

JK
6371
.158
1974

only 1 copy

REPORTS OF SUBCOMMITTEES OF STANDING COMMITTEES
OF THE IOWA GENERAL ASSEMBLY
WHICH CONDUCTED STUDIES
DURING THE 1973 LEGISLATIVE INTERIM

Submitted to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974


The following reports of subcommittees of standing committees
are contained herein and are in the order listed:

- Report of the Cable Television Subcommittee of the
Standing Committees on Commerce
- Report of the Criminal Code Revision Subcommittee of the
Senate and House Committees on Judiciary
- Report of the Criminal Justice System Subcommittee of the
Senate and House Committees on Judiciary
- Report of the Subcommittee on Problems of the Elderly and
Handicapped to the Senate and House Committees on Human Resources
- Report of the Uniform Alcoholism and Intoxication Treatment Act
Subcommittee of the Committees on Human Resources with Membership
from Standing Committees on State Government
- Report of the Uniform Vehicle Laws Subcommittee of the Senate
Committee on Judiciary and the House Committee on Judiciary and
Law Enforcement

NOTE: Other Subcommittee reports of standing committees are
being submitted under separate cover.

STATE LIBRARY COMMISSION OF IOWA

STATE LIBRARY OF IOWA
17 A3 10:S941 1974 sdoc
Iowa. General Assem/Reports of subcommit



3 1723 00019 3342

CABLE TELEVISION SUBCOMMITTEE
OF THE
STANDING COMMITTEES ON COMMERCE

Report to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974

F I N A L R E P O R T

CABLE TELEVISION SUBCOMMITTEE
OF THE
STANDING COMMITTEES ON COMMERCE

In July 1973, the Legislative Council authorized the creation of the Cable Television Subcommittee to consist of members from each of the Standing Committees on Commerce in the House of Representatives and the Senate. The following members were appointed by the Chairmen of the respective Standing Committees to serve on the joint legislative subcommittee:

Senator W. R. Rabedeaux, Chairman
Representative Arthur A. Small, Jr., Vice Chairman
Senator George R. Kinley
Senator Ray Taylor
Representative George J. Knoke
Representative Glenn F. Brockett

The Subcommittee held three meetings, one of which was a public hearing attended by city attorneys, members of community-based citizen committees on cable television, the legal counsel for the Iowa Commerce Commission, the Iowa Federation of Labor, owners and operators of cable systems, and representatives of the Iowa State Education Association and of the cable television industry itself. Testimony received from these persons, and an analysis made by the Subcommittee of available literature on the subject, revealed the following information on the status of cable television in Iowa:

Numerous municipalities, which are required by law to submit to a vote of the electorate a proposal to operate a cable television system, are confronted with the task of developing a franchise ordinance which must comply with complicated rules promulgated by the Federal Communications Commission and also meet the individual needs of the community. Typical issues facing the local franchising authority include: 1. The type of public proceeding needed to review the applications for a franchise; 2. The length of franchise period to be granted in the ordinance; 3. The system capabilities which shall be required of the cable television system, including the requirements for educational and public access channels.

At present there is in this state no consolidated body of information on processes and procedures to be followed by a municipality in the development of an ordinance through which a franchise may be granted. Although larger Iowa communities have had the resources necessary to hire consultants and receive the technical assistance necessary to draft a franchise ordinance, some communities have found it difficult to obtain the authoritative information and expertise to comply with the complicated regulations promulgated by the Federal Communications Commission. In addition, municipalities are not in the position to establish policies in regard to foreseeable developments in the granting of franchises on a regional or statewide basis or in regard to pro-

tecting any invasion of privacy occurring in the development of systems with two-way communication capability.

A sharply divided Federal Communications Commission advisory committee has recommended that the FCC exert total jurisdiction over regulation of cable television systems in order to parcel regulatory powers back to either states or municipalities in a manner which would avoid duplication of regulatory powers among various governmental levels. The majority report of the FCC advisory committee states that "the multilevel scramble for control of cable is producing policies and regulations which duplicate. . . or directly conflict with federal directives." The FCC itself, however, has thus far determined only that regulation over cable television should be a joint function of federal and local (state or municipality) authorities -- with the result that there has been no central direction provided at any level.

Although the Cable Television Subcommittee in Iowa acknowledges the present confusion over the method by which cable television franchises are to be granted, testimony received during the 1973 legislative interim also indicates that several municipalities have been able to provide for an orderly process by which the electorate may become informed on the franchise proposal prior to the election and the municipality assured of a system which will meet its present and future needs. The Subcommittee has also determined that a third tier of regulation of cable television at the state level might prove unwieldy for an industry which, the Subcommittee believes, is still in an infant stage of development.

The situation described above has prompted the Cable Television Subcommittee to reject the proposal introduced during the 1973 Session of the Sixty-fifth Iowa General Assembly for a moratorium on future construction of cable television systems in this state and, in view of possible total preemption of regulatory powers by the FCC, to reject the possibility of establishing at this time a statutory commission to regulate the franchising of cable television systems by municipalities. In place of these proposals the Subcommittee recommends to the General Assembly continuous surveillance of the status and development of cable television in the state in order to determine whether or not the state at some point of time in the future should establish a mechanism for state assistance to municipalities which might be required to grant a cable television franchise. The Subcommittee also recommends further study by the state of the possibility of granting franchises on a regional or statewide basis, extending cable service to rural areas, and preventing any invasion of privacy occurring in the development of systems with two-way communication capability.

Cable Television Subcommittee of the
Standing Committees on Commerce
Page 3

To implement its recommendation, the Subcommittee adopted by a vote of five to one a motion to request the Governor of Iowa to establish an advisory committee on cable television which would include two members of the House of Representatives to be appointed by the Speaker of the House, two members of the Senate to be appointed by the President of the Senate, and five nonlegislative members appointed by the Governor. It was also suggested in the request, which was forwarded to the Governor by the Subcommittee on December 7, 1973, that the nine-member advisory committee be required to report both to the Governor and to the Standing Committees on Commerce in the House and the Senate and that the first report be required to be submitted not later than April 15, 1974.

CRIMINAL CODE REVISION SUBCOMMITTEE
OF THE
SENATE AND HOUSE COMMITTEES ON JUDICIARY

Report to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974

REPORT OF
THE CRIMINAL CODE REVISION SUBCOMMITTEE
OF THE SENATE AND HOUSE COMMITTEES ON JUDICIARY

The Criminal Code Revision Subcommittee of the House and Senate Judiciary Committees was created by the Legislative Council pursuant to recommendations made by the Chairmen of the Judiciary Committees. The recommendation called for the creation of a ten-member subcommittee, five to be selected by each of the Chairmen of the House and Senate Judiciary Committees. The Subcommittee was charged with the duty of reviewing the Criminal Code Revision draft, which is the work product of a four-year study committee.

