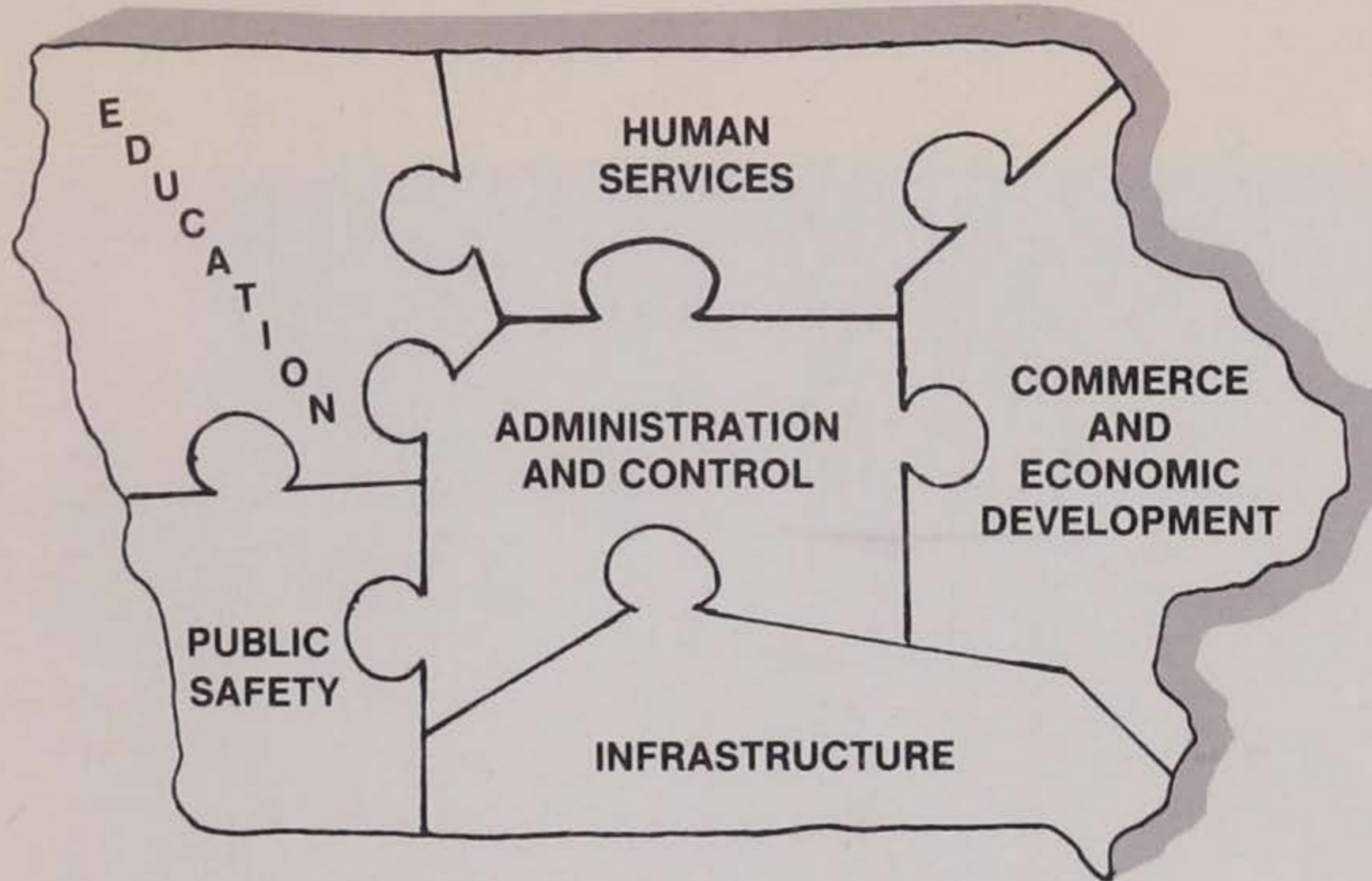


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Iowa Government In Transition:



A Handbook on State Government Reorganization

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State Senator Charles Bruner has served eight years in the Iowa General Assembly. He serves on the senate state government committee, and served on the interim committee established in 1985 to review the governor's proposals on state government reorganization, the senate state government reorganization subcommittee, and the conference committee on state government reorganization. He currently serves on the state government reorganization oversight committee. Senator Bruner has written monographs for the State Public Policy Group on health care issues and is author of a 112-page book, A Legislator's View of State Health Care Allocation Choices, for the National Center for Health Services Research. He also has published articles on comparable worth and a monograph entitled "Women, Work, and Poverty: Trends and their Consequences for Iowa Government." He holds a Ph.D. in political science from Stanford University.

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The State Public Policy Group provides organizations with the 'tools' they need to represent themselves on a local, state, and national level. By bringing together specialists in government, public relations and media development, the State Public Policy Group offers a comprehensive set of services for affecting public policy. Each of the Group's programs is designed to meet a specific organization's needs and is available to any organization attempting to represent itself effectively. The Group's diverse spectrum of services has proven effective for corporations, government agencies, associations, and small businesses, as well as for special and public interest groups.

