

HOUSER, Chair  
RERNO LD  
Kan Engelenhousen  
Burnett  
Fallon

HSB 231  
LOCAL GOVERNMENT

Sum... by  
SF/Hr

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON HOUSER)

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

A BILL FOR

1 An Act relating to the Iowa community empowerment Act and related  
2 provisions, and providing an effective date.

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

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y8b-2002  
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1 ~~Section 1.~~ Section 7I.1, subsection 5, Code 1999, is  
2 amended to read as follows:

3 5. "Iowa empowerment board" or "Iowa board" means the Iowa  
4 empowerment facilitation board created in ~~this-chapter~~ section  
5 7I.2.

6 Sec. 2. NEW SECTION. 7I.1A PURPOSE AND SCOPE.

7 1. The purpose of creating the community empowerment area  
8 initiative is to identify and achieve desired results for  
9 improving the quality of life in this state. It is expected  
10 that this purpose will be achieved by strengthening the  
11 partnership between communities and state government. It is  
12 believed that desired results identified by the state and  
13 communities will be achieved as citizens, governments, and  
14 agencies work collaboratively within communities. It is  
15 believed that local citizens in local communities working  
16 together will identify and implement the best means for  
17 attaining the desired results for the citizens in the  
18 communities.

19 2. The initial desired result of the initiative is for the  
20 children in this state to arrive at school ready to learn. To  
21 this end, the initiative's primary focus shall first be on the  
22 efforts of the state and communities to work together to  
23 improve the efficiency and effectiveness of education, health,  
24 and human services programs to assist families with children  
25 age birth through five years.

26 3. It is anticipated that the scope of the initiative will  
27 expand as additional desired results are identified and agreed  
28 upon by communities and the state. It is the intent of the  
29 general assembly to identify from time to time the additional  
30 desired results in statute.

31 Sec. 3. Section 7I.2, subsections 1 and 2, Code 1999, are  
32 amended to read as follows:

33 1. An Iowa empowerment facilitation board is created as an  
34 agency within the office of the governor to oversee facilitate  
35 state and community efforts involving community empowerment

1 areas, including strategic planning, funding identification,  
2 and guidance, and to promote collaboration among state and  
3 local education, health, and human services programs.

4 2. The Iowa board shall consist of ~~eleven~~ fifteen voting  
5 members with ~~eight~~ twelve citizen members and three state  
6 agency members. The three state agency members shall be the  
7 directors of the following departments: education, human  
8 services, and public health. The twelve citizen members shall  
9 be appointed by the governor, subject to confirmation by the  
10 senate. The governor's appointments of citizen members shall  
11 be made in a manner so that ~~all~~ each of the state's  
12 congressional districts ~~are~~ is represented ~~along-with~~ by two  
13 citizen members and so that all the appointments as a whole  
14 reflect the ethnic, cultural, social, and economic diversity  
15 of the state. ~~In-making-appointments, preference shall be~~  
16 ~~given to citizens participating on a~~ The governor's appointees  
17 shall be selected from individuals nominated by community  
18 empowerment area board boards. The nominations shall reflect  
19 the range of interests represented on the community boards so  
20 that the governor is able to appoint one or more members each  
21 for education, health, human services, business, faith, and  
22 public interests. At least one of the citizen members shall  
23 be a service consumer or the parent of a service consumer.  
24 Terms of office of all citizen members are three years. A  
25 vacancy on the board shall be filled in the same manner as the  
26 original appointment for the balance of the unexpired term.

27 Sec. 4. Section 7I.2, subsection 4, Code 1999, is amended  
28 to read as follows:

29 4. In addition to the ~~eleven~~ voting members, the Iowa  
30 board shall include six members of the general assembly with  
31 not more than two members from each chamber being from the  
32 same political party. The three senators shall be appointed  
33 by the majority leader of the senate after consultation with  
34 the president of the senate and the minority leader of the  
35 senate. The three representatives shall be appointed by the

1 speaker of the house of representatives after consultation  
2 with the majority and minority leaders of the house of  
3 representatives. Legislative members shall serve in an ex  
4 officio, nonvoting capacity. A legislative member is eligible  
5 for per diem and expenses as provided in section 2.10.

6 Sec. 5. Section 7I.2, subsection 5, unnumbered paragraph  
7 1, Code 1999, is amended to read as follows:

8 The Iowa board shall designate a community empowerment  
9 assistance team or teams of state agency staff to provide  
10 technical assistance and other support to community  
11 empowerment areas. A regional technical assistance system  
12 shall be developed using local staff of the state agencies  
13 represented on the Iowa board and other state agencies and  
14 individuals involved with local community empowerment areas.  
15 The technical assistance shall be available in at least three  
16 levels of support as follows:

17 Sec. 6. Section 7I.2, subsection 6, Code 1999, is amended  
18 to read as follows:

19 6. a. Staffing services to the Iowa board shall be  
20 provided by the state agencies which are represented on the  
21 Iowa board and by other state agencies making staffing  
22 available to the Iowa board.

23 b. In addition, a community empowerment office is  
24 established as part of the office of the governor to provide a  
25 center for communication and coordination for community  
26 empowerment activities. Staffing for the community  
27 empowerment office shall be provided by a director appointed  
28 by the governor, subject to confirmation by the senate, and  
29 who serves at the pleasure of the governor. A deputy and  
30 support staff may be designated, subject to appropriation made  
31 for this purpose. The director shall report to the governor,  
32 the Iowa board, and the general assembly. The director shall  
33 provide primary staffing to the board, coordinate state  
34 technical assistance activities and implementation of the  
35 regional technical assistance system, and other communication

1 and coordination functions at the state and local levels.

2 Sec. 7. Section 7I.3, subsection 2, Code 1999, is amended  
3 to read as follows:

4 2. Oversee Manage the provision of grant funding and other  
5 moneys made available to community empowerment areas by  
6 combining all or portions of appropriations or other revenues  
7 as authorized by law.

