

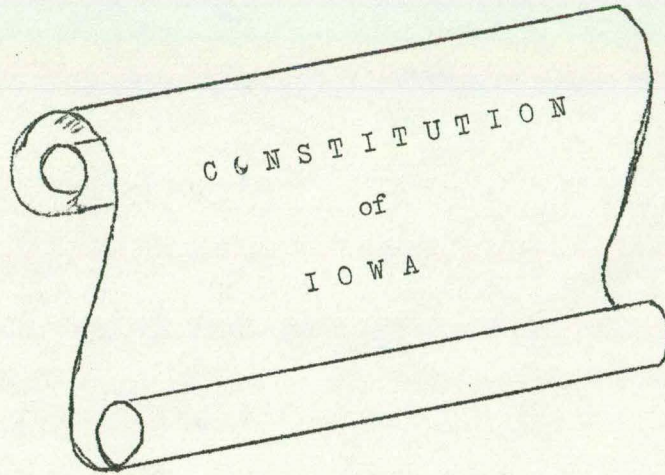
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November
1961

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DES MOINES, IOWA

Preface

This is a supplement to THE EXECUTIVE BRANCH OF IOWA GOVERNMENT, published by the League of Women Voters of Iowa, February 1960, in the series on The Study of the Constitution of Iowa.

This study material contains factual information about some major boards and commissions that handle the varied responsibilities of the executive branch of government. (See THE EXECUTIVE BRANCH OF IOWA GOVERNMENT, pages 3-6, especially the chart on structure on page 5.) The Iowa Constitution (Article IV) provides for the election of the top five officials of the executive department (see EXECUTIVE BRANCH, pages 1-3, 8-9). Provisions for other agencies of the department are statutory.

Governor Norman Erbe asked the 1961 General Assembly for authority to initiate plans for administrative reorganization, as former Governor Herschel Loveless had done in 1959 (see EXECUTIVE BRANCH, pp. 15-16). An act providing for this authorization (Senate File 62) was introduced in the Senate in January 1961, but no action was taken on it. Recommendations in the Brookings Institute's 1933 report on its survey of Iowa's administration and of two subsequent reorganization commissions (see EXECUTIVE BRANCH, pp. 16-17) have resulted in no major changes. For the history of state reform movements and arguments pro and con, see EXECUTIVE BRANCH, p. 10 ff.

This "fact sheet" study material was prepared by a committee of League members. Its multiple authorship accounts for the varying styles of presentation.

The material is considered to be a necessary preliminary to any judgments the League ultimately may make about appropriate combining and eliminating of agencies to produce a more efficient and responsible structure in our state government.

League study groups are encouraged to talk with present and past members of boards and commissions who live in their areas to gain first-hand information on the practical workings of the agencies, duplications of responsibility, etc., and to discover, where possible, what reorganization these active participants may recommend. Leagues are urged to report any helpful information gained by such interviews to the state office.

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DEPARTMENT OF BANKING

The state banking department was created by the General Assembly in 1917. Prior to that three bank commissioners appointed by the General Assembly had served the state from 1858 to 1870, and the state auditor's office had performed the banking supervision duties from 1870 to 1917.

The department is headed by the superintendent of banking, who is chairman of a five-member banking board which was created by the General Assembly in 1925 to advise the superintendent.

The superintendent is appointed to a four-year term by the governor, with the consent of two-thirds of the senate. The law creating the office (Code of Iowa, chapter 524) requires that the appointee be selected "solely with regard to his qualifications and fitness to discharge the duties of his office" and that he must have had at least five years of "executive experience in a state or savings bank in the state."

The superintendent may be removed by the governor with the consent of a majority of the senate, for malfeasance in office or for any cause that renders him ineligible to appointment or incapable or unfit to discharge the duties of his office. The governor also may suspend him when the General Assembly is not in session.

Deputies and bank examiners are appointed by the superintendent. The 53rd General Assembly in 1947 established the position of deputy superintendent of banking. Other personnel, all appointed by the superintendent, include supervisors of the credit union and small loan divisions, banking and credit union examiners, and office staff.

The superintendent of banking is charged by law with supervision, direction, and control of all banks and trust companies operating under state charter, as well as loan companies operating under Iowa Small Loan act and Iowa credit unions. These responsibilities include:

Approval of all organization and reorganization plans for state banks, savings banks, and trust companies.

Adoption and promulgation of all rules believed necessary to carry out the laws concerning banking activities in the state.

Approval of all state or savings banks' articles of incorporation.

Initiation of procedures involved in the cancellation of bank and trust company charters.

Supervision of the examination of all banks in the state subject to the jurisdiction of the department. (The national banks of the state, of course, are not under his supervision).

The superintendent of banking is required to report annually to the governor the condition of every bank from which reports are received.

Members of the advisory banking board are appointed by the governor for four-year terms to match the term of the superintendent. They are required to represent various sections of the state "as far as is geographically practical." They are paid on a per diem basis, plus expenses incurred in their duties. The board meets in the office of the superintendent at least once each month. A quorum consists of the chairman and any two members. The members of the board have free access to all the records in the office of the superintendent of banking.

Board personnel, whose terms will expire June 30, 1965, are:

Clay W. Stafford, Ames, chairman and superintendent
of banking.

William A. Kneeland, Postville

Max Von Schrader, Ottumwa

Herbert Knuth, Holstein

Ralph McGee, Osceola

COMMISSION FOR THE BLIND

The commission was created in 1926 by statute. Chapter 93 of the Code provides for its membership: the superintendent of the Iowa Braille and Sight-Saving School, ex-officio, and two other members to be appointed by the governor for two-year terms.

Chapter 93 further provides that the commission shall elect its own officers, employ assistants as needed, hold such meetings, as it may determine. Commissioners receive no compensation but are allowed travel expenses. The commission meets about every two months. The principle program for the blind is carried out by a director, who is appointed by the commission. Kenneth Jernigan, 35, who has been blind since birth, has been the director since 1958.

The commission's duties, as set forth in Chapter 93, are to maintain a complete register of the blind of the state, assist in marketing products of blind workers, promote visits of instruction to their homes, promote preventive measures, provide vocational training where advisable, which may include establishing workshops and paying wages. They further shall "discourage begging" and make an annual report

The commission is authorized to accept federal aid.