\$ 8.50

IOWA GOVERNMENT IN TRANSITION:

A HANDBOOK ON STATE GOVERNMENT

REORGANIZATION

Written By:
State Senator Charles Bruner

Edited By:
Tom Slater

Produced by:
State Public Policy Group
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We are indebted to Beverly Allen and Mary Gannon for reviewing an initial draft of this handbook and providing many helpful comments, corrections, and additions. We are also indebted to Nancy Brennan of the legislative service bureau, Mary Gannon of the Senate Democratic Caucus, and Mary O'Connor of the House Democratic Caucus for their summaries of the reorganization legislation, which were referred to extensively in the preparation of the handbook, and to the legislative fiscal bureau for their organization charts of the new state agencies, which formed the basis for the charts provided in this handbook. All errors or omissions, however, remain the responsibility of the author and the editor.

IOWA GOVERNMENT IN TRANSITION:

A HANDBOOK ON STATE GOVERNMENT
REORGANIZATION

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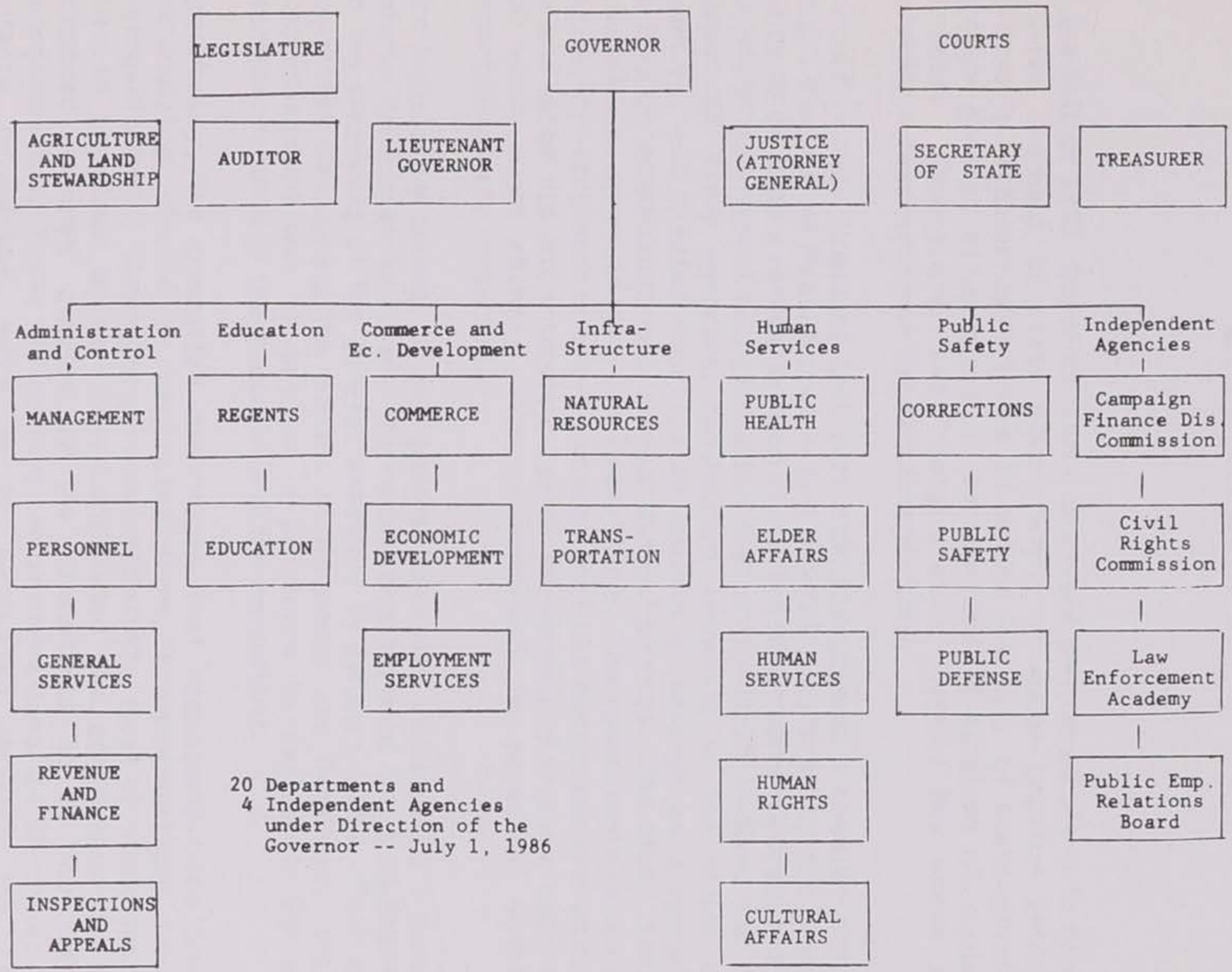
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20 Departments and
4 Independent Agencies
under Direction of the
Governor -- July 1, 1986

IOWA GOVERNMENT AFTER REORGANIZATION

CHAPTER ONE:

OVERVIEW

Bill History:

In the fall of 1985, Governor Terry Branstad announced plans to conduct a massive overhaul of state government. A major impetus behind the governor's recommendation was to reduce the size of state government through greater efficiencies of service and elimination of duplicative services. 'Downsizing' and 'reorganization' became key words in the governor's description of the recommendation.

Through private financing left over from the governor's economy committee study, the firm of Peat, Marwick, and Mitchell was hired by the governor's office to develop a reorganization plan. These consultants prepared a plan for state government reorganization that dramatically reduced the overall number of state agencies, centralized authority in the office of the governor, and posited nearly \$ 30 million in savings as a result of a variety of 'downsizing' and 'reorganization' savings. The study itself was completed in approximately six weeks' time. The consultants relied upon a variety of recommendations for change that had been made previously, and by and large did not interview agency personnel. For some departments for whom major changes were recommended, no personnel within the department were contacted.