8 Sec. 8. Section 7I.3, Code 1999, is amended by adding the  
9 following new subsections:

10 NEW SUBSECTION. 10. Implement a process involving  
11 community empowerment areas to identify desired results for  
12 improving the quality of life in this state. The process  
13 shall allow for consideration of updates, additions, and  
14 deletions on a regular basis. The identified desired results  
15 shall be submitted to the governor and general assembly.

16 NEW SUBSECTION. 11. Develop guidelines for recommended  
17 coverage and take other actions to assist community  
18 empowerment area boards in acquiring necessary insurance or  
19 other liability coverage at a reasonable cost.

20 NEW SUBSECTION. 12. a. With extensive community  
21 involvement, develop and annually update a five-year plan for  
22 consolidating, blending, and redistributing state-administered  
23 funding streams for children from birth through age five made  
24 available to community empowerment area boards.

25 b. With extensive community involvement, develop and  
26 annually update a ten-year plan for consolidating, blending,  
27 and redistributing state-administered funding streams for  
28 other age groups made available to community empowerment area  
29 boards.

30 c. Submit plans and plan updates developed under  
31 paragraphs "a" and "b" to the community empowerment areas, the  
32 governor, and the general assembly annually in December.

33 d. It is the intent of the general assembly that the  
34 following funding streams be made available to community  
35 empowerment areas on or before the indicated fiscal year:

1 (1) Moneys for the healthy families Iowa program under  
2 section 135.106 by the fiscal year beginning July 1, 2000, and  
3 ending June 30, 2001.

4 (2) Moneys for parent education appropriated in section  
5 279.51 and distributed through the child development  
6 coordinating council, by the fiscal year beginning July 1,  
7 2000, and ending June 30, 2001.

8 (3) Moneys for the preschool children at-risk program  
9 appropriated in section 279.51 and distributed through the  
10 child development coordinating council, by the fiscal year  
11 beginning July 1, 2001, and ending June 30, 2002.

12 Sec. 9. Section 7I.5, subsection 1, Code 1999, is amended  
13 by striking the subsection and inserting in lieu thereof the  
14 following:

15 1. a. Community empowerment area functions shall be  
16 performed under the authority of a community empowerment area  
17 board. A majority of the members of a community board shall  
18 be members of the public who are not employed by government or  
19 a service provider and elected officials, and the remaining  
20 members may be employees of government or a service provider  
21 or otherwise serving on the community empowerment board as  
22 part of their employment responsibilities. At least one  
23 member shall be a service consumer or the parent of a service  
24 consumer. Terms of office of community board members shall be  
25 three years. The membership of a community empowerment area  
26 board shall include members with education, health, human  
27 services, business, faith, and public interests.

28 b. If a disagreement arises within a community empowerment  
29 area regarding the interests represented on the community  
30 board, board decisions, or other disputes that cannot be  
31 locally resolved, upon request, state or regional technical  
32 assistance may be provided to assist the area in resolving the  
33 disagreement.

34 Sec. 10. Section 7I.5, Code 1999, is amended by adding the  
35 following new subsection:

1 NEW SUBSECTION. 5. A community empowerment area board is  
2 a unit of local government for purposes of chapter 670. For  
3 purposes of implementing a formal organizational structure, a  
4 community empowerment board may utilize recommended guidelines  
5 and bylaws established for this purpose by the Iowa board.  
6 All meetings of a community empowerment area board or any  
7 committee or other body established by a community board at  
8 which public business is discussed or formal action taken  
9 shall comply with the requirements of chapter 21. A community  
10 board shall maintain its records in accordance with chapter  
11 22.

12 Sec. 11. Section 7I.6, subsection 1, paragraph a, Code  
13 1999, is amended to read as follows:

14 a. Designate a public agency of this state, as defined in  
15 section 28E.2, a community action agency as defined in section  
16 216A.91, or nonprofit corporation, to be the fiscal agent for  
17 grant moneys and for other moneys administered by the  
18 community board.

19 Sec. 12. Section 7I.6, subsection 1, Code 1999, is amended  
20 by adding the following new paragraph:

21 NEW PARAGRAPH. cc. Coordinate planning and budgeting with  
22 the administrator for the county single entry point process  
23 for mental health, mental retardation, and developmental  
24 disabilities services for each county located within the  
25 community empowerment area boundaries.

26 Sec. 13. Section 7I.7, subsection 5, paragraphs b and c,  
27 Code 1999, are amended to read as follows:

28 b. The funding amounts of new and renewal school ready  
29 children grants approved on or after the effective date of  
30 this Act shall be determined based upon a distribution formula  
31 developed by the Iowa board. The distribution formula shall  
32 initially allocate moneys among political subdivisions of this  
33 state based upon the political subdivisions' relative  
34 proportion of the state's general population and population of  
35 children qualifying for free or reduced-price lunches. A

1 community empowerment area board may apply for the initial  
2 allocation amount or amounts attributable to the geographic  
3 area covered by that board in accordance with this section.

4 The Iowa empowerment board shall distribute school ready  
5 children grant moneys to community boards with approved  
6 comprehensive school ready children grant plans based upon the  
7 degree a determination of readiness of the community  
8 empowerment area to effectively utilize the moneys, with the  
9 grant-moneys initial allocation being adjusted for other  
10 federal and state grant moneys to be received by the area for  
11 services to children from birth through five years of age.

12 c. A community board's ~~degree-of~~ readiness shall be  
13 ascertained by evidence of successful collaboration among  
14 public or private education, human services, or health  
15 interests or a documented program design evincing a strong  
16 likelihood of leading to a successful collaboration between  
17 these interests. Other criteria which may be used by the Iowa  
18 board to ascertain ~~degree-of readiness and-to-determine~~  
19 ~~funding-amounts~~ include one or more of the following:

20 (1) Experience or other evidence of capacity to  
21 successfully implement the services in the plan.

22 (2) Local funding and other resources committed to  
23 implementation of the plan.