The membership of the Criminal Code Revision Subcommittee as appointed by the appropriate Chairmen of the Judiciary Committees is as follows:

Senate Judiciary Committee

Senator E. Kevin Kelly
Senator Gene V. Kennedy
Senator Ralph Potter
Senator Richard Ramsey
Senator Gene W. Glenn

House Judiciary Committee

Representative Reid W. Crawford
Representative Maurice Hennessey
Representative George J. Knoke
Representative Stephen J. Rapp
Representative Charles F. Strothman

Professor John Yeager, Drake University College of Law, was present at each of the meetings to lend technical assistance in the area of substantive criminal law. Professor Ronald Carlson, University of Iowa College of Law, presently a Visiting Professor of Law at Washington University in St. Louis, Missouri, submitted a list of proposed changes and responded to inquiries concerning technical aspects of criminal procedure law.

The first meeting of the Criminal Code Revision Subcommittee was held on September 19, 1973, at which time Representative George J. Knoke was elected chairman and Senator E. Kevin Kelly was elected vice-chairman. The Subcommittee began its deliberation with a discussion of the desirability and necessity of an extensive revision of the criminal laws and criminal procedures of the State of Iowa. The Subcommittee noted that the current body of criminal law is a result of over one hundred years of amendments and as a result is confusing to the general public, contains a disparity of sentences, and is overly complicated and voluminous. The Subcommittee recognized

the need to recodify the criminal laws so that they may be more easily found and understood by the general public and so that they reflect the values and views of contemporary society.

The four remaining meetings were devoted to a section by section analysis of the proposed Criminal Code Revision draft. During the course of the analysis those members of the Subcommittee who had previous experience with the draft were careful to explain the intent and context of the draft to members of the Subcommittee who had not been previously exposed to the draft. The Subcommittee also carefully scrutinized the draft for clerical errors, errors made by previous committees, and changes mandated by recently enacted legislation and recent court decisions. As a result of its study the Criminal Code Revision Subcommittee made the following changes in the draft:

1. General grammatical, typographical, spelling and sentence structure changes.
2. Deleted the crimes of placing an obstruction on railways, depositing refuse on track, shooting or throwing at train, and uncoupling locomotive or cars from the division on criminal trespass (Chapter 1, Division XVI), because such behavior is adequately covered by other sections of the draft.
3. Rewrote the section dealing with conflict of interest (Chapter 1, Division XXI).
4. Authorized correctional officers to possess offensive weapons (Chapter 1, Division XXIV).
5. Added private detectives to the group of persons allowed to carry firearms (Chapter 1, Division XXIV).
6. Expanded the effective period of temporary weapon permits from one month to not more than six months (Chapter 1, Division XXIV).
7. Provided that copies of issued weapons permits and revocations be forwarded to the Department of Public Safety and that the commissioner maintain a file of same (Chapter 1, Division XXIV).
8. Deleted the sections on gambling in deference to Senate File 108 passed during the first session of the 65th General Assembly (Chapter 1, Division XXV).
9. Rewrote the section on nonsupport (Chapter 1, Division XXVI).
10. Deleted the section on abortion (Chapter 1, Division XXVIII).

11. Provided that a witness may be given use (testimonial) immunity (language subject to approval) (Chapter 2, Rule 19).
12. Struck the requirement that corroborating evidence be required for a conviction of sexual abuse (rape) (Chapter 2, Rule 20).
13. Replaced short form indictment section with a similar section which correlates to Chapter 1 (Chapter 2, Form 10).
14. Rewrote the section dealing with the trial of simple misdemeanors to correlate with the Unified Trial Court Act.
15. Rewrote the divisions dealing with sentencing to correlate with the Deferred Sentencing Act (Chapter 3, Divisions I and VII).

Copies of the Criminal Code Revision draft have been forwarded to members of the Standing Committees on Judiciary of the Senate and House for action by such committees during the 1974 Session of the Iowa General Assembly.

The Subcommittee recommends that the House and Senate Judiciary Committees accept the draft, as revised, and recommends its passage by the General Assembly.

CRIMINAL JUSTICE SYSTEM SUBCOMMITTEE
OF THE
SENATE AND HOUSE COMMITTEES ON JUDICIARY

Report to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974

FINAL REPORT

of the

CRIMINAL JUSTICE SYSTEM SUBCOMMITTEE

The Criminal Justice System Subcommittee of the Senate Standing Committee on Judiciary and the House Standing Committee on Judiciary and Law Enforcement was established by the Legislative Council on August 15, 1973. The Senate and House Judiciary Chairman, Senator Tom Riley and Representative Phillip Hill, appointed the following members:

Senator Lucas J. DeKoster
Senator Elizabeth Shaw
Senator C. Joseph Coleman
Representative Rollin C. Edelen
Representative Rayman D. Logue
Representative Charles N. Poncy

The Subcommittee held four meetings. At the first meeting, held September 13, 1973, the Subcommittee elected Senator Lucas J. DeKoster as chairman. Chairman DeKoster outlined the Subcommittee's responsibilities as:

1. Study of a District Prosecutor System.
2. Study of a District Public Defender System.
3. Study of a District Court Administrator System.

The Subcommittee, at its second and third meetings, held October 8, 1973 and November 19, 1973, respectively, received information from:

1. Edward N. Wehr, Scott County Attorney.
2. Honorable Newt Draheim, Judge, District Court of Iowa.
3. Joseph Van Winkle, Janet Winslow, and Dick Grossman; Iowans for Better Justice.
4. Robert Overbillig, Legal Aid Society of Polk County and National Legal Aid and Defender Association.
5. Honorable Leo Oxberger, Judge, District Court of Iowa.
6. Walter Saur, Fayette County Attorney; Executive Secretary, Iowa County Attorneys Association.
7. John Wolfe and Kate Garrison, Metropolitan Criminal Justice Center, Des Moines, Iowa.
8. Fred White, Iowa State Bar Association.
9. Donald Cleveland, Executive Director, Iowa State Association of Counties.

