

4/10/95 Referred Back: State Govt.

FILED MAR 20 1995

SENATE FILE 426
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 231)

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

A BILL FOR

1 An Act creating a commission of Asian-Pacific persons within the
2 department of human rights.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

S.F. 426

1 Section 1. Sections 2 through 10 of this Act shall be
2 enacted as subchapter 8 of chapter 216A.

3 Sec. 2. NEW SECTION. 216A.121 DEFINITIONS.

4 For purposes of this subchapter, unless the context
5 otherwise requires:

6 1. "Administrator" means the administrator of the division
7 of Asian-Pacific persons of the department of human rights.

8 2. "Asian-Pacific person" means a person from any of the
9 countries of Asia or the Pacific islands.

10 3. "Commission" means the commission of Asian-Pacific
11 persons.

12 4. "Division" means the division of Asian-Pacific persons
13 of the department of human rights.

14 Sec. 3. NEW SECTION. 216A.122 ESTABLISHMENT.

15 A commission of Asian-Pacific persons is established
16 consisting of nine members appointed by the governor, and
17 confirmed by the senate, pursuant to chapter 69, to four-year
18 staggered terms. Vacancies in the membership shall be filled
19 for the unexpired term in the same manner as the original
20 appointment. The members of the commission shall select one
21 of the members to serve as chairperson of the commission.

22 Sec. 4. NEW SECTION. 216A.123 MEETINGS OF THE
23 COMMISSION.

24 The commission shall meet at least four times each year,
25 and shall hold special meetings on the call of the
26 chairperson. The commission shall adopt rules pursuant to
27 chapter 17A as it deems necessary for the commission and
28 division. The members of the commission shall be reimbursed
29 for actual expenses while engaged in their official duties. A
30 member may also be eligible to receive compensation as
31 provided in section 7E.6.

32 Sec. 5. NEW SECTION. 216A.124 DUTIES.

33 The commission shall do all of the following:

34 1. Advise the governor and the general assembly on issues
35 confronting Asian-Pacific persons in this state, including the

- 1 unique problems of non-English-speaking immigrants and
2 refugees.
- 3 2. Advise the governor and the general assembly of
4 administrative and legislative changes necessary to ensure
5 Asian-Pacific persons access to benefits and services provided
6 to people in this state.
- 7 3. Recommend to the governor and the general assembly any
8 revisions in the state's affirmative action program and other
9 steps necessary to eliminate underutilization of Asian-Pacific
10 persons in the state's work force.
- 11 4. Recommend to the governor and the general assembly
12 legislation intended to improve the economic and social
13 condition of Asian-Pacific persons in this state.
- 14 5. Serve as a conduit to state government for
15 organizations of Asian-Pacific persons in this state.
- 16 6. Serve as a referral agency to assist Asian-Pacific
17 persons in securing access to state agencies and programs.
- 18 7. Serve as a liaison with the federal government, local
19 government units, and private organizations on matters
20 relating to the Asian-Pacific persons of this state.
- 21 8. Perform or contract for the performance of studies
22 designed to suggest solutions to the problems of Asian-Pacific
23 persons in the areas of education, employment, human rights,
24 health, housing, social welfare, and other related areas.
- 25 9. Implement programs designed to solve the problems of
26 Asian-Pacific persons when authorized by law.
- 27 10. Publicize the accomplishments of Asian-Pacific persons
28 and their contributions to this state.
- 29 11. Work with other state and federal agencies and
30 organizations to develop small business opportunities and
31 promote economic development for Asian-Pacific persons.
- 32 12. Supervise development of an Asian-Pacific trade
33 primer, outlining Asian and Pacific customs, cultural
34 traditions, and business practices, including language usage
35 for use by Iowa's export community.

1 13. Cooperate with other state and federal agencies and
2 organizations to develop improved state trade relations with
3 Asian and Pacific countries.