24 (3) Adequacy of plans for commitment of local funding and  
25 other resources for implementation of the plan.

26 Sec. 14. Section 7I.8, Code 1999, is amended by adding the  
27 following new subsection:

28 NEW SUBSECTION. 4. Unless a different amount is  
29 authorized by law, up to two percent of the moneys distributed  
30 under the auspices of the Iowa board to a community  
31 empowerment area board may be used by the community board for  
32 administrative costs and other implementation expenses.

33 Sec. 15. Section 232.188, Code 1999, is amended by adding  
34 the following new subsection:

35 NEW SUBSECTION. 8. A decategorization governance board

1 shall coordinate the board's planning and budgeting activities  
2 with the community empowerment area board for the community  
3 empowerment area within which the decategorization county is  
4 located.

5 Sec. 16. Section 331.440, subsection 1, Code 1999, is  
6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. d. The administrator for a county's or  
8 consortium of counties' single entry point process shall  
9 coordinate planning and budgeting with the board of any  
10 community empowerment area within which the county or  
11 multicounty area is located.

12 Sec. 17. DIRECTIONS TO CODE EDITOR. The Iowa Code editor  
13 shall transfer chapter 7I, as amended by this or any other  
14 enactment of the Seventy-eighth General Assembly, 1999  
15 Session, to be placed in or near chapter 28L and shall correct  
16 internal references as necessary.

17 Sec. 18. EFFECTIVE DATE AND TRANSITION PROVISIONS.

18 1. This Act, being deemed of immediate importance, takes  
19 effect upon enactment.

20 2. The governor's appointments of four additional citizen  
21 members shall be made from community empowerment area board  
22 nominees in a manner so as to ensure that each congressional  
23 district is represented by at least two citizen members. The  
24 initial terms of the four additional members shall be  
25 staggered so that not more than four members' terms expire in  
26 any one year. The appointments shall be made within sixty  
27 calendar days of the effective date of this Act.

28 EXPLANATION

29 This bill relates to the Iowa community empowerment Act,  
30 the Iowa empowerment board, and related provisions.

31 The Code section 7I.1 definition of the Iowa empowerment  
32 board is amended to reflect the bill's change in the board's  
33 name to "Iowa empowerment facilitation board".

34 New Code section 7I.1A states the purpose of the community  
35 empowerment initiative and the initial desired result that

1 children will arrive at school ready to learn. In addition,  
2 the roles of communities and the state in achieving the  
3 purpose and desired results are explained.

4 Code section 7I.2, relating to the Iowa empowerment board,  
5 is amended to make the board an agency within the office of  
6 the governor and to add additional voting members. The number  
7 of citizen members appointed by the governor is increased from  
8 eight to 12. The governor's appointments are to be selected  
9 from individuals nominated by community empowerment area  
10 boards. The nominations are to be made to reflect the  
11 education, health, human services, business, faith, and public  
12 interests represented on the community boards. Each of those  
13 interests is to be represented by two citizen members. The  
14 bill provides that a vacancy on the board is to be filled for  
15 the balance of the unexpired term.

16 Code section 7I.2 requirements for technical assistance are  
17 amended to establish a regional system for technical  
18 assistance using local staff of agencies represented on the  
19 board, other local agency staff which may include cooperative  
20 extension, and individuals involved with local community  
21 empowerment areas.

22 The authority of the Iowa board to oversee various  
23 functions under Code sections 7I.2 and 7I.3 is changed to  
24 "facilitate" or "manage".

25 Code section 7I.2 is also amended to authorize the governor  
26 to appoint a director, subject to confirmation by the senate  
27 and for other staffing to be designated. Current law already  
28 authorizes staffing services to be provided by the state  
29 agencies represented on the board and by other state agencies.  
30 The community empowerment office director is to provide  
31 primary staffing to the Iowa board, and perform various  
32 communication and coordination functions at the state and  
33 local levels.

34 Code section 7I.3, relating to the duties of the Iowa  
35 empowerment board, is amended to correspond with the statement

1 of purpose contained in the bill. The Iowa empowerment board  
 2 is directed to implement a process involving community  
 3 empowerment areas to identify desired results for improving  
 4 the quality of life in this state. The process is to allow  
 5 for consideration of updates, additions, and deletions on a  
 6 regular basis. The identified desired results are to be  
 7 submitted to the governor and general assembly.

8 Code section 7I.3, relating to the duties of the Iowa  
 9 empowerment board, is also amended to require the board to  
 10 develop guidelines for recommended coverage and take other  
 11 actions to assist community empowerment area boards in  
 12 acquiring necessary insurance or liability coverage at a  
 13 reasonable cost.

14 Code section 7I.3 is also amended to require the Iowa board  
 15 to develop and annually update a five-year plan for blending  
 16 of state funding directed to children from birth through age  
 17 five through community empowerment areas and a ten-year plan  
 18 for similar purposes directed to other age groups.  
 19 Legislative intent is stated to begin distributing specified  
 20 funding through community empowerment areas by particular  
 21 fiscal years.

22 The Code section 7I.5 requirements for representation on  
 23 the community empowerment area board are stricken and  
 24 rewritten. An extensive listing of possible members in  
 25 current law is replaced with required membership of education,  
 26 health, human services, business, faith, and public interests.  
 27 If a disagreement arises within a community empowerment area  
 28 concerning the board membership or decisions that cannot be  
 29 locally resolved, state or regional technical assistance may  
 30 be requested to assist.

31 Code section 7I.5, relating to the creation of community  
 32 empowerment boards, is also amended to provide that a  
 33 community empowerment board is a unit of local government for  
 34 purposes of Code chapter 670, which provides for the tort  
 35 liability of local governments. In implementing a formal

1 organizational structure, a community board may utilize  
2 recommended guidelines and bylaws which are to be developed by  
3 the Iowa empowerment board. The community boards are made  
4 subject to Code chapter 21, relating to open meetings, and  
5 Code chapter 22, relating to public records.