The legislative council of the general assembly established a bipartisan interim committee to review the recommendations of the consultant prior to the convening of the general assembly in January, 1986. That interim committee met during the months of November and December. Its major accomplishment was to set out a procedure to deal with the overall recommendations of the governor and the consultant.

Specifically, the committee determined that recommendations involving 'downsizing' should be separated from recommendations involving 'reorganization.' 'Downsizing' recommendations, most of which dealt with cuts in programs or services, constituted the great majority of the proposed 'savings' posited by the consultants to be the result of reorganization. These 'downsizing' recommendations, as identified by the interim committee, were to be evaluated through the regular appropriations process and were not to be a part of the reorganization bill.

Further, the committee determined that the senate state government committee should begin work on the reorganization recommendation and that reorganization of all state agencies should be presented as a single bill. This single bill then would not be subject to item veto by the governor.

Upon convening of the general assembly, the senate state government committee immediately began work in subcommittee on the reorganization proposal. The legislation, Senate File 2175, eventually went through the senate subcommittee, the full senate state government committee, senate floor debate, the house subcommittee, the full house state government committee, house floor debate, a conference committee to resolve differences between house and senate versions of the legislation, and final action on the conference committee report in both chambers.

The result was passage of a 481-page bill reorganizing state government agencies-- Senate File 2175-- and two companion pieces of legislation-- Senate File 2303 and House File 2066.

Senate File 2303 dealt with elements of reorganization that could have been considered as involving appropriations, and therefore, if placed within Senate File 2175, could have subjected Senate File 2175 to potential item veto by the governor. The conferees on Senate File 2175 decided that those provisions should be dealt with in a separate piece of legislation. Senate File 2303 was the result.

House File 2066 contained a number of corrections to Senate File 2175 that were discovered after the conference committee report had been produced. These changes were incorporated into a lengthy amendment to what is referred to in the general assembly as the Code Editor's Bill, which deals with technical corrections to the law. These changes had been agreed to by the conference committee, but in the process of drafting the conference committee report, had been inadvertently omitted.

In addition to these pieces of legislation, some 'downsizing' proposals and some 'reorganization' changes not requiring statutory changes but requiring appropriations were addressed in the appropriations bill which started in the house, House File 2484. While the senate was responsible for addressing the issue of 'reorganization' first, the house was responsible for addressing the issue of 'downsizing' and restructuring the appropriations process to reflect the effects of state government reorganization first.

Bill Summary:

The state government reorganization effort affects nearly all existing state agencies and departments. It affects the relationship of the governor to those agencies and departments, the relationship of the governor to the legislature, the relationship of the legislature to those departments, and the relationships among departments. It provides significant new responsibilities to some state departments, making programmatic changes as well as organizational ones. It establishes strong equal opportunity provisions within Iowa law. It reduces the number of boards and commissions upon which citizens serve and therefore relies more heavily on other means for citizens to have input into government.

Some of these major themes of the reorganization effort are discussed below and serve as the rationale for reorganization itself.

CONSOLIDATION OF SEPARATE DEPARTMENTS. A major impact of the reorganization legislation is to reduce the overall number of state agencies by establishing umbrella departments with control over what were previously independent entities. The degree of control exercised by the director of such departments varies, but the general thrust is to give the director the power to consolidate administrative services within the department and to restructure services to avoid duplication. Proponents of such reorganization argue that this provides for greater efficiency through centralization and avoids fragmentation of service. Critics argue that this provides an additional layer of bureaucracy and gives greater control over program functions to persons without program expertise.

Altogether, as Table One shows, the result of reorganization is to reduce the number of agencies under the specific direction of the governor from over sixty down to twenty departments and four independent agencies. In addition, several additional agencies and responsibilities are incorporated into executive departments administered by other statewide office holders.

ESTABLISHMENT OF FUNCTIONAL DEPARTMENTS WITHIN STATE GOVERNMENT. A second thrust of reorganization is to consolidate certain internal management functions of state government within specific state departments, rather than have each state department perform such functions for themselves. To this end, two entirely new departments are created-- a department of management and a department of inspections

TABLE ONE: WHERE AGENCIES MOVED UNDER REORGANIZATION

PREVIOUS STATE GOVERNMENT AGENCIES	DPT. NOW LOCATED:
Comptroller's Office (budget oversight) Office for Planning and Programming (planning) Criminal and Juvenile Justice Planning Agency	MANAGEMENT
Merit Employment Department Job Service Department (IPERS) Peace Officers Retirement System Board of Trustees Comptroller's Office (Exempt employees) Other State Agencies (most personnel functions)	PERSONNEL
Revenue Department (except bingo) Lottery Commission Comptroller's Office (administration)	REVENUE AND FINANCE
Various Departments (Appeals) Appellate Defender Office Foster Care Review Board Hospital Licensing Board	INSPECTIONS AND APPEALS
Department of Public Instruction College Aid Commission Higher Education Loan Authority	EDUCATION
Board of Regents	REGENTS
Department of Banking Credit Union Department Auditor's Office (Savings and Loan) Insurance Department Racing Commission Revenue Department (bingo) Commerce Commission (except grain warehousing) Beer and Liquor Control Department Real Estate Commission Board of Accountancy Board of Architectural Examiners Board of Engineering Examiners Board of Landscape Architect Examiners	COMMERCE
Iowa Development Commission Iowa Finance Authority Iowa Product Development Corporation Iowa High Technology Council Iowa Advanced Funding Authority Office for Planning and Programming (job training) Department of Agriculture (Ag. Marketing Bd.)	ECONOMIC DEVELOPMENT
Department of Job Service (except IPERS) Industrial Commissioner Bureau of Labor	EMPLOYMENT SERVICES
Conservation Commission Department of Water, Air, and Waste Management Geological Survey Energy Policy Council (except LHEAP & Weatherization)	NATURAL RESOURCES

