

Withdrawn

JAN 21 2004
STATE GOVERNMENT

4/13/04

HOUSE FILE 2055
BY FREEMAN, DANDEKAR, and
JACOBS

(COMPANION TO LSB 5647SS
BY LUNDBY)

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

A BILL FOR

1 An Act providing for the establishment of a commission on the
2 status of Iowans of Asian and Pacific Islander heritage within
3 the department of human rights.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 2055

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1 Section 1. Sections 3 through 12 of this Act are enacted
2 as subchapter 11 of Code chapter 216A.

3 Sec. 2. Section 216A.1, Code 2003, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 8. Division on the status of Iowans of
6 Asian and Pacific Islander heritage.

7 Sec. 3. NEW SECTION. 216A.151 DEFINITIONS.

8 For purposes of this subchapter, unless the context
9 otherwise requires:

10 1. "Administrator" means the administrator of the division
11 on the status of Iowans of Asian and Pacific Islander heritage
12 of the department of human rights.

13 2. "Asian and Pacific Islander" means an individual from
14 any of the countries of Asia or islands of the Pacific.

15 3. "Commission" means the commission on the status of
16 Iowans of Asian and Pacific Islander heritage.

17 4. "Division" means the division on the status of Iowans
18 of Asian and Pacific Islander heritage of the department of
19 human rights.

20 Sec. 4. NEW SECTION. 216A.152 ESTABLISHMENT.

21 A commission on the status of Iowans of Asian and Pacific
22 Islander heritage is established consisting of nine members
23 appointed by the governor, subject to confirmation by the
24 senate. Members shall be appointed representing every
25 geographical area of the state. The members of the commission
26 shall appoint one of the members to serve as chairperson of
27 the commission.

28 Sec. 5. NEW SECTION. 216A.153 TERM OF OFFICE.

29 Four of the members appointed to the initial commission
30 shall be designated by the governor to serve two-year terms,
31 and five shall be designated by the governor to serve four-
32 year terms. Succeeding appointments shall be for a term of
33 four years. Vacancies in the membership shall be filled for
34 the remainder of the term of the original appointment.

35 Sec. 6. NEW SECTION. 216A.154 MEETINGS OF THE

1 COMMISSION.

2 The commission shall meet at least four times each year,
3 and shall hold special meetings on the call of the
4 chairperson. The commission shall adopt rules pursuant to
5 chapter 17A as it deems necessary for the conduct of its
6 business. The members of the commission shall be reimbursed
7 for actual expenses while engaged in their official duties. A
8 member may also be eligible to receive compensation as
9 provided in section 7E.6.

10 Sec. 7. NEW SECTION. 216A.155 DUTIES.

11 The commission shall:

12 1. Advise the governor and the general assembly on issues
13 confronting Asian and Pacific Islander persons in this state,
14 including the unique problems of non-English-speaking
15 immigrants and refugees.

16 2. Advise the governor and the general assembly of
17 administrative and legislative changes necessary to ensure
18 Asian and Pacific Islander persons access to benefits and
19 services provided to people in this state.

20 3. Recommend to the governor and the general assembly any
21 revisions in the state's affirmative action program and other
22 steps necessary to eliminate underutilization of Asian and
23 Pacific Islander persons in the state's workforce.

24 4. Recommend legislation to the governor and the general
25 assembly designed to improve the economic and social condition
26 of Asian and Pacific Islander persons in this state.

27 5. Serve as a conduit to state government for
28 organizations of Asian and Pacific Islander persons in this
29 state.

30 6. Serve as a referral agency to assist Asian and Pacific
31 Islander persons in securing access to state agencies and
32 programs.

33 7. Serve as a liaison with federal, state, and local
34 governmental units, and private organizations on matters
35 relating to the Asian and Pacific Islander persons in this

1 state.

2 8. Perform or contract for the performance of studies
3 designed to suggest solutions to the problems of Asian and
4 Pacific Islander persons in the areas of education,
5 employment, human rights, health, housing, social welfare, and
6 other related areas.

7 9. Implement programs designed to solve the problems of
8 Asian and Pacific Islander persons when authorized by law.

9 10. Publicize the accomplishments of Asian and Pacific
10 Islander persons and their contributions to this state.

11 11. Work with other state and federal agencies and
12 organizations to develop small business opportunities and
13 promote economic development for Asian and Pacific Islander
14 persons.

15 12. Supervise development of an Asian and Pacific Islander
16 trade primer, outlining Asian and Pacific Islander customs,
17 cultural traditions, and business practices, including
18 language usage for use by Iowa's export community.

19 13. Cooperate with other state and federal agencies and
20 organizations to develop improved state trade relations with
21 Asian and Pacific Islander countries.

22 Sec. 8. NEW SECTION. 216A.156 REVIEW OF GRANT
23 APPLICATIONS AND BUDGET REQUESTS.

24 Before the submission of an application, state departments
25 and agencies shall consult with the commission concerning
26 applications for federal funding that will have its primary
27 effect on persons of Asian and Pacific Islander heritage in
28 Iowa. The commission shall advise the governor and the
29 director of revenue and finance concerning any state agency
30 budget request that will have its primary effect on persons of
31 Asian and Pacific Islander heritage in Iowa.

32 Sec. 9. NEW SECTION. 216A.157 ADDITIONAL AUTHORITY.

33 The commission may:

34 1. Enter into contracts, within the limit of funds made
35 available, with individuals, organizations, and institutions

1 for services.

2 2. Solicit and accept grants of moneys or property from
3 the federal government or any other source, and upon its own
4 order use this money, property, or other resources to perform
5 the duties of the commission.