6 The requirement in Code section 7I.6 for a community board  
7 to designate a public agency to be the board's fiscal agent is  
8 expanded to allow a community action agency as defined in Code  
9 section 216A.91 or a nonprofit corporation to be the fiscal  
10 agent.

11 Code section 7I.6, relating to the duties of a community  
12 empowerment area board, is amended to require the board to  
13 coordinate planning and budgeting activities with the  
14 administrator of any county single entry point process for  
15 mental health, mental retardation, and developmental  
16 disabilities services located within the area. Corresponding  
17 amendments are made to apply similar requirements for  
18 governing boards and administrators under Code section  
19 232.188, relating to child welfare funding decategorization,  
20 and to Code section 331.440, relating to county and  
21 multicounty single entry point processes for mental health,  
22 mental retardation, and developmental disabilities services.

23 Code section 7I.7, relating to school ready children  
24 grants, is amended to provide for implementation of a funding  
25 distribution formula for the grant moneys. The formula will  
26 identify an initial allocation for political subdivisions  
27 based upon the political subdivisions' proportion of the state  
28 general population and population of children eligible for  
29 free or reduced-price school lunches. A community empowerment  
30 area board may apply for the allocation attributable to that  
31 area. The initial allocation is subject to adjustment for  
32 existing state and federal funding in the area for similar  
33 purposes. Current law restricts award of a grant until a  
34 community empowerment area is determined to be ready.

35 Code section 7I.8, relating to the Iowa empowerment fund,

1 is amended to allow a community empowerment area to utilize up  
2 to 2 percent of funding made available under the auspices of  
3 the Iowa board for administrative costs or other  
4 implementation expenses.

5 The bill directs the Code editor to transfer Code chapter  
6 7I, as amended by the bill and any other enactment during the  
7 1999 legislative session, to or near Code chapter 28L. Under  
8 the organizational structure of the Iowa Code, Code chapter 28  
9 and the succeeding lettered chapters constitute the joint  
10 governmental activity subtitle of the state sovereignty and  
11 management title.

12 The additional members of the Iowa empowerment board are to  
13 be appointed from community empowerment area board nominees in  
14 a manner so that each congressional district is represented by  
15 at least two citizen members appointed by the governor. These  
16 appointments are also to be made within 60 calendar days of  
17 the effective date of the bill.

18 The bill takes effect upon enactment.

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*Substituted for by SF 434*

MAR 18 1999

*4-27-99  
(P. 1763)*

Place On Calendar

**WITHDRAWN**

*4-27-99  
(P. 1769)*

HOUSE FILE 730

BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 231)

Passed House, Date \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the Iowa community empowerment Act and related  
2 provisions, and providing an effective date.

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

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*HF 730*

1 Section 1. Section 7I.1, subsection 5, Code 1999, is  
2 amended to read as follows:

3 5. "Iowa empowerment board" or "Iowa board" means the Iowa  
4 empowerment board created in ~~this chapter~~ section 7I.2.

5 Sec. 2. NEW SECTION. 7I.1A PURPOSE AND SCOPE.

6 1. The purpose of creating the community empowerment  
7 initiative is to empower individuals and their communities to  
8 achieve desired results for improving the quality of life in  
9 the communities in this state. It is expected that the  
10 empowerment of individuals will strengthen the individuals'  
11 sense of responsibility for their neighbors and promote  
12 partnerships in order for all to succeed. It is believed that  
13 the desired results identified by individuals and their  
14 communities, with the support of the state, will be achieved  
15 as individuals, governments, and agencies work collaboratively  
16 within communities. It is believed that local individuals in  
17 local communities working together will identify and implement  
18 the best means for attaining the desired results for  
19 themselves and their neighbors. The role of the Iowa  
20 empowerment board, the state, and local governments is to  
21 support and facilitate growth of individual and community  
22 responsibility in place of the directive role that the public  
23 has come to expect of government.

24 2. It is intended that through the community empowerment  
25 initiative, by June 30, 2005, every community in Iowa will  
26 have developed the capacity and commitment for using local  
27 decision making to achieve the following initial set of  
28 desired results:

- 29 a. Healthy children.
- 30 b. Children ready to succeed in school.
- 31 c. Safe and supportive communities.
- 32 d. Secure and nurturing families.
- 33 e. Secure and nurturing child care environments.

34 3. To achieve the initial set of desired results, the  
35 initiative's primary focus shall first be on the efforts of

1 the state and communities to work together to improve the  
2 efficiency and effectiveness of education, health, and human  
3 services provided to families with children from birth through  
4 age five years.

5 4. It is anticipated that the scope of the initiative will  
6 expand as additional desired results are identified and agreed  
7 upon by communities and the state. It is the intent of the  
8 general assembly to identify from time to time the additional  
9 desired results in statute.

10 Sec. 3. Section 7I.2, subsections 1 and 2, Code 1999, are  
11 amended to read as follows:

12 1. An Iowa empowerment board is created to **oversee**  
13 facilitate state and community efforts involving community  
14 empowerment areas, including strategic planning, funding  
15 identification, and guidance, and to promote collaboration  
16 among state and local education, health, and human services  
17 programs.

18 2. The Iowa board shall consist of ~~eleven~~ fifteen voting  
19 members with ~~eight~~ twelve citizen members and three state  
20 agency members. The three state agency members shall be the  
21 directors of the following departments: education, human  
22 services, and public health. The twelve citizen members shall  
23 be appointed by the governor, subject to confirmation by the  
24 senate. The governor's appointments of citizen members shall  
25 be made in a manner so that ~~all~~ each of the state's  
26 congressional districts ~~are~~ is represented ~~along-with~~ by two  
27 citizen members and so that all the appointments as a whole  
28 reflect the ethnic, cultural, social, and economic diversity  
29 of the state. ~~In-making-appointments, preference-shall-be~~  
30 ~~given to-citizens-participating-on-a~~ The governor's appointees  
31 shall be selected from individuals nominated by community  
32 empowerment area board boards. The nominations shall reflect  
33 the range of interests represented on the community boards so  
34 that the governor is able to appoint one or more members each  
35 for education, health, human services, business, faith, and

1 public interests. At least one of the citizen members shall  
2 be a service consumer or the parent of a service consumer.  
3 Terms of office of all citizen members are three years. A  
4 vacancy on the board shall be filled in the same manner as the  
5 original appointment for the balance of the unexpired term.