TABLE ONE: WHERE AGENCIES MOVED UNDER REORGANIZATION (CONT.)

Department of Transportation	TRANSPORTATION
Commission on the Aging	ELDER AFFAIRS
Department of Health Department of Substance Abuse Board of Medical Examiners Board of Nursing Examiners Board of Dental Examiners Board of Pharmacy Examiners Other Health-Related Examining Boards	PUBLIC HEALTH
Department of Human Services Refugee Service Center	HUMAN SERVICES
Commission for the Blind Commission on Deaf Services Commission on the Status of Women Commission on Children, Youth, and Families Commission on the Employment of the Handicapped Spanish Speaking Peoples Commission Energy Policy Council (LHEAP & Weatherization Office for Planning and Programming (CSBG)	HUMAN RIGHTS
Arts Council Historical Department Terrace Hill Authority Iowa Public Broadcasting State Library	CULTURAL AFFAIRS
Department of Corrections Board of Parole	CORRECTIONS
Department of Public Safety Office for Planning and Programming (highway safety)	PUBLIC SAFETY
Department of Public Defense Department of Veterans Affairs	PUBLIC DEFENSE
Civil Rights Commission Public Employment Relations Board Campaign Finance Disclosure Commission Law Enforcement Academy	REMAIN INDEPENDENT AND SEPARATE
NONGUBERNATORIAL EXECUTIVE AGENCIES	
Department of Agriculture Soil Conservation Department State Fair Board Commerce Commission (grain warehousing)	AGRICULTURE & LAND STEWARDSHIP
Department of Justice Consumer Advocate Prosecuting Attorney's Council	JUSTICE
Secretary of State Lieutenant Governor Auditor Treasurer Executive Council Interstate Co-operation Commission	REMAIN THE SAME

and appeals. In addition, personnel administration is centralized to a much greater extent within the department of personnel; and both the department of general services and the department of revenue and finance are given enhanced authority at the expense of most other separate state departments.

GUBERNATORIAL POWER AND DIRECTION. Through reorganization, the governor is given greater appointment powers. Major department heads, which had been selected by department commissions, are now named by the governor. These new appointments for the governor include the heads of the department of education, the department of natural resources, the department of personnel, and the department of transportation. The governor is responsible for appointing the heads of all twenty-four departments and agencies under the governor's control with the exception of the state board of regents and the campaign finance disclosure commission.

In addition, the directors themselves assume more power from their boards and commissions. Such powers vary from department to department, but in many instances include rulemaking authority and contract approval authority. Since the director is directly responsible to the governor, these changes are considered as enhancing the governor's power.

LEGISLATIVE OVERSIGHT AND DIRECTION. To balance this greater gubernatorial power, the reorganization legislation establishes by statute additional legislative oversight and direction over executive department actions. Most obvious is the new power of the senate to reconfirm gubernatorial appointments of department heads every four years. Previously, once appointed and initially confirmed, most department heads did not have to go through a confirmation process again.

In addition, the general assembly is given substantially more power in reviewing departmental rules and delaying or rescinding those rules. Further, the general assembly is given more oversight capabilities over the executive branch's budgeting process. A state government reorganization oversight committee is established to allow the legislature to review the actions taken to implement reorganization.

MODIFICATIONS TO STATE PROGRAMMATIC RESPONSIBILITIES. In the process of reorganizing the structure of state government, a number of issues were raised that related to departmental missions or to specific program responsibility. Included within the reorganization legislation are

a number of significant changes in and additions to programmatic departmental responsibilities.

As an example, in addition to the department of economic development assuming a variety of existing responsibilities of the Iowa development commission, the office for planning and programming, and the department of agriculture, the department also is now charged with administering a new targeted small business set-aside program, a new self-employment loan program, a new business and industry information and training network, and, for the first time, developing five- and twenty-year economic development plans.

AFFIRMATIVE ACTION POLICY. Contained within the reorganization legislation is the codification of a state affirmative action policy, which previously existed only by executive order and only for executive branch departments. In addition to setting out affirmative action policy for all state agencies, the reorganization legislation also establishes contract compliance policy with respect to equal employment opportunities, and establishes a set-aside program for state contracts for minority and female businesses. Gender balance and partisan balance is established as a goal for all state boards and commissions. Enforcement powers for such provisions are provided to the department of management through the power to levy sanctions. In the transition process, a prohibition is placed on laying off a disproportionate number of women and minorities as a consequence of reorganization reductions in force.

CITIZEN INVOLVEMENT. To the extent that boards and commissions provide for citizen involvement, reorganization lessens the direct role of citizens in government. A number of boards and commissions are abolished altogether, and many others have their powers reduced. Still, relative to other states, Iowa continues to have a large number of statutory boards and commissions providing citizen involvement in advisory, adjudicatory, and policymaking roles.