6 Sec. 10. NEW SECTION. 216A.158 EMPLOYEES AND
7 RESPONSIBILITY.

8 The commission shall employ necessary employees. Pursuant
9 to section 216A.2, the commission shall have responsibility
10 for budgetary and personnel decisions for the commission and
11 division. The administrator shall administer programs and
12 policies as determined by the commission.

13 Sec. 11. NEW SECTION. 216A.159 STATE AGENCY ASSISTANCE.

14 On the request of the commission, state departments and
15 agencies shall supply the commission with advisory staff
16 services on matters relating to the jurisdiction of the
17 commission. The commission shall cooperate and coordinate its
18 activities with other state agencies to the highest possible
19 degree.

20 Sec. 12. NEW SECTION. 216A.160 ANNUAL REPORT.

21 Not later than February 1 of each year, the commission
22 shall file a report in an electronic format with the governor
23 and the general assembly of its activities for the previous
24 calendar year. With the report, the commission may submit any
25 recommendations pertaining to its activities and shall submit
26 recommendations for legislative consideration and other action
27 it deems necessary.

28 EXPLANATION

29 This bill establishes a division on the status of Iowans of
30 Asian and Pacific Islander heritage within the department of
31 human rights. The commission on the status of Iowans of Asian
32 and Pacific Islander heritage is also created. The commission
33 consists of nine members, appointed by the governor and
34 subject to senate confirmation. Duties of the commission are
35 specified.

HOUSE FILE 2055

H-8218

1 Amend House File 2055 as follows:
2 1. Page 4, by striking lines 2 through 5, and
3 inserting the following:
4 "2. Accept gifts, grants, devises, or bequests of
5 real or personal property from the federal government
6 or any other source for the use and purposes of the
7 commission. Notwithstanding sections 8.33 and 12C.7,
8 the interest accrued from moneys received under this
9 subsection shall not revert to the general fund of the
10 state, but shall remain available for expenditure by
11 the commission."

By JACOBS of Polk

H-8218 FILED MARCH 10, 2004

HOUSE FILE 2055

H-8239

1 Amend the amendment, H-8218, to House File 2055, as
2 follows:
3 1. Page 1, by inserting after line 11 the
4 following:
5 "____. Page 4, line 8, by striking the word
6 "shall" and inserting the following: "may".
7 _____. Page 4, line 9, by striking the word "shall"
8 and inserting the following: "may".
9 _____. Page 4, line 11, by striking the word
10 "shall" and inserting the following: "may"."

By JACOBS of Polk

H-8239 FILED MARCH 15, 2004
ADOPTED

Fiscal Services Division Legislative Services Agency Fiscal Note

HF 2055 - Asian-Pacific Islander Commission (LSB 5647 HH)
Analyst: Sam Leto (Phone: (515) 281-6764) (sam.letto@legis.state.ia.us)
Fiscal Note Version - New
Requested by Representative Mary Mascher

Description

House File 2055 provides for the establishment of a new Division and a Commission on the Status of Iowans of Asian and Pacific Islander heritage within the Department of Human Rights. The Commission consists of nine members that are appointed by the Governor and subject to Senate confirmation. Duties of the Commission and term of office are also specified.

Assumptions

1. The estimates are based on the salary and support costs for a new Division and costs associated with establishing and maintaining the Commission similar to divisions currently within the Department of Human Rights.
2. The Commission will meet a minimum of four times each year and will be reimbursed for actual expenses such as mileage, meals, and lodging. Compensation for Commission Members is not assumed and has not been factored into the costs.
3. The Department of Human Rights does not have appropriated funds to meet the requirements of this Bill.
4. The new Division will be structured similar to other smaller divisions within the Department consisting of an Administrator and one staff member to assist the new Commission. The estimates are based on the salary and support costs for a new Division and costs associated with establishing and maintaining the Commission similar to divisions currently within the Department of Human Rights.
5. The Division Administrator will be compensated comparable to those in smaller divisions within the Department of Human Rights.

Fiscal Impact

House File 2055 would have an estimated FY 2005 General Fund cost of \$135,000 and 2.0 FTE positions. The estimated FY 2006 and subsequent years cost would be \$125,000.

Categories of Expense	FY 2005	FY 2006
Salaries (2.0 FTE Positions)	\$ 110,000	\$ 110,000
Support/Commission Costs	15,000	15,000
One-Time Costs - Computers/Furniture	10,000	0
Totals	\$ 135,000	\$ 125,000

Source

Department of Human Rights

Dennis C Prouty

March 1, 2004

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

**Fiscal Services Division
Legislative Services Agency
Fiscal Note**

HF 2055 - Asian-Pacific Islander Commission (LSB 5647 HH.1)
Analyst: Sam Leto (Phone: (515) 281-6764) (sam.letto@legis.state.ia.us)
Fiscal Note Version - Revised
Requested by Representative Swati Dandekar

Description

House File 2055 provides for the establishment of a Commission on the Status of Iowans of Asian and Pacific Islander heritage within the Department of Human Rights. The Commission consists of nine members that are appointed by the Governor and subject to Senate confirmation. Duties of the Commission and term of office are also specified.

Assumptions

1. The Commission will meet a minimum of four times each year and will be reimbursed for actual expenses such as mileage, meals, and lodging.
2. The Department of Human Rights will be fiscally responsible to cover costs associated with the Commission meetings from existing appropriations or other funds.
3. The Department will provide staff for the Commission from existing authorized FTE positions.
4. The Commission may utilize funds it solicits and receives to perform the duties of the Commission.

Fiscal Impact

House File 2055 would be funded from the existing Department of Human Rights' budget and any resources solicited from outside the Agency.

Source

Department of Human Rights

Dennis C Prouty

March 8, 2004

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