10. Gordon Allen, Iowa Civil Liberties Union.
11. William Shelton, Lucas County Attorney.
12. Walter Chidester and Joe Morrissey, American Friends Service Committee.
13. Honorable Richard C. Turner, Attorney General of Iowa.
14. Ira Skinner, Jr., Assistant Attorney General of Iowa.
15. C. Joseph Coleman, Jr., Assistant Attorney General of Iowa.
16. Ray Cornell, Deputy Citizens Aide for Prison Affairs.
17. Ralph Murray, Newton Release Center Resident.
18. Larry Gorham, Newton Release Center Resident.

The Subcommittee determined from the information received from witnesses and staff research that the criminal justice system in Iowa is in need of changes to provide more uniform procedures throughout the state and to help keep court dockets uncrowded. The Subcommittee recognized that Iowa is not currently faced with some problems confronting other states, but determined that a program of District Court Administrators, District Prosecutors, and District Public Defenders is necessary to keep Iowa standards of criminal prosecution and defense high.

The Subcommittee determined that a system of District Court Administrators would provide valuable assistance to Chief Judges in each of Iowa's judicial districts. The Subcommittee agreed that such a program is necessary to provide improved administration, such as assignment of judges, defense counsel, and calendar preparation. The Subcommittee determined that the position of District Court Administrator could free Chief Judges of the judicial districts for more time on the bench, and relegate duties of an administrative nature to the Court Administrator. The Subcommittee noted the apparent success of Court Administrator programs in Polk and Woodbury Counties.

The Subcommittee also determined that a system of District Prosecutors would provide uniform standards and procedures for the prosecution of criminal cases throughout the state of Iowa. The Subcommittee agreed that the present county attorney system has both merits and faults, and favored the retention of the meritorious aspects. The Subcommittee noted the apparent success of the Area Prosecutor program under the direction of the Attorney General, but agreed that a more localized system of prosecution is necessary. The Subcommittee agreed that a District Prosecutor System will provide the localized prosecution necessary, while retaining the favorable aspects of more uniform standards and procedures of prosecutorial functions.

The Subcommittee further determined that a system of District Public Defenders is necessary to provide more uniform and better defense to criminal defendants. The Subcommittee noted that the present court-appointed attorney system appears to provide defense attorneys on a random basis; the quality of court-appointed counsel, while high, appears to be based on the willingness of the judge to scrutinize the list of lawyers available. The Subcommittee also noted the defendants lack of faith in court-appointed counsel.

At its third meeting, the Subcommittee directed the preparation of three bill drafts in the following areas, and incorporating the following ideas:

1. Create the office of District Court Administrator. Duties should include assignment of judges, preparation of calendar, assignment of defense counsel, and general administrative duties. There would be one administrator for each judicial district to work with and under the direction of the Chief Judge. The position would be by appointment by the Chief Judge.
2. Create the office of District Prosecutor in each of Iowa's judicial districts. The position would be created by nomination by the District Judicial Nominating Commission and then submitted to the voters at the general election. Assistants and staff as necessary would be provided. County Attorneys would be Assistant District Prosecutors by virtue of their office. Duties would include authority over all criminal prosecutions in district.
3. Create the Office of District Public Defender in each of the judicial districts of Iowa. Duties would include the defense of criminal defendants at all stages of a criminal proceeding. The position would be by appointment by the Judicial District Nominating Commission for a term of six years. Such staff and space as necessary would be provided.

The Subcommittee at its fourth meeting, held December 17, 1973, reviewed and approved the bill drafts with minor changes. The Subcommittee agreed that the office of the district prosecutor should be funded on the following basis:

1. The state will pay the cost of initially finding office space and providing books, furniture, etc.
2. The state will pay the salaries of the district prosecutor and staff.
3. The counties will pay, on a pro-rata basis from the court fund, the maintenance costs of operating the office.

The Subcommittee also determined that salaries for the various positions should be:

1. District Court Administration - \$13,000.
2. District Prosecutor - \$24,000.
Assistant District Prosecutor - 80% of District Prosecutor.
3. District Public Defender - \$24,000.
Assistant District Public Defender - 80% of District Public Defender.

The Subcommittee having reviewed, amended and approved the bill drafts, agreed to report the bill drafts to the full Judiciary Committees with the recommendation that they do pass.

SUBCOMMITTEE ON PROBLEMS OF THE ELDERLY AND HANDICAPPED
OF THE
SENATE AND HOUSE COMMITTEES ON HUMAN RESOURCES

Report to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974

Report of the
SUBCOMMITTEE ON PROBLEMS OF THE ELDERLY AND HANDICAPPED
to the
Senate and House Committees on Human Resources
of the
65th General Assembly, Second Session (1974)

Concern about "the quality of life of Iowa's elderly and physically handicapped citizens" led 31 Senators to introduce in the Senate, during the first session of the 65th General Assembly, Senate Concurrent Resolution 39 requesting that a study committee be established during the interim between the first and second sessions to look into this matter. Upon adjournment of the 1973 session, the resolution was referred to the Legislative Council which requested that a joint interim subcommittee of the Senate and House Human Resources Committees be formed to make the requested study. Accordingly, Senators Barton Schwieger, Leonard Andersen and William Gluba and Representatives Reid Crawford, Donald Lippold and R. G. (Hap) Miller were appointed as the joint Subcommittee on Problems of the Elderly and Handicapped.

The Subcommittee was initially authorized three meetings, which were held on September 28, October 10 and November 7, and was subsequently authorized one additional meeting to complete its work, which was held on December 12. Presentations were made to the Subcommittee by persons representing a broad range of groups and agencies, as well as by individuals speaking for themselves, concerning numerous problems, frustrations and dilemmas which confront many handicapped and elderly persons as they seek to go about the daily business of living in Iowa. On the morning of October 10, the Subcommittee made unannounced visits to three licensed health care facilities in the City of Des Moines in which elderly and handicapped persons reside.

The persons about whose circumstances the members of the Subcommittee are most concerned at this time may be broadly described as those who, due to the limitations--physical, mental, economic, or a combination of these--resulting from handicaps or from advanced age, either (1) must live in situations where some part of their daily requirements of life are met by others, or (2) must have some continuing outside assistance or supportive services if they are to remain in their own homes or apartments. For convenience, in this report persons in the first of these two broad groups will be referred to as those who are in "substitute care" situations; persons in the latter group will be referred to as being in "dependent home living" situations.

Members of the Subcommittee do not believe that new legislation is either necessary nor particularly desirable as a solution to all of the problems identified and discussed by persons

appearing before it. Therefore, some of the Subcommittee's comments and recommendations are directed, at least initially, to the Governor and to executive branch agencies, rather than to the General Assembly.