Organization of Book:

This book is designed to provide a reference to the changes made through reorganization. It does so by identifying the specific changes made as a result of reorganization in each of the new departments.

Since some changes involve departmental organizational structure and some involve new responsibilities, an effort is made to distinguish among these changes.

Chapter Two provides a department-by-department summary of reorganization changes. For each department, the following format is used.

DEPARTMENTAL RESPONSIBILITIES. The general responsibilities of the department are outlined briefly.

MAJOR REORGANIZATION CHANGES. For each department, any changes in structure or shifts in responsibility as a result of reorganization are identified and described. Functions that have not been changed are not identified. This section deals only with reorganization changes.

NEW PROGRAMMATIC RESPONSIBILITIES. This section outlines any new programmatic responsibilities that the department assumes that were not previously provided in state government.

APPOINTMENT POWERS. This section outlines any changes in the appointment of positions contained within the department. It also indicates how the department director is appointed and what qualifications that individual must have.

In addition to this description, organizational charts for many of the new departments are provided to indicate those departments' general organizational structures.

Departments are listed in the following order:

First are those departments that deal generally with the administration and the control of state government.

Second come departments in five arbitrarily defined program areas: education, commerce and economic development, state infrastructure, human services, and public safety.

Third come brief descriptions of four small, independent agencies under the governor that were not merged under reorganization and that are not considered state departments.

Fourth come departments of elected state officials other than the governor, including the executive council itself.

Chapter Three outlines the changes reorganization has made to the role of the general assembly and to legislative oversight of executive decisions in general.

Chapter Four outlines additional provisions within reorganization that do not fall within specific state departments and that, in general, apply to all of state government.

Finally, an Appendix is provided that identifies where previous state agencies and commissions or their agency or commission functions are found within the reorganized state government and that lists boards and commissions that have been eliminated.

CHAPTER TWO:
ADMINISTRATION AND CONTROL SECTION

DEPARTMENT OF MANAGEMENT

Departmental Responsibilities:

The department of management is a newly created department that serves as the governor's oversight department of other state agencies. Included within the department's responsibilities are many of the responsibilities previously held by the comptroller's office and the office for planning and programming. Both of those offices have been eliminated. Specifically, the department acts as the Governor's budget office, coordinates state policy planning, and houses a variety of boards and commissions established to serve as coordinating and planning entities.

Major Reorganization Changes:

The department of management, rather than the comptroller's office, is responsible for preparing the Governor's budget. The department prepares the executive budget based upon revenue estimates agreed to in conjunction with the legislative fiscal bureau. The budgeting process itself is changed to occur on an annual rather than a biennial basis.

The department of management takes over the responsibilities from the office for planning and programming to coordinate state policy planning and to maintain demographic data.

Located within the department of management are the State Appeals Board, the Advisory Council on Intergovernmental Relations (ACIR), the Criminal and Juvenile Justice Planning Agency and Council, the City Finance Committee, and the County Finance Committee.

The department director assumes the City Finance Committee's administration of the law enforcement officer training reimbursement

program, but the committee continues to adopt the rules relating to the program. The department assumes some of the administrative functions of the County Finance Committee and the City Finance Committee. Both the County Finance Committee's and the City Finance Committee's membership are reduced in size by the elimination of the comptroller as a member. The County Finance Committee is charged with meeting at the call of the department director.

The department provides staff and assistance to the ACIR and the Criminal and Juvenile Justice Planning Agency and Council. The ACIR is set to sunset in 1990.

New Programmatic Responsibilities:

The department of management has major new responsibilities in the areas of affirmative action, contract compliance, and minority and female small business procurement set asides. Not only does the department provide oversight of such programs, the department also has the authority to impose sanctions on agencies, including the state board of regents, to ensure compliance with those policies.

The department is authorized to conduct a feasibility study of creating a department of higher education (in SCR 130, passed separately) and creating a department of professional and occupational licensing.

Appointment Powers:

The department director is appointed by the governor, subject to senate confirmation. Other positions in the department are appointed by the department director or through the state personnel system.

DEPARTMENT OF PERSONNEL

Departmental Responsibilities:

The personnel department, formerly the merit employment department, is responsible for most personnel functions for most departments in state government, with the exception of the Board of Regents, which administers its own personnel system. Included in these responsibilities are employment relations, state personnel management, affirmative action policy, and development of a career executive program.

Major Reorganization Changes:

The department assumes responsibility over administration of positions in state government that are exempt from the state merit system, a responsibility previously assigned to the state comptroller's office. In addition, many previously exempt state government positions are placed under the merit system. Merit system coverage is expanded to include employees of Iowa Public Television except for production and engineering personnel; many department of human service personnel previously exempt; nonprofessional employees of the offices of the treasurer, the attorney general, and the auditor; upper level administrative support staff; and nonprofessional employees of the commission for the blind. The department of education and the division for the blind of the department of human rights are directed to negotiate with the director of personnel for the applicability of the merit system to professional employees.

The personnel department is responsible for recruitment, testing, certification, salaries and benefits, equal opportunity, and collective bargaining for executive branch agencies except the state board of regents. The provisions of chapter 19A pertaining to qualification, examination, competitive appointment, probation and just cause apply only to state merit system employees.