The Aid to the Needy Blind Act of 1937 provides payment to needy persons for treatment of eyes to restore vision or prevent blindness. Chapter 241 of the Code sets out details for registering, testing, and providing aid to the blind. Chapter 269 sets up provisions for the Iowa Braille and Sight-saving School, which is under the jurisdiction of the Board of Regents, which appoints its superintendent.

The latest innovation in the state program, provided through an appropriation of the General Assembly in 1959, which was increased in 1961, is a school for blind adults, opened in Des Moines on February 1, 1960. Students, numbering about 25 at one time, are taught to read and write braille, to do vocational jobs, and to get about independently in buildings and streets. For a good account of this new school, see the Des Moines Sunday Register Picture Section, October 8, 1961, pp. 4-6.

The latest total state appropriation is \$200,000 which is nearly matched by federal funds. The director's current salary is \$8,250. Commissioners are Mrs. Mary Louise Smith of Eagle Grove, Mr. William C. Hahle of Sumner, and Mr. Lee Iverson, Superintendent of the Iowa Braille and Sight-saving School at Vinton.

CONSERVATION COMMISSION

The State Conservation Commission was organized in 1935. It is made up of seven members, appointed by the governor with the consent of two-thirds of the Senate for overlapping terms of six years. No more than four may be of the same political party. If a vacancy occurs, the governor may fill it. The law specifies that commission members are to be qualified in the area of the commission, but states no qualifications. The commission elects its own chairman. Members are paid \$10 per day, plus expenses.

The annual appropriation during the current biennium is \$641,850. The current biennial capital appropriation is \$2,160,600. The agency collects a varying amount of license fees, etc., and receives federal funds. All expenditures are under the state comptroller.

The commission is required to meet on the first Tuesday of January, April, July, and October. It currently meets once a month. The commission hires a state director, who at present is Mr. Glen Powers. His present salary is \$10,500.

The administrative organization under the director is in three main divisions with division heads: Division of fish and game, division of administration, and division of land and waters. There are at present 380 employees.

General coordination and administration of the department is performed by the division of administration, which is composed of five sections. The division of land and waters is in charge of state waters, state parks and preserves and monuments, and state forests and forestry. This division has the direct management and supervision of fish and game officers, who number 50. The fish and game division supervises fish hatcheries, raising of game birds, the biological aspects. The 1961 General Assembly added to the powers and duties of the commission the responsibility for enforcing provisions of an act specifying rules of boat registration, navigation regulations, and water safety. (S. F. 451; Chapter 87, Laws of 59th General Assembly.)

Commission jurisdiction covers the following lands and water areas of the state: 11 meandered streams, 800 miles; 123 wildlife refuges, 34,786.19 acres; 24 artificial lakes, 3,210 acres; 72 natural lakes, 43,235 acres; 161 public hunting grounds, 90,498 acres.

Members of the commission as of July 1961 are:

Clyde Frudden of Greene -- Chairman
Ed Weinheimer of Fontanelle
Robert Beebe of Sioux City
Dr. Albert Humiston of Cedar Rapids
George Meyer of Elkader
Earl Jarvis of Wilton Junction
Sherry Fisher of Des Moines

BOARD OF CONTROL OF STATE INSTITUTIONS

The Board of Control of State Institutions was established in 1898 by the 27th General Assembly.

Chapter 217, Code of Iowa.

217.1 Provides that the Board shall be composed of three electors of the state. Not more than two shall be of the same political party. No two, at the time of appointment shall reside in the same congressional district. Each member shall devote his entire time to the duties of the board. Members shall hold office for six years beginning July 1 of the year appointed. The term of one member expires each odd-numbered year.

217.2 Appointment is made by the governor with approval of two-thirds of the Senate in executive session.

217.4 Removal from office may be made by the governor with approval of the senate for malfeasance or nonfeasance or any cause that renders a member ineligible for appointment or incapable or unfit to discharge his duties. Removal when so made shall be final. Removal may be made without Senate approval when the Assembly is not in session.

217.7 The member whose term first expires shall be chairman of the board for each biennial period.

217.9 The board, secretary, and employees in addition to salary shall receive necessary traveling expenses by nearest traveled and practicable route, when engaged in the state in performance of official business.

(NOTE: At present board members are provided with state cars.)

217.10 No authority is granted to any person to make a trip to another state at the expense of the state except by resolution which shall state the purpose of the trip and why the same is necessary, entered of record and approved in writing by the governor prior to the trip.

217.11 In each even-numbered year the board shall make a report to the governor and the General Assembly including:

- 1) Itemized statement of expenditures concerning each institution,
- 2) Detailed statement of management of all said institutions.
- 3) Statement of all visits made and when and by whom made.
- 4) Observations and conclusions of board relative to said institutions.
- 5) Recommendations concerning such changes in laws relative to said institutions as board may deem advisable.
- 6) Name and salary of every officer or employee of said board and of the various institutions controlled.
- 7) Annual reports made to the board by officers of the institutions.
- 8) Such other matters as the governor may direct.

Chapter 218.

218.1 The board shall have full power to contract for, manage, control, and govern, subject only to the limitations imposed by law, the following institutions:

Soldiers' Home	Training School for Boys
Glenwood State School	Training School for Girls
Woodward State Hospital and School	Juvenile Home
Mental Health Institute, Cherokee	Iowa Annie Wittenmeyer Home
Mental Health Institute, Clarinda	Women's Reformatory
Mental Health Institute, Independence	State Penitentiary
Mental Health Institute, Mount Pleasant	

Chapter 218.74 (This section revised by 59th General Assembly, 1961, to read as follows. Revised portion is underlined.)

"The board shall appoint directors of: Mental Institutions, Corrective Institutions, Child Welfare and Industries who shall serve during the pleasure of the board and receive annual salaries fixed by the board and to whom may be delegated all or such part of the authority and duties vested by statute in the board of control as may be desired or determined by the board of control as recorded in their minutes."

Appropriation for biennium beginning July 1, 1961:

Central office, \$553,700 annually
Salaries of board members: two at \$8,800
one at \$8,000

Salaries, support, maintenance and miscellaneous, \$528,000
Annual appropriations for institutions, \$21,604,820
Capital improvements (for biennium), \$6,495,000

Dr. J. O. Cromwell is director of mental health institutions. His salary last year was \$25,000. Mr. Benjamin Baer is director of penal institutions at a salary of around \$14,000. The board delegates the administrative authority over the mental health institutions and related institutions to Dr. Cromwell, and it delegates direct supervision of the penal institutions to Mr. Baer. Both men are specialists in their fields.