Places for Elderly and Handicapped to Live

A number of those who have met with the Subcommittee have strongly expressed belief that at this time the single most serious problem confronting many elderly and handicapped persons in Iowa is inability to make satisfactory arrangements for a place to live. In the views of these persons, nothing done in the way of rehabilitation, job training, or social or recreational activities--important as these are--can compensate for lack of a suitable and reasonably satisfying place which the individual may regard as his or her home.

There are several reasons why it is difficult for many elderly and handicapped persons to find and retain living arrangements which are satisfactory to them. One, of course, is that these persons often lack sufficient funds for items such as rent, maintenance, property taxes, and perhaps transportation expenses, that generally go with living in one's own home or apartment in our society. Beyond this, however, there is a shortage of sufficient facilities of the kinds needed in Iowa by elderly and handicapped persons. Much of this shortage also relates to lack of money, but in this case it is inadequate public funds to pay for care of indigent or low-income elderly and handicapped persons in nonmedically oriented group facilities.

Substitute Care Housing Task Force

On October 24, 1973 several of the persons who have appeared before the Subcommittee, and have otherwise been active in seeking to improve living conditions for elderly and handicapped persons in Iowa, presented to Governor Robert Ray a proposal for formation of a task force to undertake an intensive short-term (60 day) effort to make plans for developing, funding, and continuously monitoring and evaluating various kinds of needed substitute care housing facilities in Iowa.* A letter to Governor Ray from Execu-

*Persons involved in preparing the proposal included Mary Dunn of Fair Housing for the Handicapped, Executive Director Helen Henderson of the Iowa Association for Retarded Children, Executive Secretary Evelyn Villines of the Governor's Committee on Employment of the Handicapped, Forbes Johnson of the Linn County Department of Social Services and Michael Cain and Keith Meyers of the Scott County Department of Social Services.

tive Director Helen Henderson of the Iowa Association for Retarded Children, setting forth the proposal presented to the Governor, appears as Appendix I to this report. The Subcommittee endorses the proposal, and recommends that the Governor immediately appoint such a task force. The Subcommittee further recommends that a cross section of public and consumer members, as well as agency members and legislative members, be appointed to the task force and that actual and necessary expenses be paid to all members, and that if needed a reasonable appropriation be made to permit the task force to carry out its function. The Subcommittee urges that the General Assembly give careful consideration to the recommendations of the task force, if one is established by the Governor.

State Housing Authority

The Subcommittee recommends to the Governor and to the General Assembly that serious consideration be given to the establishment of a state housing authority. Such an agency would provide low interest loans or otherwise engage or assist in financing and construction of needed housing facilities for elderly and handicapped persons. At the time this report was written, no specific legislative proposal had been prepared pursuant to this recommendation. The General Assembly should adequately fund the proposed state housing authority if it is established.

Other Housing Considerations

Other factors in the difficulties often experienced by the handicapped and the elderly in finding and maintaining satisfactory living arrangements are the effects of inflation, and the lack of any specific publicly funded program to assist persons who need to live in facilities licensed as adult foster care homes or boarding homes.

Older Iowans living in their own homes usually wish to remain in them as long as possible, however houses deteriorate and are costly to maintain on a fixed or limited income (even if someone able to perform needed repairs or maintenance can be found, which may be difficult in itself in many communities). Of course, increases in property taxes add to financial burdens of homeowners in such situations. It is recognized that there is little the General Assembly can do directly to control inflation, but its effects on elderly and handicapped Iowans trying to maintain their own homes should be kept in mind by legislators at all times.

At the present time the state has no type of assistance program which specifically provides funds to help pay the cost of a recipient's meals and lodging in an adult foster home or boarding home. The amounts which have been allowed for care in custodial homes are not sufficient to attract capital into construction of

new facilities of this kind, or the upgrading of existing ones. Since the demand for the services of such facilities by those who are able to pay their own living expenses in full is apparently quite limited, the result is very insufficient availability of such facilities for anyone, whether or not he or she receives public assistance. This matter is discussed more fully later in this report.

Accessibility to Public Buildings for Handicapped

Chapter 104A, Code of Iowa, originally enacted in 1965, requires that "all buildings and facilities . . . used by the public which are constructed in whole or in part by the use of state funds or the funds of any political subdivision of the state" must be designed in accordance with "standards and specifications . . . to ensure that such buildings and facilities are accessible to and functional for the physically handicapped".* Handicapped persons who have met with the Subcommittee have expressed considerable frustration at finding that this law is often ignored, by state agencies as well as local governments according to these persons.

There are no enforcement provisions in Chapter 104A itself, but in adopting the State Building Code Act (Chapter 103A, Code of Iowa) in 1972 the General Assembly made enforcement of Chapter 104A a part of the duties of the Building Code Commissioner. By law, the Director of the Division of Municipal Affairs in the Office for Planning and Programming either serves as, or designates someone to serve as, the Building Code Commissioner. At present, Mr. Kenneth C. Henke is Director of this Division and is serving as Building Code Commissioner. The Subcommittee has asked Mr. Henke to indicate whether or not he believes he is in a position to enforce Chapter 104A effectively in the future, and if not, what additional staff would be necessary to permit him to do so. (It should be noted that the foregoing comment implies no criticism of Mr. Henke's past performance, since he has not had responsibility for enforcement of Chapter 104A until relatively recently.)

In addition to seeking to insure the enforcement of Chapter 104A as presently written, it has been suggested to the Subcommittee that Iowa enact legislation similar to that now in effect in North Carolina, which requires in effect that any newly constructed building which is to be open to the public be made accessible to handicapped persons in various designated ways, regardless of whether public funds go into the construction of the building. The Subcommittee was informed that four Iowa cities--Ames, Bettendorf, Cedar Rapids and Davenport--have already adopted ordinances having this effect.

*Sections 104A.1, 104A.2, Code of Iowa (1973).

Subcommittee on Problems of the Elderly and
Handicapped
Report
Page 5

Upon review, it was found that the specific requirements for construction of buildings open to the public in North Carolina are established by administrative rule, pursuant to general statutory authority. The Subcommittee believes a similar procedure would be desirable in Iowa, since it would permit some flexibility to change specific requirements when technological advancements or other considerations so indicate.