4 Sec. 6. NEW SECTION. 216A.125 REVIEW OF GRANT
5 APPLICATIONS AND BUDGET REQUESTS.

6 State departments and agencies shall consult with the
7 commission concerning any applications for federal funding
8 that will have its primary effect on Asian-Pacific persons in
9 Iowa before development of the application. The commission
10 shall advise the governor and the director of revenue and
11 finance concerning any state agency request that will have its
12 primary effect on Asian-Pacific persons in Iowa.

13 Sec. 7. NEW SECTION. 216A.126 ADDITIONAL AUTHORITY.

14 The commission may:

15 1. Enter into contracts, within the limit of funds made
16 available, with individuals, organizations, and institutions
17 for services.

18 2. Accept grants of money or property from the federal
19 government or any other source, and may upon its own order use
20 this money, property, or other resources to accomplish the
21 duties of the commission.

22 Sec. 8. NEW SECTION. 216A.127 EMPLOYEES AND
23 RESPONSIBILITY.

24 The commission shall employ other necessary employees.
25 Pursuant to section 216A.2, the commission shall have
26 responsibility for budgetary and personnel decisions for the
27 commission and division. The administrator shall carry out
28 programs and policies as determined by the commission.

29 Sec. 9. NEW SECTION. 216A.128 STATE AGENCY ASSISTANCE.

30 On the request of the commission, state departments and
31 agencies shall supply the commission with advisory staff
32 services on matters relating to the jurisdiction of the
33 commission. The commission shall cooperate and coordinate its
34 activities with other state agencies to the highest possible
35 degree.

**SENATE FILE 426
FISCAL NOTE**

A fiscal note for **Senate File 426** 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 426 creates a Division of Asian-Pacific Persons within the Department of Human Rights, establishes the Commission of Asian-Pacific Persons, and specifies the duties of the Commission.

Assumptions:

1. The Division would include a Division Administrator and two new program staff positions including an administrative assistant and clerical support. The Department of Human Rights states that there is not adequate Central Administration staff to support another division.
2. Initial startup costs for office equipment, stationary, and phone systems would include \$2,000 per added position for a total of \$6,000.
3. Costs of a new Division are based on the FY 1996 budget of the Division of African Americans, which included \$35,000 for 1.0 administrative assistant FTE and \$3,000 for support.

Fiscal Impact:

The cost of establishing the Commission and Division as specified, based on the FY 1996 budget of the Division of African Americans within the Department of Human Rights, would be \$144,000 in FY 1996 and \$138,000 in subsequent years.

Source: Department of Human Rights

(LSB 2230SV, MME)

FILED MARCH 22, 1995

BY DENNIS PROUTY, FISCAL DIRECTOR

SSB-231

State Government

Gronstal
Salvorson
Lundby

Succeeded By

SENATE FILE 426

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON GRONSTAL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act creating a commission of Asian-Pacific persons within the
2 department of human rights.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. Sections 2 through 13 of this Act shall be
2 enacted as subchapter 8 of chapter 216A.

3 Sec. 2. NEW SECTION. 216A.121 DEFINITIONS.

4 For purposes of this subchapter, unless the context
5 otherwise requires:

6 1. "Administrator" means the administrator of the division
7 of Asian-Pacific persons of the department of human rights.

8 2. "Asian-Pacific person" means a person from any of the
9 countries of Asia or the Pacific islands.

10 3. "Commission" means the commission of Asian-Pacific
11 persons.

12 4. "Division" means the division of Asian-Pacific persons
13 of the department of human rights.

14 Sec. 3. NEW SECTION. 216A.122 ESTABLISHMENT.

15 A commission of Asian-Pacific persons is established
16 consisting of nine members appointed by the governor, and
17 confirmed by the senate, pursuant to chapter 69, to four-year
18 staggered terms. Vacancies in the membership shall be filled
19 for the unexpired term in the same manner as the original
20 appointment. The members of the commission shall select one
21 of the members to serve as chairperson of the commission.