The Personnel Commission (formerly the Merit Commission) is retained in current form, with responsibility for approval of pay plans, job classifications, and departmental rulemaking. Merit system disciplinary actions and grievances, which previously had been handled by the Merit Commission, are transferred to the Public Employment Relations Board.

The executive council no longer is given the authority over pay plans or job classifications. Final authority for those actions rests with the commission.

Many departments which previously had personnel officers have those officers transferred to the new department of personnel. The department of transportation, the department of human services, the department of corrections, and the department of employment services are expected to retain a reduced number of personnel officers, in most cases attached to specific institutions. In general, however, personnel officers are being transferred to the centralized department of personnel.

Both the Iowa Public Employment Retirement System (IPERS) and the Peace Officers Retirement (POR) Board are placed under the department. The IPERS Advisory Investment Board is changed to the IPERS Investment Board, and the director of personnel is added as a nonvoting member. A retiree of the system is added as an eighth voting member (in separate legislation). Both the IPERS and the POR system retain their policy-making independence under the reorganization. Benefit appeals from these systems will be handled by the Employment Appeals Board within the Department of Inspections and Appeals.

With respect to affirmative action policy, the department is made responsible for adopting uniform standards to employ in personnel decisions for all state departments, with the exception of the state board of regents. The department of management is then provided with overall oversight of such activity, including the authority to levy sanctions.

New Programmatic Responsibilities:

The reorganization bill establishes a merit-exempt career executive program. The director is given broad authority to establish the program, which is designed to facilitate the training and advancement of career executives in upper-level management positions. The department will adopt rules to provide for the program, and employees appointed to the program have the option of returning to their former merit system position within six months of the appointment to an exempt position.

Special appointments to positions in state government by bypassing the usual testing procedures are made possible for applicants that the division of vocational rehabilitation of the department of education or the commission for the blind of the department of human rights have certified

as having a disability that prevents usual testing procedures while being competent to perform the duties of the position.

Appointment Powers:

The governor appoints the director of the department, subject to senate confirmation. This is a departure from previous policy, where the merit employment commission selected the director of the merit employment department. The department director selects an administrator of the IPERS system, from a list of candidates submitted by the IPERS Investment Board.

The governor continues to appoint members of the Personnel Commission and nonlegislative voting members of the IPERS Investment Board. The Peace Officers Retirement System Board of Trustees shall continue its current composition under Chapter 97A.5(1).

DEPARTMENT OF GENERAL SERVICES

Departmental Responsibilities:

The department is responsible for most property management and capital projects within state government. The department is responsible for establishing standards for purchasing and contracting for services, serves as the state vehicle dispatcher, coordinates state communications systems, maintains voter registration information and other data processing, and provides state printing services.

Major Reorganization Changes:

The department is now responsible for all property management and capital projects except those of the state board of regents, the department of transportation, the national guard, and the department of natural resources. This adds to the department's responsibilities over property management the institutions under the direction of the department of human services and the department of corrections. In addition, the department is given greater direction to effect colocation of state department offices throughout the state.

The director of general services becomes the state registrar of voters, a duty transferred from the comptroller's office. The department assumes from the comptroller's office the general responsibility of coordinating data processing.

The director is given the authority over coordination and administration of telecommunications for state agencies, except for the state board of regents, IPBN, law enforcement communications, and the department of transportation's telex equipment. The department is specifically prohibited, however, from providing communications services to any entity other than a state agency, although political subdivisions currently receiving such services have until 1988 to switch to private vendors.

The department of inspections and appeals is responsible for conducting hearings and appeals relative to the administration of the department of general services. Decisions of the appeals and fair hearings division are subject to review by the department of general services.

New Programmatic Responsibilities:

The department is required to submit to the general assembly by 1987 a report on the department's implementation of life cycle cost energy efficiency standards.

Appointment Powers:

The director of general services continues to be appointed by the governor, subject to senate confirmation.

DEPARTMENT OF REVENUE AND FINANCE

Departmental Responsibilities:

The department of revenue and finance is responsible for administering Iowa's tax system. In addition, the department takes on the accounting, auditing, and property tax functions of the comptroller's office, as well as administration of all tax credits and local government assistance payments. The department also administers the Iowa lottery.

Major Reorganization Changes:

The department assumes the responsibilities, under Chapter 8, for accounting, auditing, and conducting the property tax functions previously the responsibility of the comptroller. Included in these duties are the administration of tax credits and local government assistance payments. Statutory requirements for a property tax division and a department secretary are eliminated.

The department takes on administration of the lottery, with the lottery commissioner becoming a division head in the department. Decisions of the lottery commissioner are subject to approval by the departmental director. The lottery commission is retained, but the salaries for its members are reduced and then sunsetted after June 30, 1987. Mandatory board meetings are reduced from monthly to quarterly.

The department ceases to have responsibility for administering the provisions of chapter 99B, which deal with games of skill, chance, and raffles. That responsibility is assumed in the gaming division of the department of commerce.

The reassessment expense fund committee and the county assessor continuing education commission are repealed. The director assumes the responsibilities of these entities, including the responsibility to develop and administer continuing education for local assessors.

Appointment Powers:

The department director is appointed by the governor, subject to senate confirmation. The lottery commissioner is also appointed by the governor, subject to senate confirmation.

DEPARTMENT OF INSPECTIONS AND APPEALS

Departmental Responsibilities:

The department of inspections and appeals is a newly created department that seeks to combine certain duties relating to hearings and appeals, audits, investigations, and inspections that were previously conducted within individual state departments. A major portion of the personnel within the department are transferred from the department of human services, and relate either to client appeals or to investigations of welfare fraud and abuse.