Therefore, the Subcommittee recommends the enactment of the draft bill appearing as Appendix II to this report. The bill is based on and similar in most respects to Senate File 409, introduced in 1973 by Senator Michael Blouin. However in addition to two specific design requirements added to Chapter 104A by Senate File 409, the Subcommittee's draft bill places with the Building Code Commissioner authority to adopt rules and regulations which will require that newly constructed buildings which are to be open to the public include design features making them accessible to and usable by persons who are physically handicapped.

Also, at the Subcommittee's December 12 meeting, it was agreed to recommend to the General Assembly legislation requiring that when curbs are constructed along public streets, they be interspersed with cutouts and inclined ramps for the use of handicapped persons. This bill, which appears as Appendix III to this report, is based on an Oregon statute.

Health Care Facilities--Chapter 135C of the Code

Substitute care facilities in Iowa are to a great extent subject to licensing and regulation under Chapter 135C of the Code, entitled "Health Care Facilities", and to the rules and regulations adopted pursuant to that statute. Initially adopted in 1957, Chapter 135C underwent extensive revision in 1970. It is believed that the objectives of the 1970 legislation may be accurately expressed as (1) to try to insure that no individual is placed in a facility unable to provide as high a level of care as that individual requires, (2) to try to insure that the social as well as the physical needs of persons living in substitute care are met by licensed facilities, and (3) to try to establish a system of essentially independent or third-party inspection and evaluation of the performance of licensed health care facilities.

On the basis of relatively brief experience with the present health care facilities law--two years having elapsed from enactment of the 1970 amendments to final adoption of administrative rules drawn up pursuant to the 1970 legislation--it appears to be the consensus of most persons who met with the Subcommittee that the law itself is basically sound, and that its adoption was a commendable step by the General Assembly. Most complaints which relate to Chapter 135C are ascribed to failure to

implement what is seen as its intent, either by lack of effective action or by misinterpretation.

A major feature of the 1970 amendments to Chapter 135C was establishment of the presently existing definitions of seven graduated levels of substitute care. These levels range from adult foster home, generally conceived of as an arrangement by which one or two persons requiring some substitute care live with unrelated individuals in what is essentially a family home situation, up to skilled nursing homes and extended care facilities, generally conceived of as being "one step below a hospital" in terms of type and intensity of care provided.

Non-nursing Care Facilities

The first three categories of health care facilities defined by Chapter 135C are the adult foster home, the boarding home and the custodial home. The definitions of these categories appear as subsections 1, 2 and 3 of section 135C.1. As a group, these three categories are set apart from the four higher categories of health care facilities by the fact that, by law, persons admitted to adult foster homes, boarding homes and custodial homes must be those who do not need nursing care. Thus, although not so defined by statute, these three categories of substitute care facilities may be collectively referred to as non-nursing care facilities.

Since many of the persons who need some form of substitute care do not have sufficient income or resources to pay all of the cost themselves, their access to substitute care is dependent to a great extent on availability of public funds which can be used for this purpose. There are no state funds specifically available to pay for adult foster home care or boarding home care, although some recipients of Old Age Assistance, Blind Assistance and Aid to the Disabled have been able to live in such facilities by means of a "special needs" allowance figured into their assistance grants.

The January 1, 1974 replacement of these three categorical assistance programs by the new federally-administered Supplemental Security Income (SSI) program will affect this means of funding the limited amount of adult foster home care and boarding home care which has been provided with state money. Applicable federal requirements forced some administrative adjustments in December, 1973, which may be of a transitional nature. As this report is written late in 1973, consideration is being given to paying for some care in adult foster homes and boarding homes after January 1 from funds appropriated for services to the elderly, blind and disabled by Senate File 604 of the 65th General Assembly.

Subcommittee on Problems of the Elderly and
Handicapped
Report
Page 7

Prior to the beginning of payments under the federal SSI program, care was being provided in custodial homes under Iowa's Old Age Assistance, Blind Assistance and Aid to the Disabled programs, although there appears to be general agreement that the maximum rate of approximately \$6 per day is insufficient. Furthermore, although the effect of federal requirements will be to require the state to continue assisting with the cost of custodial home care for persons receiving categorical assistance grants and residing in custodial homes as of December 31, 1973, there is presently no law under which persons who would have become eligible for such grants on or after January 1, 1974 can receive state financial assistance for the cost of custodial home care.

The present situation in regard to availability of custodial home care for low-income persons in Iowa has been described to the Subcommittee as at or approaching crisis proportions. New regulations adopted under the 1970 legislation make the requirements for physical facilities occupied by custodial homes nearly as stringent as those for nursing homes, although the maximum amount which the state will pay for custodial home care is much less than that for nursing home care. As a result, the Subcommittee was told, the construction of new custodial home facilities has virtually come to a halt while many of the older custodial homes have gone out of business or will do so in the next two years because it is not economically feasible to meet present custodial home standards.

It appears that some suitable basis should be found on which to increase state payments for custodial home care to a level that will again attract private capital into this field. It might also be helpful to bring about greater differentiation between standards applicable to nursing homes and those applicable to custodial homes, if this can be done in a manner which is not detrimental to the interests of custodial home residents.

In addition, it should be a goal to insure that every resident of a non-nursing care facility has access to activities that will help to make his or her life meaningful. The very fact that residents of these facilities must be persons who do not require daily nursing care implies the need for constructive outlets for their energies. It need not necessarily be the sole responsibility of the boarding or custodial home to provide these activities; the community at large should understand that licensed boarding homes and custodial homes are essentially residential facilities, not institutions intended to meet all the social and human needs, as well as the physical needs, of their residents.

Directive - The Subcommittee, at its December 12, 1973 meeting, adopted the following motion:

Subcommittee on Problems of the Elderly and
Handicapped

Report

Page 8

"The current funding of approximately \$6 a day to care for people in non-nursing home facilities is inadequate and, therefore, this Subcommittee directs the Iowa Department of Social Services in cooperation with the Health Planning Council to develop a realistic funding model for people in non-nursing home facilities, specifically custodial homes, boarding homes and foster and group care homes. And in accordance with this recommendation, we direct said administrators to develop a plan for purchase of service arrangements to supplement the needs of these people, where necessary, in non-nursing facilities. The Department of Social Services shall report back with a detailed plan along with any necessary bill drafts by the start of the 66th General Assembly."