The legislative interim committee's attempt last summer to set ceilings on salaries of some personnel under the jurisdiction of the Board of Control was ruled by the Attorney General to be illegal on two technical points and to be an act beyond the power of the interim committee.

Board of Control membership, July 1961:
Carroll Price of Knoxville
Walter I. Conway of Muscatine
Jim O. Henry of Carson

IOWA DEVELOPMENT COMMISSION

Code of Iowa, Chapter 28.

28.1 The commission shall be composed of eleven members appointed by the governor, seven for four-year terms and four, who shall be members of the legislature, for two-year terms to serve until the convening of the next legislative session. The governor appoints chairman and vice-chairman.

28.2 The commission is to serve without compensation except reimbursement for expenses incurred.

28.3 The commission chooses a director who is not a member of the commission and fixes his salary. He attends all meetings of the commission and serves as secretary and otherwise serves at the pleasure of the commission.

28.4 The commission may employ assistants, clerks and stenographers, as needed.

28.5 The Executive Council shall furnish suitable offices in Des Moines

28.6 The commission shall meet once a month, with special meetings when necessary. Five members constitute a quorum. The commission may adopt its own rules and regulations.

28.7 Duties: The commission shall

1. Assemble pertinent information regarding industrial, agricultural, and recreational opportunities including raw materials and products produced therefrom, power and water resources, transportation facilities, available markets, available labor, bank and financing facilities, availability of industrial sites, advantages of state as a whole or particular sections thereof.

2. Acquaint the people of Iowa with industries located within the state and existing opportunities in state -- industrial, agricultural and recreational.

3. Encourage new industrial enterprises to locate in Iowa.

4. May adopt a label of trademark ('made in Iowa') and control its use.

5. Encourage citizens to become familiar with Iowa.

28.8 The commission is empowered to make and enter into contracts. It shall cooperate with boards and agencies of the state and have access to all data, information, and statutes.

28.9 The comptroller is authorized and directed to draw warrants on the treasurer of the state for sums duly itemized and verified vouchers approved by the chairman or director of the commission

The 1959 legislature authorized a municipal planning division which became active in the fall of 1960. All cities of 25,000 or less may utilize its services. The division attempts to make an economic base study for a city which is interested in new industries or city planning. The study is a basis for application for urban renewal funds and other federal grants.

Edgar B. Storey is the director of the commission. In 1960 his salary was \$8,850 and his travel and expense account pay was \$4,793.

Appropriation for the biennium, made in 1961, \$300,400.

Members of the commission - July 1961

L. P. Boudreaux, Cedar Rapids
T. Joe Smith, Council Bluffs
Kenneth Robinson, Bayard
Hans Morgan, Clarinda
James Flanagan, Boone
Richard Wilson, Clinton

Elmer Lindhart, Humboldt
Senator Robert Rigler, New Hampton
Senator Edward Wearin, Red Oak
Representative Katherine Falvey, Albia
Representative Van Alstine, Gilmore City

IOWA EMPLOYMENT SECURITY COMMISSION

The commission was given administrative control of the Iowa State Employment Service in 1936 with the enactment of the Iowa Employment Security Law. (Following enactment by Congress in 1933 of the Wagner-Peyser Act establishing the U. S. Employment Service, which provided a nation-wide employment service with local offices in every state.)

Code of Iowa, Chapter 96.

Three commissioners are appointed by the governor with approval of two-thirds of the senate for six-year staggered terms. One commissioner shall be a representative of labor, one a representative of employers, and one "shall be impartial and shall represent the public generally." They shall "devote their entire time to the duties of their office."

The governor may at any time, after notice and hearing, remove any commissioner for gross inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in the performance of his duties.

Before assuming his duties, each commissioner shall take an oath of office, to be filed with the secretary of state.

The commission shall meet annually in July and shall elect its own chairman and vice-chairman. Its main objective shall be to encourage stable employment.

Duties:

1. to maintain free public employment offices.
(There are 34 such offices in the state. Prior to last December when an Algona office was closed, there had been 35.)

The State Employment Service is administered by a director, George W. Moore, who is a Civil Service employee.

2. to administer employment compensation to workers who are unemployed and who meet eligibility requirements.

Funds for (2) this employment compensation come from a tax levied on employer payrolls of four or more workers in commercial and industrial employment. The tax rate is based upon the employer's individual employment record. The plan is intended to encourage employers to provide steady employment and to avoid lay-offs. Thus employers with no lay-offs are exempt. This means that tax rates extend from zero to 2.7 per cent of a company's annual payroll. Eligible persons are paid weekly benefits based upon the amount of their earning, but not to exceed \$30 per week and for not more than 24 weeks in a 12-month period.

(The 1961 General Assembly enacted a system of penalties to employers who fail to pay contributions and make reports at the time required.)

The agency is under the control of the Bureau of Employment Security of the United States Department of Labor. This federal bureau furnishes money for the operation of the Des Moines state office and the 34 local offices, paying rent, fixtures, light, heat, supplies, personnel -- all costs. (At present there are between 500 and 600 employees: about 400 in the state office and the remainder in local offices, which range in number employed from 60 in the Des Moines local office to two in Atlantic.)

Affected employers contribute to this federal administrative support by paying two-tenths of one per cent of their annual payroll in a federal tax. Thus employers pay two taxes, one for employment compensation and one for support of the employment services.

Subsequent to 1936 other duties have been assigned to the commission in statutes. They include:

Administering unemployment compensation to veterans under the Veterans Readjustment Act of 1952.

Administering the unemployment insurance program for federal civilian employees.

Administering the Iowa Public Employees Retirement Law. (This responsibility comprises a major portion of the commissioners' activities.)

Administering withholding tax for Federal Social Security.

Commissioners, July, 1961:

Ross Carrell of Des Moines -- representing the public
Henry E. Carter of Burlington -- representing labor
Jerome W. Corbett of Sioux City -- representing employers

Their present salary is \$8,800 a year, for the biennium starting July 1, 1961.

STATE DEPARTMENT OF HEALTH

The state board of health is composed of:

- (1) the commissioner of public health
- (2) members of the Executive Council
- (3) five health officers appointed by the governor for a two-year term, no more than one from any congressional district.

Duties: Advisor to the state department of health

- (1) Consider and study entire field of legislation and administration concerning public health, hygiene and sanitation.
- (2) Advise the department on:
 - a. causes of diseases and epidemics
 - b. sanitary conditions in state institutions
 - c. advise and make recommendations to governor and General Assembly on public health, hygiene and sanitation.