6 Sec. 4. Section 7I.2, subsection 4, Code 1999, is amended  
7 to read as follows:

8 4. In addition to the ~~eleven~~ voting members, the Iowa  
9 board shall include six members of the general assembly with  
10 not more than two members from each chamber being from the  
11 same political party. The three senators shall be appointed  
12 by the majority leader of the senate after consultation with  
13 the president of the senate and the minority leader of the  
14 senate. The three representatives shall be appointed by the  
15 speaker of the house of representatives after consultation  
16 with the majority and minority leaders of the house of  
17 representatives. Legislative members shall serve in an ex  
18 officio, nonvoting capacity. A legislative member is eligible  
19 for per diem and expenses as provided in section 2.10.

20 Sec. 5. Section 7I.2, subsection 5, unnumbered paragraph  
21 1, Code 1999, is amended to read as follows:

22 ~~The Iowa board shall designate a~~ A community empowerment  
23 assistance team or teams of state agency staff shall be  
24 designated to provide technical assistance and other support  
25 to community empowerment areas. A regional technical  
26 assistance system shall be developed using local staff of the  
27 state agencies represented on the Iowa board and other state  
28 agencies and individuals involved with local community  
29 empowerment areas. The technical assistance shall be  
30 available in at least three levels of support as follows:

31 Sec. 6. Section 7I.2, subsection 6, Code 1999, is amended  
32 to read as follows:

33 6. a. Staffing services to the Iowa board shall be  
34 provided by the state agencies which are represented on the  
35 Iowa board and by other state agencies making staffing

1 available to the Iowa board.

2 b. In addition, a community empowerment office is  
3 established as a division of the department of management to  
4 provide a center for facilitation, communication, and  
5 coordination for community empowerment activities and funding.  
6 Staffing for the community empowerment office shall be  
7 provided by a facilitator appointed by the governor, subject  
8 to confirmation by the senate, and who serves at the pleasure  
9 of the governor. A deputy and support staff may be  
10 designated, subject to appropriation made for this purpose.  
11 The facilitator shall submit reports to the governor, the Iowa  
12 board, and the general assembly. The facilitator shall  
13 provide primary staffing to the board, coordinate state  
14 technical assistance activities and implementation of the  
15 regional technical assistance system, and other communication  
16 and coordination functions to move authority and decision-  
17 making responsibilities from the state to communities and  
18 individuals.

19 Sec. 7. Section 7I.3, subsection 2, Code 1999, is amended  
20 to read as follows:

21 2. Oversee Manage and coordinate the provision of grant  
22 funding and other moneys made available to community  
23 empowerment areas by combining all or portions of  
24 appropriations or other revenues as authorized by law.

25 Sec. 8. Section 7I.3, Code 1999, is amended by adding the  
26 following new subsections:

27 NEW SUBSECTION. 10. Implement a process for community  
28 empowerment areas to identify desired results for improving  
29 the quality of life in this state. The process shall allow  
30 for consideration of updates, additions, and deletions on a  
31 regular basis. The identified desired results shall be  
32 submitted to the governor and general assembly.

33 NEW SUBSECTION. 11. Develop guidelines for recommended  
34 coverage and take other actions to assist community  
35 empowerment area boards in acquiring necessary insurance or

1 other liability coverage at a reasonable cost.

2 NEW SUBSECTION. 12. a. With extensive community  
3 involvement, develop and annually update a five-year plan for  
4 consolidating, blending, and redistributing state-administered  
5 funding streams for children from birth through age five made  
6 available to community empowerment area boards.

7 b. With extensive community involvement, develop and  
8 annually update a ten-year plan for consolidating, blending,  
9 and redistributing state-administered funding streams for  
10 other age groups made available to community empowerment area  
11 boards.

12 c. Submit plans and plan updates developed under  
13 paragraphs "a" and "b" to the community empowerment areas, the  
14 governor, and the general assembly annually in December.

15 d. It is the intent of the general assembly that the  
16 following funding streams be made available to community  
17 empowerment areas on or before the indicated fiscal year:

18 (1) Moneys for home visitation and parent support annually  
19 appropriated to the Iowa department of public health and  
20 distributed through the healthy families Iowa program under  
21 section 135.106 by the fiscal year beginning July 1, 2000, and  
22 ending June 30, 2001.

23 (2) Moneys for parent education appropriated in section  
24 279.51 and distributed through the child development  
25 coordinating council, by the fiscal year beginning July 1,  
26 2000, and ending June 30, 2001.

27 (3) Moneys for the preschool children at-risk program  
28 appropriated in section 279.51 and distributed through the  
29 child development coordinating council, by the fiscal year  
30 beginning July 1, 2001, and ending June 30, 2002.

31 (4) Moneys for home visitation and parent support annually  
32 appropriated to the department of human services and  
33 distributed or expended through child abuse prevention grants  
34 and the family preservation program, by the fiscal year  
35 beginning July 1, 2000, and ending June 30, 2001.

1 Sec. 9. Section 7I.5, subsection 1, Code 1999, is amended  
2 by striking the subsection and inserting in lieu thereof the  
3 following:

4 1. a. Community empowerment area functions shall be  
5 performed under the authority of a community empowerment area  
6 board. A majority of the members of a community board shall  
7 be members of the public who are not employed by government or  
8 a service provider and elected officials, and the remaining  
9 members may be employees of government or a service provider  
10 or otherwise serving on the community empowerment board as  
11 part of their employment responsibilities. At least one  
12 member shall be a service consumer or the parent of a service  
13 consumer. Terms of office of community board members shall be  
14 three years. The membership of a community empowerment area  
15 board shall include members with education, health, human  
16 services, business, faith, and public interests.