Nursing Homes

Chapter 135C defines four categories of nursing homes; basic nursing homes, intermediate nursing homes, skilled nursing homes and extended care facilities. The two latter categories are tied by the 1970 Iowa legislation to federal definitions formerly established under the Title XIX (Medicaid) and Title XVIII (Medicare) programs, respectively, but the distinctions between the two have been abolished in the federal programs and replaced with a single category, skilled nursing facilities (SNF). Less intensive nursing care than that found in SNF's is given by basic and intermediate nursing homes. The distinction between the Iowa statutory definitions of basic nursing homes and intermediate nursing homes is based on the intensity of nursing care provided.

The care of welfare recipients in Iowa who require the services of a nursing home is paid for under Iowa's Medicaid program, but the funding mechanism has no direct relationship to the levels of care defined by law. It appears that, in the case of basic nursing homes and intermediate nursing homes, the lack of any distinction in the funding mechanism arises largely from the fact that the Department of Social Services has not identified cost factors which might vary between the two categories. Nevertheless, these circumstances suggest it might be appropriate to review the existence of as many as four levels of nursing home licenses.

There was some indication to the Subcommittee that some nursing homes are reluctant to accept welfare patients due to what is regarded as inadequate levels of payment, but this problem appears less severe than at the custodial home level. The degree of nursing care required varies considerably among patients. While the amount paid nursing homes by the state is intended to vary

accordingly, the upper limit (\$11.46 per day in late 1973)* is too low to adequately reimburse a nursing home for care of a patient who requires a high level of nursing care more or less continuously.

The Subcommittee was informed that the rate of construction of new nursing home facilities in Iowa is, and is expected to remain, adequate to meet the anticipated need. There is some concern about utilization of nursing home facilities, the Subcommittee being told that a substantial number of nursing home beds are occupied by persons who really do not require nursing care, but for whom no alternative is available because of the shortage of custodial home facilities referred to earlier in this report. Also, one of the persons who met with the Subcommittee voiced dissatisfaction over what he considers unduly restrictive policies regarding utilization of SNF facilities by patients for whose care the state pays, and warned that this policy is leading to "de-certification" (i.e., decisions to relicense at a lesser care level) of some SNF's in the state.

Directive - The Subcommittee, at its December 12, 1973 meeting, adopted the following motion to be added at this point in this report:

"The Subcommittee, therefore, directs the Department of Social Services, and the Health Department, in cooperation with the Health Planning Council, to review the nature and quality of care now made available in basic, intermediate, and skilled nursing homes, and extended care facilities to determine if these categories are appropriate in view of current service needs and funding. And that they shall report back with a detailed plan along with any necessary bill drafts by the start of the 66th General Assembly."

Care Review Committee

Members of the Subcommittee believe that one of the most important features of the 1970 Iowa health care facilities legislation is the provision for each licensed facility to have a care review committee. That requirement appears as section 135C.25 of the Code, and states that each care review committee "shall periodically review the needs of each individual patient or resident of the facility". The Subcommittee members believe that

*This maximum does not apply to the relatively few SNF's in the state, which are reimbursed for care of welfare patients on a "reasonable cost" basis. However, these payments are subject to later review which may lead to requests for partial refunds if it is concluded that reimbursement was made for a level of care greater than was warranted.

Subcommittee on Problems of the Elderly and
Handicapped
Report
Page 10

this committee was intended to serve in effect as the patient's or resident's advocate in those situations where his or her interests might conceivably differ from those of the operator of the facility, but in which it is neither feasible nor desirable for the State Department of Health to perform this function.

Section 135C.25 presently states only that the composition of the care review committee "shall be in accordance with the rules of the department" (i.e., Department of Health). Unfortunately, the rules promulgated under this section empower the operators of licensed health care facilities to appoint the care review committee for their own facilities. The Subcommittee believes this to be contrary to the intent of section 135C.25 and recommends that the section be amended to clarify this point. It is further recommended that the power to designate members of the care review committee for each facility be delegated to the area health planning council in whose area the facility is located.

It has been pointed out that, as presently written, section 135C.19 tends to hamper the effectiveness of the care review committee by denying it access to confidential information about the facility for which the committee is appointed. The Subcommittee therefore further recommends that section 135C.19 be amended to make any information about a particular licensed facility, which the Department of Health may obtain in the course of inspection and other regulatory activities, available to the care review committee of that facility.

A draft bill embodying the preceding recommendations appears as Appendix IV to this report.

Other Recommendations

Pursuant to various suggestions and comments made in the course of the Subcommittee's meetings and subsequent discussion by its members the Subcommittee submits, in addition to the recommendations already stated in this report, the following recommendations:

SSI Supplementation - It is recommended that the respective Human Resources Subcommittees of the Appropriations Committees accord the highest priority to providing funds necessary for an adequate state supplement to federal SSI payments so that elderly and handicapped Iowans solely or primarily dependent upon SSI payments will be able to maintain a decent standard of living.

Individual Funding Models - It is recommended that the various state agencies, involved in delivery of social and health services to elderly, handicapped or retarded persons in substitute care or dependent living situations, cooperate to develop (1)

Subcommittee on Problems of the Elderly and
Handicapped
Report
Page 11

individual funding models to provide to each person those services needed to meet his or her particular needs, which might include such social and health services as housing, occupational therapy, physical therapy, recreational activity, transportation or nutrition services, and (2) an independent review mechanism which can report to the funding agencies when any of these services are not satisfactory.

Transportation - It is recommended that the Commission on Aging, and the Governor's Committee on Employment of the Handicapped, prepare proposals to authorize and financially assist the furnishing by counties, cities, school districts, or all three of transportation services needed by the elderly and handicapped in their daily living, and that they report at or before the start of the 66th General Assembly. Existing public transportation has largely failed these persons, particularly in rural areas of the state.

Comprehensive Health Planning Council - It is the Subcommittee's view that the functions of the Department of Health's Division of Hospital Survey and Construction, stated in Code section 135A.3, are now in fact being performed primarily, if not entirely, by the Comprehensive Health Planning Council which was administratively transferred from the Department of Health to the Office for Planning and Programming some time ago. It is recommended that legislation be prepared establishing the Comprehensive Health Planning Council by statute and including among its specific duties those set forth in section 135A.3. Mr. Frank Fair, Director of Comprehensive Health Planning, and the Legislative Service Bureau have been requested to draft such legislation, with the intent that a draft be available upon the convening of the second session of the 65th General Assembly.

Outreach Work and Public Information - This Subcommittee recommends that county boards of supervisors and social services offices, area commissions on aging, district offices of the Vocational Education Rehabilitation and Services division, and other state and local social service agencies develop better ways to disseminate information to the general public concerning programs already established that would assist persons in need of these agencies' services.