The board meets semi-annually the second Tuesday in July and January in Des Moines, unless otherwise ordered.

Present health officers on the board are:

Dr. Donald C. Konzett of Dubuque
Dr. Franklin H. Top of Iowa City
John D. Caulfield, M.D., of New Hampton
Sidney L. Sands of Des Moines
Dr. Paul D. Peterson of Council Bluffs
(Their terms all expire on January 1, 1963.)

By statute (1937) the governor shall appoint every four years, with consent of two-thirds of the senate, a Commissioner of Public Health, who shall be a physician specifically trained in public hygiene. The commissioner employs assistants as authorized by law.

Present commissioner is Dr. Edmund G. Zimmerer. (salary \$11,000, department expenses, \$60,180.)

Duties of the commissioner:

- 1) directs work of the department.
- 2) formulates directives and outlines detailed programs in public health
- 3) serves as executive officer of nine boards of examiners for various professions affecting the public health.
- 4) is the executive officer of the State Department of Health.
- 5) calls meetings of the Interagency Liaison Committee.

Health Divisions and appropriations granted by 1960 legislature:

Cancer Control \$3,960

- 1) conducts cancer institutes to keep doctors up-to-date on latest developments.
- 2) informs public on importance of early signs of cancer.
- 3) has tumor clinics for use of citizens for diagnosis and treatment.

Communicable and preventable diseases \$31,080

- 1) receives reports daily on infectious diseases
- 2) public veterinarian studies diseases transmissible from animals to man.

Dental hygiene \$4,950

- 1) prevention and care of dental disease.
- 2) fluoridation of public water supplies.

Gerontology, Heart, and Chronic diseases (no appropriation listed)
Division established July 1, 1953. Promotes better facilities for diagnosis and treatment.

Hospital services \$81,060

- 1) administers federal grants-in-aid program.
- 2) inventories annually all existing hospitals, nursing homes, etc., and determines need for them.
- 3) allocates about \$2,000,000 per year to local communities for community medical services.

- 4) promotes safe and adequate care in 175 hospitals and 600 nursing homes.

Hygienic Laboratory (separate budget)

- 1) provides diagnostic services to physicians, hospitals, laboratories, etc.
- 2) deals with public water supplies, control of stream pollution, milk supplies, venereal diseases, rabies, typhoid diseases, tuberculosis, brucellosis.
- 3) initiates and returns to physicians marriage certificates where blood specimens have been submitted.
- 4) trains laboratory technicians.

Licensure and Registration \$17,020

Commissioner must sign all licenses of all professionals as required by the Code of Iowa.

Maternal and Child Health \$15,230

Health needs of mothers and children are made known to those concerned.

Nutrition

Consults with hospitals which have no dietitian; provides program on nutrition education.

Public Health Education

Through newspapers, radio, TV and films gives people of Iowa up-to-date health information.

Public Health Engineering and Industrial Hygiene \$134,610

- 1) inspects existing systems and reviews plans for new public water supplies, swimming pools, sewage and refuse disposal.
- 2) administers stream and water pollution laws.
- 3) prepares amendments to state plumbing code.
- 4) regulates sanitary requirements of trailer parks, inspects and licenses them annually.
- 5) has general supervision of housing laws.
- 6) gives advisory service to local boards of health.
- 7) assists manufacturers and other industries in control of occupational diseases.

Public Health Nursing \$10,290

Recruits, trains, places, and gives guidance to public health nurses.

Vital Statistics \$148,210

- 1) handles all birth, death, fetal death, marriage, divorce and related records for the State of Iowa.
- 2) issues birth certificates and other vital records for \$1.

TB Control - \$41,680; Venereal Disease - \$35,700; Board of Eugenics - \$5,410

Board of Examiners:	Barbers	\$33,700
	Chiropody	500
	Chiropractic	5,860
	Cosmetology	34,350
	Dental	2,500
	Embalmers	3,700
	Medical	15,460
	Optometry	1,250
	Osteopathy	2,300

Total appropriation for the department \$700,000 each year.

STATE HIGHWAY COMMISSION

The commission was set up by statute as it is presently constituted in 1927.

S Specifications for commission membership:

- 1) Five members -- no qualifications for holding the office except that no more than three of the members can belong to the same political party.
- 2) Members are appointed by the governor with consent of two-thirds of the senate.
- 3) Term of office is four years.
- 4) Commission organizes itself at the beginning of each fiscal year and chooses a new chairman from among its own membership.

Duties and responsibilities of the commission:

- 1) Supervision of the construction and maintenance of the primary road system.
- 2) Approval of plans and contracts for secondary road construction in cooperation with county authorities.
- 3) Approval of budgets for secondary roads (prepared by county boards of supervisors).
- 4) Marking and signing of primary roads for safe operation.
- 5) Enforcing laws concerning size, weight, registration and load of vehicles operated on state highways.
- 6) Providing engineering assistance for other state departments.

Organization Structure:

- 1) The commission meets every two weeks by law. It holds public hearings and travels around the state to inspect highways as necessary. Commissioners are provided with state cars and state gasoline. They are not required to give full time to commission work.
- 2) The top professional employee is the **chief** engineer, who at present is Mr. E.M. Clauson.
- 3) There are three major divisions under him: engineering, planning and service.
- 4) The state is divided into six districts with a resident engineer for each one.

Budget of the Highway Department -- Fiscal 1959-60.

- 1) State funds received totaled \$79,029,830.63. This total came from the road use tax, one cent motor vehicle tax, right of way sales and rental sales and use tax, county contributions, and others.
- 2) Federal funds totaled \$68,601,990.55.
- 3) Total disbursements for the year were \$125,580,055.23.
- 4) Commissioners are paid \$6,000 a year.
- 5) Chief engineer's salary was \$16,000 a year (in September 1961 his salary was raised to \$19,800, having been previously raised to \$19,200.)
- 6) An amendment to the constitution in 1942 requires: "All motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways exclusively within the state or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds." This is an amendment to Article VII.

Commissioners as of July 1961:
Howard Helscher of Cedar Rapids
Everett Shockey of Council Bluffs
William H. Nicholas of Clear Lake
Jo Stong of Keosauqua
Robert Kier of Spencer

INDUSTRIAL COMMISSIONER

The position of industrial commissioner was created in 1913. The commissioner is appointed to a six-year term by the governor with consent of two-thirds of the senate. He appoints two deputy commissioners who serve at his pleasure.