17 b. If a disagreement arises within a community empowerment  
18 area regarding the interests represented on the community  
19 board, board decisions, or other disputes that cannot be  
20 locally resolved, upon request, state or regional technical  
21 assistance may be provided to assist the area in resolving the  
22 disagreement.

23 Sec. 10. Section 7I.5, Code 1999, is amended by adding the  
24 following new subsection:

25 NEW SUBSECTION. 5. A community empowerment area board is  
26 a unit of local government for purposes of chapter 670,  
27 relating to tort liability of governmental subdivisions. For  
28 purposes of implementing a formal organizational structure, a  
29 community empowerment board may utilize recommended guidelines  
30 and bylaws established for this purpose by the Iowa board.  
31 All meetings of a community empowerment area board or any  
32 committee or other body established by a community board at  
33 which public business is discussed or formal action taken  
34 shall comply with the requirements of chapter 21. A community  
35 board shall maintain its records in accordance with chapter

1 22.

2 Sec. 11. Section 7I.6, subsection 1, paragraph a, Code  
3 1999, is amended to read as follows:

4 a. Designate a public agency of this state, as defined in  
5 section 28E.2, a community action agency as defined in section  
6 216A.91, or nonprofit corporation, to be the fiscal agent for  
7 grant moneys and for other moneys administered by the  
8 community board.

9 Sec. 12. Section 7I.7, subsection 5, paragraphs b and c,  
10 Code 1999, are amended to read as follows:

11 b. The Iowa empowerment board shall distribute school  
12 ready children grant moneys to community boards with approved  
13 comprehensive school ready children grant plans based upon the  
14 degree a determination of readiness of the community  
15 empowerment area to effectively utilize the moneys, with the  
16 grant moneys being adjusted for other federal and state grant  
17 moneys to be received by the area for services to children  
18 from birth through five years of age.

19 c. A community board's ~~degree-of~~ readiness shall be  
20 ascertained by evidence of successful collaboration among  
21 public or private education, human services, or health  
22 interests or a documented program design evincing a strong  
23 likelihood of leading to a successful collaboration between  
24 these interests. Other criteria which may be used by the Iowa  
25 board to ascertain ~~degree-of~~ readiness and to determine  
26 funding amounts include one or more of the following:

27 (1) Experience or other evidence of capacity to  
28 successfully implement the services in the plan.

29 (2) Local funding and other resources committed to  
30 implementation of the plan.

31 (3) Adequacy of plans for commitment of local funding and  
32 other resources for implementation of the plan.

33 Sec. 13. Section 7I.8, Code 1999, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 4. Unless a different amount is

1 authorized by law, up to three percent, not to exceed sixty  
2 thousand dollars, of the moneys distributed under the auspices  
3 of the Iowa board to a community empowerment area board may be  
4 used by the community board for administrative costs and other  
5 implementation expenses.

6 Sec. 14. Section 232.188, Code 1999, is amended by adding  
7 the following new subsection:

8 NEW SUBSECTION. 8. A decategorization governance board  
9 shall coordinate the board's planning and budgeting activities  
10 with the community empowerment area board for the community  
11 empowerment area within which the decategorization county is  
12 located.

13 Sec. 15. FUNDING FORMULA.

14 1. The Iowa empowerment board shall develop a distribution  
15 formula for allocation of school ready children grant funding  
16 to new applicants and to applicants for renewal following  
17 expiration of the original grants' funding period. The  
18 distribution formula shall provide for an initial statewide  
19 allocation of the funding among the geographic areas  
20 represented by county and school district political  
21 subdivisions. The initial allocation shall be based upon the  
22 political subdivision area's relative proportion of the  
23 state's general population and population of children  
24 qualifying for free or reduced-price school lunches, plus a  
25 base amount for each political subdivision area. A community  
26 empowerment area board may apply for the initial allocation  
27 amount or amounts attributable to the community empowerment  
28 area covered by that board.

29 2. The Iowa empowerment board shall submit its recommended  
30 funding formula to the governor and general assembly by  
31 December 15, 1999, so that a formula may be enacted to be  
32 first applicable to the fiscal year beginning July 1, 2000.  
33 Notwithstanding section 7I.7, subsection 5, the duration of  
34 any school ready children grant awarded on or after the  
35 effective date of this Act, shall not be for a three-year

1 period but shall be adjusted so that renewal of the grant will  
2 be subject to the funding allocation formula to be first  
3 applicable to the fiscal year beginning July 1, 2000.

4 Sec. 16. DIRECTIONS TO CODE EDITOR. The Iowa Code editor  
5 shall transfer chapter 7I, as amended by this or any other  
6 enactment of the Seventy-eighth General Assembly, 1999  
7 Session, to be placed in or near chapter 28L and shall correct  
8 internal references as necessary.

9 Sec. 17. EFFECTIVE DATE AND TRANSITION PROVISIONS.

10 1. This Act, being deemed of immediate importance, takes  
11 effect upon enactment.

12 2. The governor's appointments of four additional citizen  
13 members shall be made from community empowerment area board  
14 nominees in a manner so as to ensure that each congressional  
15 district is represented by at least two citizen members. The  
16 initial terms of the four additional members shall be  
17 staggered so that not more than four members' terms expire in  
18 any one year. The appointments shall be made within sixty  
19 calendar days of the effective date of this Act.

20 EXPLANATION

21 This bill relates to the Iowa community empowerment Act,  
22 the Iowa empowerment board, and related provisions.

23 New Code section 7I.1A states the purpose of the community  
24 empowerment initiative and provides an initial set of desired  
25 results. In addition, the roles of communities and the state  
26 in achieving the purpose and desired results are explained.