Governor's Committee on Employment of the Handicapped - In keeping with its changing role, the Subcommittee suggests that the title of this agency be changed to more accurately reflect the broadened scope of its activities on behalf of handicapped persons. It is also suggested that the title of Executive Secretary Evelyn Villines might appropriately be changed to Director.

Civil Rights of the Elderly and Handicapped - The Subcommittee urges that the Iowa Civil Rights Commission be directed to

Subcommittee on Problems of the Elderly and
Handicapped
Report
Page 12

give equal attention to the problems of the elderly and handicapped, especially those confined in health care facilities as defined in section 135C.1 of the Code.

Continuation of Subcommittee

In the meetings of the Subcommittee, it has become apparent that elderly and handicapped persons--particularly the latter--often experience intense frustration in trying to make society in general aware of their particular needs, problems and potentialities. Its members believe that this Subcommittee has performed a valuable service in listening to and considering the presentations by representatives of elderly and handicapped persons, and those working in their behalf, and by assisting in the search for solutions to the problems presented. In order to continue this effort, it is recommended that extension of the existence of the Subcommittee on Problems of the Elderly and Handicapped be requested by the Senate and House Committees on Human Resources and authorized by the Legislative Council.

In concluding its report, the Subcommittee wishes to express its appreciation to the many persons who have taken time and made the effort to attend and participate in the Subcommittee's meetings, and to the staff personnel who have assisted the Subcommittee during the 1973 interim.

UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT SUBCOMMITTEE
OF THE
COMMITTEES ON HUMAN RESOURCES WITH MEMBERSHIP FROM
COMMITTEES ON STATE GOVERNMENT

Report to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974

F I N A L R E P O R T

UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT SUBCOMMITTEE
OF THE
COMMITTEES ON HUMAN RESOURCES WITH MEMBERSHIP FROM
COMMITTEES ON STATE GOVERNMENT

The Legislative Council, at its August 15, 1973 meeting, authorized the establishment by the Standing Committees on Human Resources of a joint interim subcommittee to study the Uniform Alcoholism and Intoxication Treatment Act. As recommended by the Studies Committee of the Legislative Council, two members from each House on the ten-member Subcommittee were selected from the membership of the Standing Committees on State Government. The Subcommittee was authorized three meetings and included the following legislators:

Senator John S. Murray, Chairman
Representative W. R. Monroe, Vice Chairman
Senator Minnette F. Doderer
Senator Karl Nolin
Senator John N. Nystrom
Senator William N. Plymat
Representative Reid W. Crawford
Representative C. Raymond Fisher
Representative Mattie Harper
Representative James C. West

At its first meeting on October 8, 1973 the Subcommittee elected Senator John S. Murray to serve as Chairman and Representative W. R. Monroe to serve as Vice Chairman and identified the following issues:

1. Is there a change needed in the administration of alcoholism programs at the state level?
2. If the Subcommittee elects to adopt the Uniform Act or recommend legislation similar to the Uniform Act, should a commission administer the Act or should the final authority for supervising the administration at the state level rest with a division director within a designated agency?
3. What shall be the relationship between local alcoholism treatment centers and the state agency or commission designated to administer the Act?
4. Should and can decriminalization of public intoxication take place in Iowa and provide for both voluntary and involuntary treatment?
5. What should be the method of payment for treatment of alcoholics at medical facilities and treatment centers?

In response to questions raised by these issues, the Subcommittee invited and heard testimony from the director of the State Alcoholism Authority in the Office for Planning and Programming, the executive director and members of the Iowa Commission on Alcoholism, the Commissioner of Public Health, representatives of the Department of Social Services, directors of local alcoholism treatment centers, and other interested persons who would be affected by the enactment in this state of the Uniform Alcoholism and Intoxication Treatment Act.

The Subcommittee also received a summary on the enactment by seventeen states of the Uniform Act. At its first meeting it was brought to the attention of the Subcommittee that several of these states did not specifically repeal their public intoxication statutes for the reason that local treatment centers were not available to accept intoxicated persons who, under the Uniform Act, can no longer be arrested for public intoxication. Subsequently, the Subcommittee adopted the recommendation of the local alcoholism center directors in Iowa to take under consideration a revised draft of the Uniform Act which would provide for the arrest of intoxicated persons who refuse the alternative of treatment at an alcoholism center. Support for the revised draft of the Uniform Act and against the repeal of statutes providing penalties for public intoxication is based on the following arguments:

1. Mandatory transportation of intoxicated persons to treatment centers or to jails removes the burden on local law enforcement officers who are not prepared to assume the responsibility for releasing an intoxicated person who refuses assistance to a treatment center and who, in the absence of a law providing for the arrest of intoxicated persons, would be inclined to charge the person with another crime.

2. If the state provides for total decriminalization of public intoxication, input by the courts, which refer thirty percent of the cases for treatment, would be lost.

3. Detention and arrest has worked to motivate the alcoholic to voluntarily enter a treatment program where he otherwise would not.¹

Also at its second meeting and pursuant to receiving testimony indicating concurrence by the several state agencies concerned with the administration of alcoholism programs, the Subcommittee recommended that, with the exception of alcoholism programs administered and funded through the Iowa Department of Social Services, state administration of the comprehensive treatment program provided for in the Uniform Act should be consolidated into a single agency while preserving the individualism of local treatment centers. Pursuant to testimony received by the Subcommittee regarding the success of the Iowa Commission on Alcoholism, the Subcommittee agreed to designate a commission on alcoholism within the Department of Health as the policy-making body responsible for any state plan submitted for federal fund-

ing and for the comprehensive treatment program provided for in the Uniform Act. The Subcommittee also adopted the recommendations of the Commissioner of Public Health for further revision of the bill suggested by the local alcoholism center directors to establish a clear delineation of the responsibilities of the Department of Health and the commission on alcoholism created within the Department.

In regard to the appropriate funding of alcoholism programs in Iowa, the Subcommittee approved by a voice vote of five to four the section of the revised draft of the Uniform Act which provides for the allocation to the counties of a percentage of the gross sales made by the state liquor stores which is to be used for the treatment of alcoholics in facilities other than mental health institutes under the control of the Department of Social Services.²

At its third meeting, the Subcommittee adopted the revised draft of the Uniform Act and is submitting, for consideration by the Sixty-fifth Iowa General Assembly meeting in the year 1974, a bill to carry out the determinations of the Subcommittee as contained in this report.³

¹The attached minority report of the Subcommittee supports immediate decriminalization of public intoxication.