22 Sec. 4. NEW SECTION. 216A.123 MEETINGS OF THE
23 COMMISSION.

24 The commission shall meet at least four times each year,
25 and shall hold special meetings on the call of the
26 chairperson. The commission shall adopt rules pursuant to
27 chapter 17A as it deems necessary for the commission and
28 division. The members of the commission shall be reimbursed
29 for actual expenses while engaged in their official duties. A
30 member may also be eligible to receive compensation as
31 provided in section 7E.6.

32 Sec. 5. NEW SECTION. 216A.124 DUTIES.

33 The commission shall do all of the following:

34 1. Advise the governor and the general assembly on issues
35 confronting Asian-Pacific persons in this state, including the

1 unique problems of non-English-speaking immigrants and
2 refugees.

3 2. Advise the governor and the general assembly of
4 administrative and legislative changes necessary to ensure
5 Asian-Pacific persons access to benefits and services provided
6 to people in this state.

7 3. Recommend to the governor and the general assembly any
8 revisions in the state's affirmative action program and other
9 steps necessary to eliminate underutilization of Asian-Pacific
10 persons in the state's work force.

11 4. Recommend to the governor and the general assembly
12 legislation intended to improve the economic and social
13 condition of Asian-Pacific persons in this state.

14 5. Serve as a conduit to state government for
15 organizations of Asian-Pacific persons in this state.

16 6. Serve as a referral agency to assist Asian-Pacific
17 persons in securing access to state agencies and programs.

18 7. Serve as a liaison with the federal government, local
19 government units, and private organizations on matters
20 relating to the Asian-Pacific persons of this state.

21 8. Perform or contract for the performance of studies
22 designed to suggest solutions to the problems of Asian-Pacific
23 persons in the areas of education, employment, human rights,
24 health, housing, social welfare, and other related areas.

25 9. Implement programs designed to solve the problems of
26 Asian-Pacific persons when authorized by law.

27 10. Publicize the accomplishments of Asian-Pacific persons
28 and their contributions to this state.

29 11. Work with other state and federal agencies and
30 organizations to develop small business opportunities and
31 promote economic development for Asian-Pacific persons.

32 12. Supervise development of an Asian-Pacific trade
33 primer, outlining Asian and Pacific customs, cultural
34 traditions, and business practices, including language usage
35 for use by Iowa's export community.

1 13. Cooperate with other state and federal agencies and
2 organizations to develop improved state trade relations with
3 Asian and Pacific countries.

4 Sec. 6. NEW SECTION. 216A.125 REVIEW OF GRANT
5 APPLICATIONS AND BUDGET REQUESTS.

6 State departments and agencies shall consult with the
7 commission concerning any applications for federal funding
8 that will have its primary effect on Asian-Pacific persons in
9 Iowa before development of the application. The commission
10 shall advise the governor and the director of revenue and
11 finance concerning any state agency request that will have its
12 primary effect on Asian-Pacific persons in Iowa.

13 Sec. 7. NEW SECTION. 216A.126 ADDITIONAL AUTHORITY.

14 The commission may:

15 1. Enter into contracts, within the limit of funds made
16 available, with individuals, organizations, and institutions
17 for services.

18 2. Accept grants of money or property from the federal
19 government or any other source, and may upon its own order use
20 this money, property, or other resources to accomplish the
21 duties of the commission.

22 Sec. 8. NEW SECTION. 216A.127 EMPLOYEES AND
23 RESPONSIBILITY.

24 The commission shall employ other necessary employees.
25 Pursuant to section 216A.2, the commission shall have
26 responsibility for budgetary and personnel decisions for the
27 commission and division. The administrator shall carry out
28 programs and policies as determined by the commission.

29 Sec. 9. NEW SECTION. 216A.128 STATE AGENCY ASSISTANCE.

30 On the request of the commission, state departments and
31 agencies shall supply the commission with advisory staff
32 services on matters relating to the jurisdiction of the
33 commission. The commission shall cooperate and coordinate its
34 activities with other state agencies to the highest possible
35 degree.