Duties are to administer three major legislative acts:

- 1) The Workmen's Compensation Law of 1913, which provides compensation benefits for injuries sustained by industrial workers.
- 2) A second law, passed in 1945, establishing an additional injury fund for war veterans maimed by loss of an arm or leg, making it possible for an employer to hire a maimed veteran without taking undue risk.
- 3) The Iowa Occupational Disease Law, passed in 1947, in which industrial injuries resulting in disability for more than seven days, or in death, must be reported to the Industrial Commissioner and settlement proposals submitted for his approval.

As of July 1961, the Industrial Commissioner was Warren L. Huebner of Des Moines. His salary is \$8,000, plus travel expenses.

Total appropriations for all purposes, for the 1961-63 biennium, \$56,800 for each year.

COMMISSIONER OF INSURANCE

The office was created by statute in 1913. Before that date similar duties were handled by the state auditor.

Specifications for the office:

- 1) There is one commissioner who heads the office. The Code says that he shall be "selected solely with regard to his qualifications and fitness to discharge duties."
- 2) He is appointed by the governor and confirmed by the senate. He may be removed by the governor with approval of the executive council for malfeasance or any cause that renders him ineligible, incapable, or unfit.
- 3) He is appointed for a four-year term.

Duties and responsibilities of the commissioner and department:

- 1) The commissioner has general control, supervision, and direction over all insurance business transacted in the state.
- 2) He enforces all the laws of the state relating to insurance. (Under the law, all securities in which the reserves of Iowa life insurance companies are invested are required to be deposited with the commissioner and complete records are kept showing each item on deposit at all times.)
- 3) He supervises all transactions relating to the organization, reorganization, liquidation, and dissolution of domestic insurance corporations.
- 4) He issues certificates of authority to all foreign companies, as well as local ones, which engage in insurance business in the state. These must be renewed annually, after analysis of financial statements of the companies.
- 5) He issues individual licenses to all insurance agents.
- 6) His department must approve rates of all insurance companies.
- 7) He administers the state securities laws -- those laws designed to protect the Iowa investing public through regulation of securities dealers and qualification of securities offered for sale.
- 8) Once a year he submits a written report to the governor concerning the insurance business in Iowa.

The commissioner appoints a first and second deputy commissioner who serve at his pleasure. He also hires such other personnel as is needed by the department.

The present commissioner is William E. Timmons, and his current salary is \$11,000 a year.

Total appropriations for all purposes, \$201,000 for each year of the 1961-63 biennium.

BUREAU OF LABOR

The Bureau of Labor, established by statute in 1884, is headed by the state's Labor Commissioner, who is appointed by the governor for a two-year term, and a staff which ordinarily includes a deputy commissioner, boiler inspector, deputy boiler inspector, factory inspectors and statisticians. The staff is responsible to the commissioner.

Under provisions of the law, the commissioner is also a member of the board of vocational education and rehabilitation and is executive secretary of the employment agency commission.

The bureau is responsible for enforcement of laws relating to health and safety, child labor, passenger and freight elevators, installation and inspection of steam boilers, generators, and superheaters, and for private employment agencies.

The present commissioner is Clarence Daily of Des Moines. His salary is \$6,600. The current budget for the bureau is \$100,350 for each year of the biennium.

LIQUOR CONTROL COMMISSION

The Iowa Liquor Control Commission was created by statute in 1934. Provisions are in the Code of Iowa, chapter 123.

The commission is composed of three members, appointed by the governor with approval of the senate for six-year terms, with one member's term expiring every two years.

No more than two of the commissioners may be of the same political party, and no more than two may reside in the same congressional district at the time of appointment.

Each commissioner must devote full time to his job. The present salary is \$8,800.

Commissioners and their employees may not hold other state or local office, and they are excluded by law from committee membership in any political party and from party campaigning or fund raising.

Duties and powers:

- 1) Sole power to buy, import and sell liquors.
- 2) Authority "to establish, maintain and discontinue state liquor stores and special distributors in such cities and towns as deemed advisable."
- 3) Power to rent, lease and equip any building or land, to prescribe packaging, labels, and seals.
- 4) Power to license, inspect and control the manufacture of alcoholic liquors in Iowa.
- 5) Authority to appoint necessary employees and also to dismiss them, although not without sufficient cause, and to fix their salaries and assign their titles, powers and duties.

- 6) Required to make a full report annually to the governor of its operations and an accounting of its profit or loss at the various stores.

As of July 1, 1961, the commission for the first time was brought under the state comptroller, and now for the first time must operate under a controlled budget. Section 123.11 of Code 1958 is amended by striking all of the last sentence and inserting instead: "All expenses and salaries of commissioners and employees shall be paid from appropriations for such purposes and the commission shall be subject to the budget requirements of chapter 8 of the Code." Total appropriation for the commission for the 1961-63 biennium is \$3,750,000 each year.

Commissioners as of July 1961:
Jay C. Colburn of Harlan
C. J. Burris of Maquoketa
Homer Adcock of Des Moines

IOWA MERIT SYSTEM COUNCIL

The Iowa merit system council serves as the central personnel office for six state agencies which receive certain federal funds. It provides progressive and uniform personnel practices to about 1,800 individuals who work in about 200 different classifications in the six agencies served.

The participating agencies are:

- 1) State Department of Health
- 2) State and County Department of Social Welfare
- 3) Iowa Employment Security Commission
- 4) State Services for Crippled Children
- 5) Iowa Mental Health Authority
- 6) Iowa Civil Defense Administration

The council operates in accordance with "Regulations for the Merit System" as adopted by the participating agencies. Recognition as an established division of government is made in Chapter 45, S.F. 2, Acts of the 54th General Assembly.

The council is composed of three members, appointed by the governor for three year terms, from a panel of three names presented to him through joint action of the participating agencies. Members shall be "public-spirited persons of recognized standing and of known interest in the improvement of public administration and in the impartial selection of efficient government personnel." No member shall have held political office or an office in a political organization during the year preceding his appointment, and shall not hold such office during his term.

Duties of the council:

- 1) To establish general policies for the administration of merit examinations and the hearing of personal appeals. The council is charged to hear such appeals or to establish impartial bodies to hear such appeals on its behalf. (In September 1961, the council heard and acted on an appeal against dismissal by Mrs. Alice Husa, a social worker in Johnson County.)
- 2) To appoint a merit system director with the approval of the participating agencies, to advise with him, and to inspect and review his activities.
- 3) To review the classification and compensation plans.

