effective date of this Act.

RON J. CORBETT
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 2256, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 16, 1996

TERRY E. BRANSTAD
Governor