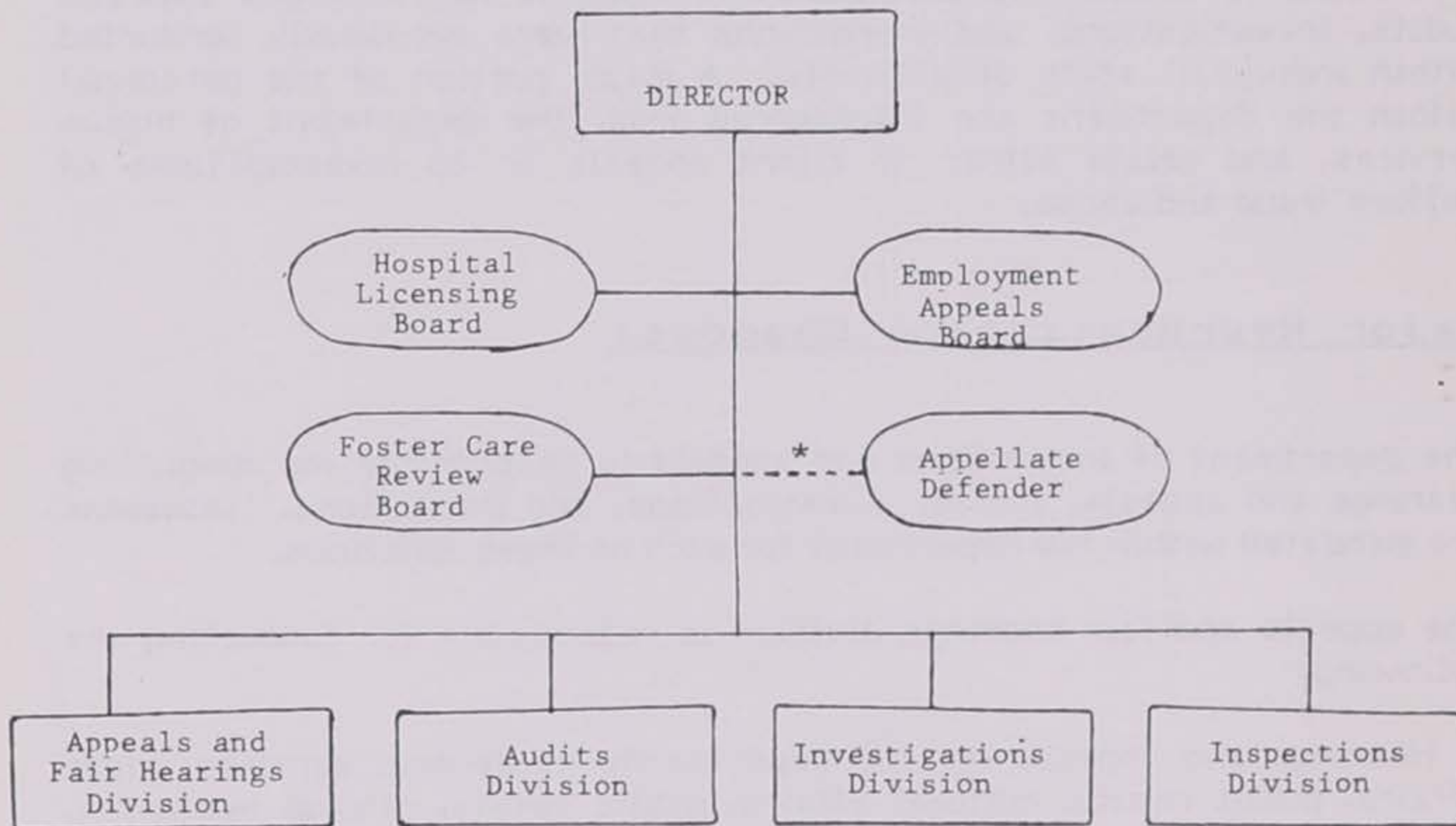
Major Reorganization Changes:

The department of inspections and appeals is responsible for conducting hearings and appeals, audits, investigations, and inspections. Divisions are mandated within the department for each of these functions.

The appeals and fair hearings division is responsible for conducting the following:

1. Hearings and appeals for the departments of general services, elder affairs, public health, cultural affairs, public safety, natural resources, and transportation, subject to review by these departments.
2. Hearings on matters relating to the department of personnel, except employee grievances and disciplinary actions heard by the public employment relations board. A three-member employment appeals board is established within the division to hear and decide contested cases regarding unemployment compensation (Ch. 96), OSHA (Ch. 83), IPERS (Ch. 97B), public safety (Ch. 80), elevators (Ch. 104), and merit cases that are not handled by the PER Board (Ch. 19A). The board is comprised of one person representing employers, one person representing employees, and one person representing the general public.
3. Hearings and appeals relative to foster care facilities, day care facilities, state administration of the medical assistance program, state administration of the supplemental assistance program, and state

TABLE OF ORGANIZATION:
DEPARTMENT OF INSPECTIONS AND APPEALS



* The office of the appellate defender is placed within the department of inspections and appeals for organizational purposes only.

administration of the aid to families with dependent children program. The department of human services may review these decisions.