- 4) To make recommendations to the agencies concerning their internal personnel practices to assure conformity.
- 5) To approve a budget for submittal to the state agencies covering all costs of merit system activities.
- 6) To promote public understanding of the purposes, policies and practices of the merit system. In this connection the council must make a written report at least annually to the governor and the participating agencies.

The director of the council is Mr. J. B. Thurau.

Council members are:

Miss Helen Irwin of Des Moines, chairman
Mr. Ralph Kittinger of Des Moines
Professor John Harlow of Iowa City

They receive \$25 a day for their services and expenses, except Professor Harlow, already a state employee, who receives only expenses.

A member of the council explains the chief duties of the agency as two-fold:

- 1) Trying to keep politics out of the hiring of the six agencies.
- 2) Trying to introduce fairness into the hiring and into the intra- and inter-departmental organizational employment structure. For example: (a) making a relationship between stenographer and bookkeeper have a sense of fairness within agencies, (b) creating a situation in which a stenographer of one agency doesn't make twice as much as a stenographer in another agency.

Some concessions are made in the form of "foreign service supplement" to to agencies which have to compete in their areas with higher salaries than the council's going rates.

Mr. Thurau has four or five employees. His assistant is in charge of examinations given to thousands of high school and college graduates, of classifying people, of keeping card index files on all applicants, and of following through with complete employment histories.

The Des Moines office is under a federal area overseer.

(For an explanation of the three categories of Iowa's personnel administration, see THE EXECUTIVE BRANCH OF GOVERNMENT, p. 8.)

IOWA NATURAL RESOURCES COUNCIL

Organization:

- 1) Established by the General Assembly in 1949.
- 2) Composed of nine members,
who must be electors of the state,
who are appointed by the governor with approval of two-thirds of the senate,
who serve on a part-time basis and are paid \$25 per day and expenses, not to exceed \$2,000 annually,
who serve six-year staggered terms.

Functions and duties:

- 1) Establish a comprehensive statewide program of flood control.
- 2) Establish a comprehensive statewide program for the conservation, development and use of the waters of the state.
- 3) Act as the agency with which the federal government agencies work on plans for navigation or flood control affecting the state.
- 4) Receive, review, and issue permits for the erection of any structure, dam, obstruction, deposit, or excavation in or on any floodway, with power to abate as a nuisance any of the foregoing which adversely affect flood control.
- 5) Issue permits to any person wishing to divert or pump water in excess of 5,000 gallons per day, or to any industrial user exceeding its water use prior to 1957.

Personnel:

Director, Mr. O.R. McMurray. Hired (and may be dismissed) by the council. Salary is set by the council. The director acts as executive officer of council and has charge of council's work subject to its direction.

Water Commissioner. Hired (and may be dismissed) by council. Salary is set by the council. The water commissioner serves in quasi-judicial capacity as trier of fact questions in processing applications for permits and conducts hearings on permit applications.

Total department budget -- \$170,300 each year of biennium.

Commissioners (July 1961)

Stanley R. Haynes, Mason City	Louis P. Culver, Dunlap
William G. Murray, Ames	Clifford N. Naser, Fort Dodge
L. Guy Young, Bedford	H. Garland Hershey, Iowa City
J. R. Downing, Indianola	Joseph W. Howe, Iowa City
Clyde B. Hightshoe, Ottumwa	

BOARD OF PAROLE

The Board of Parole was established in 1907 by the 32nd General Assembly.

Chapter 247 of the Code of Iowa provides that the board shall consist of three electors, not more than two of whom shall be of the same political party. One member shall be a practicing attorney at the time of appointment.

The term of office is six years, and each member serves as chairman in the last two years of his appointment.

Appointment is made by the governor with approval of two-thirds of the senate in executive session. The jobs are considered to be part-time.

The board has power to parole persons convicted of crime and committed to the penitentiary, the reformatory, or the women's reformatory, except those committed to life terms or those who have received a death sentence or those suffering from a venereal infection in the communicable stage.

After a person has served 15 years of a life term, the board shall review the case, interview the person and make recommendations to the governor concerning his parole. It shall make similar reviews on each case at least every three years thereafter.

The board has power to establish and enforce rules and conditions under which paroles may be granted.

The board may, on recommendation of the trial judge and the prosecuting attorney, parole, after sentence for less than life and before commitment, prisoners who have not been convicted previously for a felony.

No prisoner shall be released on parole until the board has evidence of arrangements made for his employment or maintenance.

A paroled prisoner remains, while on parole, in the legal custody of the warden or superintendent of the institution and under the control of the parole board. He is subject at any time to be taken into custody and returned to the institution.

Appropriation for biennium beginning July 1, 1961:

Three board members --\$5,000 a year

Secretary of board -- \$8,000

Salaries, support, maintenance and miscellaneous expenses, --\$ 186,560

Board members, July 1, 1961:

William Parker of Waterloo

Arnold Utzig of Dubuque

Harold L. Martin of Hamburg

STATE BOARD OF PUBLIC INSTRUCTION

The 55th General Assembly in 1953 changed the method of selecting the superintendent of public instruction from popular election to appointment, and provided for the creation of a special state board of public instruction. The law provides for a nine-member board: eight to be named by congressional district convention and one to be appointed by the governor and confirmed by the senate. The term is for six years. The board appoints a superintendent of public instruction for a term of four years. The present superintendent is Mr. Paul Johnston, and his salary is \$13,000.

The board is a policy making body made up of lay people. It bears the same relationship to the schools of the state as the county boards to the county school system and the local boards to the local districts. It meets at least twice a year and members are paid for expenses they incur.

The superintendent has general supervision and control over the public schools of the state, including rural, graded and high schools, and public community colleges. He is, by law, executive officer of the State Board of Educational Examiners and executive officer of the State Board of Vocational Education. Thus the department's activities include the administration of vocational education programs, including vocational rehabilitation and the certification of all public school teachers in the state.

The law provides for the appointment of assistant superintendents and such other staff members and employees as necessary. The staff includes assistant superintendents in charge of administration and instruction, and a corps of state supervisors, whose inspections of the schools throughout the state cover both the academic areas and the physical plants of the public schools in their territories. They file reports with the authorities of the schools and with the superintendent.