27 Code section 7I.2, relating to the Iowa empowerment board,  
28 is amended to make the board's purpose as facilitating rather  
29 than overseeing and to add additional voting members. The  
30 number of citizen members appointed by the governor is  
31 increased from eight to 12. The governor's appointments are  
32 to be selected from individuals nominated by community  
33 empowerment area boards. The nominations are to be made to  
34 reflect the education, health, human services, business,  
35 faith, and public interests represented on the community

1 boards. Each of those interests is to be represented by at  
2 least one citizen member. The bill provides that a vacancy on  
3 the board is to be filled for the balance of the unexpired  
4 term.

5 Code section 7I.2 requirements for technical assistance are  
6 amended to establish a regional system for technical  
7 assistance using local staff of agencies represented on the  
8 board, other local staff of state agencies, and individuals  
9 involved with local community empowerment areas.

10 The authority of the Iowa board to oversee various  
11 functions under Code sections 7I.2 and 7I.3 is changed to  
12 "facilitate" or "manage" or "coordinate" or a combination of  
13 the three terms.

14 Code section 7I.2 is also amended to establish a community  
15 empowerment office as part of the department of management and  
16 to authorize the governor to appoint an administrator, subject  
17 to confirmation by the senate and for other staffing to be  
18 designated. Current law already authorizes staffing services  
19 to be provided by the state agencies represented on the board  
20 and by other state agencies. The community empowerment office  
21 administrator is to provide primary staffing to the Iowa  
22 board, and perform various communication and coordination  
23 functions at the state and local levels.

24 Code section 7I.3, relating to the duties of the Iowa  
25 empowerment board, is amended to correspond with the statement  
26 of purpose contained in the bill. The Iowa empowerment board  
27 is directed to implement a process for community empowerment  
28 areas to identify desired results for improving the quality of  
29 life in this state. The process is to allow for consideration  
30 of updates, additions, and deletions on a regular basis. The  
31 identified desired results are to be submitted to the governor  
32 and general assembly.

33 Code section 7I.3, relating to the duties of the Iowa  
34 empowerment board, is also amended to require the board to  
35 develop guidelines for recommended coverage and take other

1 actions to assist community empowerment area boards in  
2 acquiring necessary insurance or liability coverage at a  
3 reasonable cost.

4 Code section 71.3 is also amended to require the Iowa board  
5 to develop, with extensive community involvement, and annually  
6 update a five-year plan for blending of state funding directed  
7 to children from birth through age five through community  
8 empowerment areas and a ten-year plan for similar purposes  
9 directed to other age groups. Legislative intent is stated to  
10 begin distributing specified funding through community  
11 empowerment areas by particular fiscal years.

12 The Code section 71.5 requirements for representation on  
13 the community empowerment area boards are stricken and  
14 rewritten. An extensive listing of possible members in  
15 current law is replaced with required membership of education,  
16 health, human services, business, faith, and public interests.  
17 If a disagreement arises within a community empowerment area  
18 concerning the board membership or decisions that cannot be  
19 locally resolved, state or regional technical assistance may  
20 be requested to assist.

21 Code section 71.5, relating to the creation of community  
22 empowerment boards, is also amended to provide that a  
23 community empowerment board is a unit of local government for  
24 purposes of Code chapter 670, which provides for the tort  
25 liability of local governments. In implementing a formal  
26 organizational structure, a community board may utilize  
27 recommended guidelines and bylaws which are to be developed by  
28 the Iowa empowerment board. The community boards are made  
29 subject to Code chapter 21, relating to open meetings, and  
30 Code chapter 22, relating to public records.

31 The requirement in Code section 71.6 for a community board  
32 to designate a public agency to be the board's fiscal agent is  
33 expanded to allow a community action agency as defined in Code  
34 section 216A.91 or a nonprofit corporation to be the fiscal  
35 agent.

1 Code section 7I.7, relating to school ready children  
2 grants, is amended to remove a requirement for the Iowa  
3 empowerment board to determine a community's degree of  
4 readiness to receive a grant. The board still must make a  
5 determination that an area is ready in order for a grant to be  
6 awarded.

7 Code section 7I.8, relating to the Iowa empowerment fund,  
8 is amended to allow a community empowerment area to utilize up  
9 to 3 percent, not to exceed \$60,000, of funding made available  
10 under the auspices of the Iowa board for administrative costs  
11 or other implementation expenses.

12 Current law relating to the duties of a community  
13 empowerment area board requires the board to coordinate  
14 planning and budgeting activities with the governing board of  
15 any child welfare decategorization project in the community  
16 empowerment area. A corresponding amendment is made to apply  
17 similar requirements for such governing boards under Code  
18 section 232.188, relating to child welfare funding  
19 decategorization.

20 The bill directs the Iowa empowerment board to develop a  
21 recommended funding distribution formula for school ready  
22 children grants. The formula is to include general population  
23 and child population factors plus a base amount. The  
24 recommended formula is to be submitted to the governor and  
25 general assembly by December 15, 1999.

26 The bill directs the Code editor to transfer Code chapter  
27 7I, as amended by the bill and any other enactment during the  
28 1999 legislative session, to or near Code chapter 28L. Under  
29 the organizational structure of the Iowa Code, Code chapter 28  
30 and the succeeding lettered chapters constitute the joint  
31 governmental activity subtitle of the state sovereignty and  
32 management title.

33 The additional members of the Iowa empowerment board are to  
34 be appointed from community empowerment area board nominees in  
35 a manner so that each congressional district is represented by

1 at least two citizen members appointed by the governor. These  
 2 appointments are also to be made within 60 calendar days of  
 3 the effective date of the bill.

4 The bill takes effect upon enactment.

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**HOUSE FILE 730  
FISCAL NOTE**

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A fiscal note for House File 730 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 730 relates to the Iowa Community Empowerment Act, the Iowa Empowerment Board, and related provisions. The Bill amends Section 71.2(6) of the Code of Iowa to establish a Community Empowerment Office within the Department of Management. The Office will serve as a center to coordinate community empowerment activities and funding. House File 730 specifies that the Community Empowerment Office shall be staffed by a Community Empowerment Facilitator, and permits the designation of a deputy and support staff subject to available funding.

