

Sec. 29. Section 422.45, subsection 50, Code Supplement 2003, is amended to read as follows:

50. The gross receipts from sales or services rendered, furnished, or performed by the state fair organized under chapter 173 or a fair society organized under chapter 174.

Sec. 30. NEW SECTION. 669.25 LIABILITY.

A person who performs services for a fair, as defined in section 174.1, and is not a full-time employee of the fair is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit.

Sec. 31. Section 717D.3, subsection 1, paragraph b, Code 2003, is amended to read as follows:

b. A fair event as defined in section 174.1.

Sec. 32. Section 174.5, Code 2003, is repealed.

Approved March 29, 2004

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## CHAPTER 1020

### HUMAN RIGHTS — ASIANS AND PACIFIC ISLANDERS — COMMISSION

S.F. 2188

**AN ACT** providing for the establishment of a commission on the status of Iowans of Asian and Pacific Islander heritage within the department of human rights.

*Be It Enacted by the General Assembly of the State of Iowa:*

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

Sec. 2. Section 216A.1, Code 2003, is amended by adding the following new subsection: NEW SUBSECTION. 8. Division on the status of Iowans of Asian and Pacific Islander heritage.

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

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

1. "Administrator" means the administrator of the division on the status of Iowans of Asian and Pacific Islander heritage of the department of human rights.
2. "Asian and Pacific Islander" means an individual from any of the countries of Asia or islands of the Pacific.
3. "Commission" means the commission on the status of Iowans of Asian and Pacific Islander heritage.
4. "Division" means the division on the status of Iowans of Asian and Pacific Islander heritage of the department of human rights.

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

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

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

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

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

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

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

The commission shall:

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

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

Before the submission of an application, state departments and agencies shall consult with the commission concerning applications for federal funding that will have its primary effect on persons of Asian and Pacific Islander heritage in Iowa. The commission shall advise the governor and the director of revenue and finance<sup>1</sup> concerning any state agency budget request that will have its primary effect on persons of Asian and Pacific Islander heritage in Iowa.

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

The commission may:

1. Enter into contracts, within the limit of funds made available, with individuals, organizations, and institutions for services.
2. Accept gifts, grants, devises, or bequests of real or personal property from the federal government or any other source for the use and purposes of the commission. Notwithstanding sections 8.33 and 12C.7, the interest accrued from moneys received under this subsection shall not revert to the general fund of the state, but shall remain available for expenditure by the commission.

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

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

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

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

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

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

Approved March 31, 2004

<sup>1</sup> Director of "revenue" probably intended