Responsibilities of the department are divided into ten divisions, each with a director and staff:

- Division of vocational rehabilitation
- Division of Administration and finance
- Division of school lunch
- State agency for surplus property
- Division of transportation
- Division of veterans' education
- Division of special education
- Division of supervision
- Division of teacher education and certification
- Division of vocational education and adult education

The state department has responsibilities to assist in problems of school administration throughout the state. It is required to have a policy and to assist in the activities of local school districts with regard to:

- Construction and maintenance of school buildings
(the superintendent is directed by law to prepare and publish a pamphlet containing suitable plans and specifications for public school buildings.)
- Enforcement of school attendance
- Administration of school bus transportation
- Selection of textbooks
- Administration of the school health program
(the department is directed by law to prepare or approve and distribute a manual on practical health training for the aid of elementary and secondary teachers.)
- Assistance in curricular development
(must prepare and distribute to all elementary schools lists of books and texts and an outline of American citizenship; must distribute to secondary schools similar materials in American history, civics, social problems, and economics.)
- Development and use of methods of audio-visual education
- Administration of school lunch programs
(and others ---)

District members of the board are:

- Robert D. Wells, 1st District
- C. W. Antes, 2nd District
- Harry Reed, 3rd District

Sterling Martin, 4th district
Mrs. James Shannahan, 5th district
John A. Hanna, 6th district
Delmar Busse, 7th district
Lester Menke, 8th district

Appropriations for each year of the 1961-63 biennium:

Superintendent's salary	\$13,000	
Other salaries	413,180	
Support, maintenance and misc.	124,300	
Study of community colleges, technical area schools, and vocational education in high schools	12,000	
Vocational education	65,000	
Total		\$627,480

DEPARTMENT OF PUBLIC SAFETY

This department was created in 1939 by consolidating several bureaus under one executive. It is run by a single administrator, the Commissioner of Public Safety, who is Mr. Carl Pesch. He is appointed by the governor with the consent of two-thirds of the senate for a four-year term. The governor may remove the commissioner from office with the consent of the executive council after a public hearing before the executive council.

Requirements for office of commissioner:

- 1) Appointee must have lived in Iowa five years.
- 2) High moral character
- 3) Recognized executive and administrative ability
- 4) Shall be selected solely for his fitness for the job.

Functions of the department:

- 1) Facilitate cooperation and coordination of the law enforcement agencies of counties, cities and towns.
- 2) Direct law enforcement activities of state government through various divisions.
- 3) Assume duty "to enforce all state laws" and "to prevent crime, to detect and apprehend criminals."

Organization of the department:

There are eight divisions, each headed by a director or superintendent appointed by and responsible to the commissioner of public safety.

- 1) Division of Highway Safety Patrol (biggest division)
 - (a) Oversees highway patrol of 300 officers.
 1. Duties include enforcing motor vehicle laws and laws relating to traffic on public highways.

- 2) Powers broadened so patrol exercises duties of any peace officer of the state.
 - 3) Patrol is restricted so it does not exercise its powers in any city or town unless so ordered by the governor or requested by the city government.
 4. Gives examinations for drivers' licenses.
- 2) Division of Criminal Investigation
 - (a) Cooperates with and supplements work of local officers.
 - (b) Has three main divisions
 1. Investigative section -- sends special agents to help investigate a crime on request of local officials.
 2. Identification section -- maintains criminal file, fingerprints and photos.
 3. Technical laboratory -- operates a scientific crime detection laboratory.
 - 3) Division of Radio Communications
 - (a) Operates state police radio.
 - (b) Operates two-way radios in highway patrol cars.
 - 4) Division of Fire Protection and Investigation
 - (a) Investigates cause of all fires if requested by local authorities.
 - (b) Brings charges of arson.
 - (c) Inspects public buildings with relation to fire escapes and exits, wiring and heating.
 - (d) Receives reports of every fire with over \$50 damage from local authorities.
 - (e) Gives fire prevention.
 - 5) Division of Motor Vehicle Registration
 - (a) Maintains records of all motor vehicle licenses and revenue collected from them.
 - 6) Division of Motor Vehicle Dealers' Licenses
 - (a) Licenses motor vehicle dealers.
 - 7) Safety Responsibility and Drivers' License Division
 - (a) Enforces drivers' financial responsibility law.
 - (b) Maintains a record of all licensed drivers showing restrictions and violations and may suspend licenses.
 - 8) Division of Safety Education.
 - (a) Promotes highway safety through education via all media.

Total department budget -- \$5,009,500 for each year of 1961-63 biennium.
Commissioner's salary -- \$11,000.

STATE BOARD OF REGENTS

The State Board of Regents, until 1955 called the State Board of Education, was created by the General Assembly in 1909. It has nine members, appointed for six-year terms by the governor with approval of the senate. Not more than five members may be of the same political party, and prior to July 1961, not more than one alumnus of each of the institutions of higher education in the state might serve at one time. That restriction was removed in the 1961 session of the General Assembly.

The Board is the governing board for:
State University of Iowa, Iowa City
Iowa State University of Science and Technology, Ames
State College of Iowa, Cedar Falls
Iowa Braille and Sight-Saving School, Vinton
Iowa School for the Deaf, Council Bluffs
State Sanatorium, Oakdale

The board selects a finance committee of three members from outside its own membership, one of whom serves as secretary of the board of regents as well as of the finance committee. It also employs a director of research and statistics.

Duties of the board are set forth in the Code of Iowa, 1954, Chapter 262, Section 9.

- 1) Each even numbered year elect, from its members, a president of the board, who serves for two years and until his successor is elected and qualified.
- 2) Elect a president for each institution of higher learning; a superintendent of each of the other institutions; a treasurer and a secretarial officer for each institution annually; professors, instructors, officers and employees; and fix their compensation.
- 3) Make rules for admission to and for the government of these institutions, not inconsistent with law.
- 4) Manage and control the property, both real and personal, belonging to the institutions.
- 5) With the approval of the Executive Council, acquire real estate for the proper uses of the institutions, and dispose of real estate no longer needed by the institutions.
- 6) Accept and administer trusts deemed by it beneficial to the institutions.
- 7) Direct the expenditure of all appropriations made to the institutions and of any other monies belonging thereto, but in no event shall the perpetual funds of Iowa State University of Science and Technology, nor the permanent funds of the State University of Iowa, derived under acts of Congress be diminished.
- 8) Collect the highest rate of interest, consistent with safety, obtainable on daily balances in the hands of the treasurer of each institution.