**ASSUMPTIONS**

1. The Community Empowerment Office will hire a facilitator and support staff.
2. The salary and support costs will be approximately \$200,000 per year.

**FISCAL IMPACT**

The fiscal impact of House File 730 is estimated to be a General Fund cost of \$200,000 in FY 2000 and FY 2001.

**SOURCES**

Department of Education  
 Department of Human Services  
 Department of Public Health

(LSB 3005hv, DAA)

FILED MARCH 22, 1999

BY DENNIS PROUTY, FISCAL DIRECTOR

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LSB 3005HV 78

HOUSE FILE 730

H-1527

1 Amend House File 730 as follows:

2 1. Page 9, by inserting after line 3 the  
3 following:  
4 "3. School ready children grants awarded on or  
5 after the effective date of this Act shall be designed  
6 to achieve the purpose and desired results stated in  
7 section 7I.1A, as enacted by this Act. The  
8 comprehensive school ready children grant plan in any  
9 new application for school ready children grant  
10 funding under section 7I.7, submitted on or after the  
11 effective date of this Act and to be initially awarded  
12 in the fiscal year beginning July 1, 1999, by a  
13 community empowerment area that has not been  
14 previously approved for grant funding, shall provide  
15 for at least 60 percent of the funding to be directed  
16 to parent support and education and home visitation  
17 for all parents of newborn children in the community  
18 empowerment area. If an applicant area has one or  
19 more such programs already operating within the area,  
20 the area may elect to work with the existing program  
21 or programs to expand the program or programs, to  
22 implement a new approach, or to implement other  
23 services, as determined by the area board, relating to  
24 parent support and education and home visitation  
25 involving families with a newborn child or other  
26 children who are age three or younger. The new  
27 grantees shall submit semiannual reports to the  
28 governor and the general assembly regarding results  
29 and outcomes of the programs based on statewide core  
30 indicators developed for this grant funding. The  
31 initial report shall be submitted six months following  
32 the initial grant award and every six months after  
33 that for the duration of the grant period."

By FOEGE of Linn

H-1527 FILED APRIL 8, 1999

HOUSE FILE 730

H-1347

1 Amend House File 730 as follows:

2 1. Page 6, by striking lines 6 through 11 and  
3 inserting the following: "board. A majority of the  
4 members of a community board shall be elected  
5 officials and members of the public who are not  
6 employed by a provider of services to or for the  
7 community board. At least one".  
8 2. Page 6, line 14, by striking the words "three  
9 years" and inserting the following: "not more than  
10 three years and the terms shall be staggered".

By FOEGE of Linn

H-1347 FILED MARCH 31, 1999

## HOUSE FILE 730

H-1827

1 Amend House File 730 as follows:

2 1. Page 3, by striking lines 22 through 30 and  
3 inserting the following:

4 "The Iowa board shall designate a community  
5 empowerment assistance team or teams of state agency  
6 staff to provide technical assistance and other  
7 support to community empowerment areas. A technical  
8 assistance system shall be developed using local staff  
9 of the state agencies represented on the Iowa board  
10 and other state agencies and individuals involved with  
11 local community empowerment areas. The technical  
12 assistance shall be available in at least three levels  
13 of support as follows:"

14 2. Page 4, line 15, by striking the word  
15 "regional".

16 3. Page 5, by striking lines 15 through 35 and  
17 inserting the following:

18 "d. The Iowa empowerment board shall regularly  
19 make information available identifying community  
20 empowerment funding and funding distributed through  
21 the funding streams listed under this paragraph "d" to  
22 communities. It is the intent of the general assembly  
23 that the community empowerment area boards and the  
24 administrators of the programs located within the  
25 community empowerment areas that are supported by the  
26 listed funding streams shall fully cooperate with one  
27 another on or before the indicated fiscal years, in  
28 order to avoid duplication, enhance efforts, combine  
29 planning, and take other steps to best utilize the  
30 funding to meet the needs of the families in the  
31 areas. The community empowerment area boards and the  
32 administrators shall annually report to the governor  
33 and the general assembly concerning such efforts. The  
34 funding streams shall include all of the following:

35 (1) Moneys for the healthy families Iowa program  
36 under section 135.106 by the fiscal year beginning  
37 July 1, 2000, and ending June 30, 2001.

38 (2) Moneys for parent education appropriated in  
39 section 279.51 and distributed through the child  
40 development coordinating council, by the fiscal year  
41 beginning July 1, 2000, and ending June 30, 2001.

42 (3) Moneys for the preschool children at-risk  
43 program appropriated in section 279.51 and distributed  
44 through the child development coordinating council, by  
45 the fiscal year beginning July 1, 2001, and ending  
46 June 30, 2002.

47 (4) Moneys for home visitation and parent support  
48 annually appropriated to the department of human  
49 services and distributed or expended through child  
50 abuse prevention grants and the family preservation

H-1827

-1-

H-1827

Page 2

1 program, by the fiscal year beginning July 1, 2000,  
 2 and ending June 30, 2001."  
 3 4. Page 8, line 32, by striking the figure "2000"  
 4 and inserting the following: "2001".  
 5 5. Page 9, line 3, by striking the figure "2000"  
 6 and inserting the following: "2001".  
 7 6. Page 9, by inserting after line 3 the  
 8 following:  
 9 "3. School ready children grants awarded for  
 10 applications submitted on or after the effective date  
 11 of this Act for an initial award in the fiscal year  
 12 beginning July 1, 1999, shall be designed to achieve  
 13 the desired results identified in section 7I.1A, as  
 14 enacted by this Act, with a primary focus of  
 15 supporting newborns, infants, and very young children  
 16 and their parents and other family members."  
 17 7. By renumbering as necessary.

By HOUSER of Pottawattamie  
 FOEGE of Linn

H-1827 FILED APRIL 26, 1999

*Adopted*  
 4-27-99  
 (P. 1763)