²Arguments against the earmarking of funds from the gross sales of liquor for the treatment of alcoholism are presented in the attached minority report of the Subcommittee.

³The Subcommittee has deferred any recommendation on the existing procedures used to commit alcoholics to mental health institutes in the state of Iowa; however, the revised version of the Uniform Act prepared for submission to the General Assembly repeals current provisions in the Code of Iowa relating to commitment in favor of the commitment procedures in the Uniform Act.

MINORITY REPORT

Senator John Murray, Chairman of the Subcommittee, submits the following minority report¹, which states reasons for disagreement on two issues relating to the revised version of the Uniform Alcoholism and Intoxication Treatment Act:

1. The modern approach to problems in this area emphasizes the philosophy that alcoholism is a sickness rather than a crime. The revised version of the Uniform Act provides the framework within which to handle alcoholism and public intoxication from the health standpoint. The drunk is to be picked up by either the police or the emergency service patrol and taken to a treatment center rather than the jail. Procedures for commitment to treatment centers are provided for those persons who protest. Therefore, retention of Iowa statutes providing for arrest and prosecution for public intoxication are unnecessary for the removal of the alcoholic from the streets and can only serve to delay the development of the practice intended to be encouraged through enactment of this Act.

The Subcommittee received testimony to the effect that local alcoholism centers are currently involved in educating communities and law enforcement agencies in the benefits of treatment rather than prosecution of alcoholics. The State of Iowa should reinforce this effort by providing for a comprehensive alcoholism treatment program while at the same time shifting the responsibility for the alcoholic from the law enforcement system to the treatment and rehabilitation system. We should repeal the crime of public drunkenness as we adopt this Act.

2. The argument for earmarking a percentage of the gross sales of liquor for the treatment of alcoholism is primarily based on the concept that funds from the sale of liquor ought to support treatment of alcoholism. If alcoholism is to be viewed for what it is, a sickness, then the funding of treatment programs should not be tied to an increase or decrease in liquor revenues. We should appropriate the amount necessary to support the program which will meet the problem, rather than have the size of the alcoholism program dictated by the amount of liquor sold. Earmarking a percentage of the gross sales of liquor for treatment of alcoholics is a method of circumventing the normal legislative appropriations process and a method which we do not use in support of other worthwhile educational and health programs. We should not earmark funds for this alcoholism program as the revised version stipulates.²

¹Representative Reid Crawford concurs in full with the minority report.

²Senator Karl Nolin is also recorded as opposing the earmarking of liquor revenue for alcoholism treatment programs.

UNIFORM VEHICLE LAWS SUBCOMMITTEE
OF THE
SENATE COMMITTEE ON JUDICIARY
AND THE
HOUSE COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Report to the Members of the
Second Session of the Sixty-fifth General Assembly
Meeting in the Year 1974

FINAL REPORT
OF THE
UNIFORM VEHICLE LAWS SUBCOMMITTEE

The Uniform Vehicle Laws Subcommittee of the Senate Committee on Judiciary and the House Committee on Judiciary and Law Enforcement was created by the Legislative Council pursuant to a recommendation by the Legislative Council Studies Committee on August 15, 1973. The recommendation by the Studies Committee called for the creation of a six-member subcommittee for the purpose of conducting a comparison study of the Iowa motor vehicle laws and the Uniform Vehicle Code.

The membership of the Uniform Vehicle Laws Subcommittee as appointed by the appropriate chairmen of the Judiciary Standing Committees is as follows:

Senate Committee on Judiciary

Senator E. Kevin Kelly
Senator George R. Kinley
Senator C. Joseph Coleman

House Committee on Judiciary and Law Enforcement

Representative Donald V. Doyle
Representative James C. West
Representative Scott D. Newhard

Pursuant to the Highway Safety Act of 1966, the United States Department of Transportation provides states with funds to be used for highway safety purposes. In conjunction with the grants, the Secretary of Transportation has issued a series of eighteen highway safety standards which states must attempt to meet. One of the eighteen standards is the uniformity of traffic codes and laws among the states. Iowa is ranked fortieth among all states in compliance with the traffic laws of the Uniform Vehicle Code. This area is subject to review by the National Highway Traffic Safety Administration during Iowa's implementation of its required comprehensive plan of current and proposed highway safety activities adopted pursuant to the Highway Safety Act of 1966.

Several interim committees and subcommittees were appointed to consider various aspects of the National Highway Traffic and Safety Administration requirements and recommendations and the Uniform Vehicle Laws Subcommittee was appointed to compare the Uniform Vehicle Code with Iowa's motor vehicle laws and to make recommendations for revising Iowa law as may best secure conformity with the Uniform Code. An additional goal of the Subcommittee is to reorganize and simplify chapter 321 of the Iowa Code to make Iowa's motor vehicle laws easier to find, understand, and use by persons in state government and by members of the public.

The Subcommittee is using a comparison study of the Uniform Vehicle Code with Iowa law prepared in 1971 by Professor Alan Vestal of the University of Iowa College of Law in conjunction with

the Department of Public Safety and Office of the Attorney General. The Department of Public Safety has contracted with Mr. John F. Dwyer as consultant to the Subcommittee to bring the study up to date, attend all Subcommittee meetings, perform Subcommittee research and prepare Subcommittee bill draft recommendations as directed.

The Subcommittee held its first meeting November 7, 1973 at which time Senator E. Kevin Kelly and Representative Donald V. Doyle were elected co-chairmen. The Subcommittee determined to proceed with a chapter by chapter consideration of the comparison study making recommendations and decisions by majority vote and on a tentative basis, leaving all issues subject to reconsideration at any time. Mr. Robert F. Tyson, the Governor's Highway Safety Representative, attended the initial meeting and presented a statement along with further information concerning the state's plan and obligations under the Highway Safety Act of 1966. All meetings of the Subcommittee have been attended by experts provided by the Department of Public Safety and a Representative of the Governor's office, Mr. Lance Faust, Director of the Iowa Highway Safety Program.

The Subcommittee has held a total of four meetings and has completed deliberations on five chapters of the study. No meetings of the Subcommittee have been scheduled during the Second Session of the Sixty-fifth General Assembly and meetings will resume when the legislature adjourns. Mr. Dwyer will be preparing a rough draft of the Subcommittee's work to date during the legislative session in addition to preparing data and research pursuant to Subcommittee decisions during its four meetings. This material will be ready for the Subcommittee when it resumes its schedule.