9) With the approval of the Executive Council, publish from time to time, and distribute such circulars, pamphlets, bulletins and reports as may be in its judgment for the best interests of the institutions under its control, the expense to be paid out of any funds in the treasury not otherwise appropriated.

10) Perform all other acts necessary and proper for the execution of the powers and duties conferred by law upon the board.

Members receive \$20 a day and expenses. Current members are:

Harry Hagemann of Waverly, President
Stanley Redeker of Boone
John C. Oberhausen of Dubuque
Wilbur Molison of Grinnell
Mrs. Kenneth A. Evans of Emerson
Mrs. Joseph Rosenfield of Des Moines
Maurice Crabbe of Eagle Grove
Mrs. Robert Valentine of Centerville
A. W. Noehren of Spencer

Finance committee members and their salaries are:

Carl Gernetzky, Chairman -- \$8,800
David A. Dancer, Secretary -- \$10,000
Doyle R. Cottrell -- \$8,600

(Mr. Cottrell was recently appointed to the committee from the post of Director of Research and Statistics. His successor in the former position had not been announced when this study was prepared.)

STATE BOARD OF SOCIAL WELFARE

The Board of Social Welfare was created by statute in 1937 by the 47th General Assembly to serve as the major welfare agency. The law was amended by the 48th General Assembly relating to membership, salary, terms of office and removal from office.

The board has three members, one of whom must be a woman and two of whom may be from the same party. They are appointed by the governor with the consent of two-thirds of the senate in executive session. They serve full time and hold no other office, public or private. They serve for six years. They can be removed by the governor with the approval of the executive council. Their salary is fixed by the General Assembly. The 1961 General Assembly raised the salaries from \$7,000 to \$8,000 for two of the members, but the third, Senator Lawrence Putney of Gladbrook, can receive only \$7,000 because of a law which says a legislator cannot receive a salary raise voted while he is a member of the legislature.

Present members of the board are:

Marshall C. Jewell of Onawa (term expires June 30, 1965)
Mrs. Irene Mae Smith of Ottumwa (term expires June 30, 1963)
Senator Lawrence Putney of Gladbrook (term expires June 30, 1967)

Duties and responsibilities of the board:

- 1) To administer old age assistance, aid to the blind, aid to dependent children, child welfare, and emergency relief.
- 2) To make rules and regulations for competent and efficient administration.
- 3) It may abolish, consolidate or establish divisions.
- 4) Must within 90 days after the close of the fiscal year make a report to the governor.
- 5) Must cooperate with the federal social security board to qualify for federal aid.
- 6) Must generally supervise county boards of social welfare.
- 7) Must inform the public of the operation of acts under its jurisdiction.
- 8) Must set up an administrative fund to operate the department.

A secretary is appointed by the board to serve at its pleasure. The secretary is R. H. Whitlach.

Total number of employees (including county welfare workers) is approximately 1,000.

Appropriations in the 1961 legislature total \$17,933,000 per year.	
Aid to Blind Fund	\$600,000
Aid to Dependent Children Fund	4,000,000
Child Welfare Fund	350,000
Emergency Relief Fund	50,000
Old Age Assistance Fund	12,750,000
Aid to Disabled Fund	168,000
Aid to Indians on Reservations	15,000

Any balance at the end of the biennium shall revert to the general fund, except for certain specified amounts.

This board is included in the Interagency Liaison Commission set up by the last legislature to coordinate and integrate activities involving personnel of two or more divisions.

STATE TAX COMMISSION

The state tax commission was created in 1929. It is a three-man body appointed by the governor for six years, with overlapping terms. No more than two members may be of the same political party. The state statute says that persons on the commission must possess "knowledge on the subject of taxation and skill in matters pertaining thereto." The salary of two of the commissioners is \$9,000, and the third (who was a member of the General Assembly which voted a \$1,000 salary raise and thus is not eligible to receive the higher salary) has a salary of \$8,000. They serve full time.

The tax commission administers most of the taxes of Iowa. However, the state treasurer, the department of safety, the liquor commission, the state conservation commission, and other agencies collect various taxes, licenses and fees.

There are seven divisions of the department, each headed by a director or superintendent who is directly responsible to the tax commission. These divisions are:

- 1) Property tax division.
- 2) Income tax division.
- 3) Sales, use and chain-store tax division.
- 4) The cigarette and beer tax division.
- 5) The inheritance tax division.
- 6) The legal division.
- 7) The research division.

The departmental appropriation is \$1,442,570 per year for the 1961-63 biennium.

Present commissioners are:

Andrew L. George of Waterloo, Chairman
Former Senator X.T. Prentis of Mount Ayr
Former Senator John J. O'Connor of Strawberry Point

DISCUSSION SUGGESTIONS

The League of Women Voters of Iowa already has endorsed the principle of a four-year term for the governor and of a shorter ballot -- electing the governor and lieutenant governor by popular election, but reducing the number of popularly elected state officials.

Further questions with which we might concern ourselves in this study include:

1) How can we give the governor more responsibility for the boards and commissions supposedly under his control?

2) Should multiple-headed boards of purely administrative responsibility be replaced by well-qualified directors appointed by the governor, responsible to him, and removable by him? Should these directors be appointed for terms coinciding with the term of office of the governor -- to increase the sense of responsibility of these officials to the governor?

(Consider whether the following divisions might be more efficient if their multi-headed boards were replaced by a single director, with or without an advisory board:

The tax department
The state liquor control department
The social welfare department
The board of control
The conservation commission
The employment security agency
The commission for the blind
(and others?)

(One consideration to ponder is whether the state is spending too much money for unspecialized lay boards and too little for the specialized directors who do the principal jobs of administration. Might we do better -- and still save the state money, perhaps -- to spend more money for more highly qualified specialists and omit or reduce the expenditures for multi-headed boards in purely administrative agencies?)

3) Should the administrative machinery of the executive department be simplified? We now have some 85 separate entities that make up the complicated structure of the executive department. The Model State Constitution recommends combining and reducing these entities to a maximum of twenty. The New Jersey government, considered a near-model of reorganization, has twenty agencies under the governor; the Missouri government has reduced these agencies to fourteen. Should we endorse the principle of a comparable reorganization in Iowa? Should we go beyond endorsement of the principle and make some definite suggestions for combining, reshuffling and eliminating these agencies?