4. Appeals of licensing board decisions, based on hearings conducted by the licensing boards, with the exception of decisions by the medical, pharmacy, dental, and nursing examining boards. Review of division decisions on such appeals can be sought through the judicial process.

5. Hearings and appeals of licensing or certification decisions for hospitals, hospice programs and health care facilities. The department is the sole licensing agency for these facilities and programs.

The audits division of the department is responsible for conducting audits not conducted by the state auditor, including audits of real estate broker trust accounts, hospitals and health care facilities' financial records, and disbursements made under a variety of programs such as the state supplemental assistance program.

The investigations division of the department is responsible for conducting investigations of the internal affairs of all state executive agencies except those governed by the state board of regents and all regulated professions except the medical, dental, pharmacy, and nursing professions.

The investigations division is also responsible for conducting the following specific investigations: those relating to proposed sales within Iowa of subdivided land located outside Iowa, beer and liquor license applications, standards and practices of hospitals and hospices and health care facilities, liquidation of overpayment debts to the department of human services, and administration of entitlement programs by the department of human services.

The inspections division of the department is responsible for the following inspections: sales within Iowa of subdivided land located outside Iowa, food establishments, hospitals and hospices and health care facilities, health construction projects, licensing boards except medically-related licensing boards, child foster care facilities, and private institutions which care for dependent, neglected, and dependent children.

Placed within the department as an autonomous separate entity is the state appellate defender. The foster care review board and the hospital licensing board are transferred to the department with no change in their duties. The occupational safety and health review commission is eliminated.

New Programmatic Responsibilities:

For the first time, delicatessens in grocery stores become subject to inspection. Specifically, grocery stores, convenience stores, and similar food establishments which sell ready-for-consumption food in individual portions come under regulation as food service establishments.

Appointment Powers:

The director of the department of inspections and appeals is appointed by the governor, subject to senate confirmation. The director has rulemaking authority. The appellate defender is also appointed by the governor, subject to confirmation by the senate, as are the three members of the Employment Appeals Board.

EDUCATION SECTION

BOARD OF REGENTS

Departmental Responsibilities:

The board of regents is responsible for administering the three state institutions of higher education and the Iowa braille and sight-saving school and the state school for the deaf.

Major Reorganization Changes:

The basic structure and function of the board and the institutions it governs are not changed. The board is considered a "department" of state government but its name is not changed.

The board and its institutions do come under a number of new state government mandates with respect to equal employment opportunities, however.

The board and its institutions are required to develop an affirmative action plan and to administer that plan. The requirements for that plan are identical to the requirements for the plans implemented under the personnel department, but the regents administer their own program.

The board is also required to develop a contract compliance policy, to assure that contractees meet affirmative action standards. Finally, there is established a targeted small business set-aside program, largely administered through the department of economic development, that requires the board and the institutions it governs to set aside a minimum of 2 % and a goal of 10 % of all contracts for targeted small businesses.

The department of management oversees the affirmative action, contract compliance, and targeted small business set aside programs and has the authority to levy sanctions against the board or any of its institutions for failure to comply with state policy in these areas.

The board is required to develop competitive bidding processes for the issuance of revenue bonds, unless it waives this procedure upon notice to the executive council of why a waiver is in the public interest.

The center for industrial research and science and the small business development centers are directed to coordinate their activities with the department of economic development.

New Programmatic Responsibilities:

The mission of the Iowa State University extension services is expanded to include "community and economic development."

Appointment Powers:

The executive secretary of the board of regents continues to be appointed by the board, subject to senate confirmation.

DEPARTMENT OF EDUCATION

Departmental Responsibilities:

The department of education administers state programs and policies with respect to primary and secondary education and vocational education, including special education services.

Major Reorganization Changes:

The relationship between the director of the department and the board of education is changed from previous law. The director of the department is specifically charged with carrying out the board of education's policies, but assumes many specific functions that previously had been the responsibility of the board. The director is required to have a background in education and to have administrative experience.

The board continues to serve as the board of educational examiners and the board for vocational education. The board hears appeals by aggrieved persons of decisions of boards of directors of school corporations, adopts rules establishing the number and type of educational certifications, and adopts rules and policy regarding vocational instruction.

The director assumes many of the board's previous administrative functions, including: entering into reciprocity agreements with other states, approving courses offered by out-of-state institutions for certification or renewal, recommending applicant's certification to the board, approving area education agency purchases or leases of more than \$25,000, approving the joint use of area by education agencies, approving media services provided through the AEAs, hearing controversies over planning of joint districts (subject to judicial review), administering the attachments of district dissolutions to another district, granting requests for districts to begin the school year prior to September 1, prescribing the forms for districts' filings of extracurricular interscholastic contests or activities, approving merged areas expenditures, designating area vocational educational schools, approving and administering funds for operations or construction, making agreements with boards of local school districts and merged area schools for credit toward high school diplomas, prescribing uniform accounting principles for area schools, and approving

agreements between boards of directors of merged areas and local school districts for use of existing community or junior colleges as a vocational school or an area community college.

The director assumes board responsibilities in the area of special education as well, including: making recommendations to the school budget review committee for the determination of the weighting plan, approving a school district or area education agency providing special programs and services, establishing the department methodology for identifying students needing special education services, making the final decision on appeals of the department's determination of students having special needs, approving the inclusion of transportation costs of special education programs, settling disputes arising from residency determinations of special education children, approving program plans for special education and special education support services' costs by an area education agency, employing personnel for transportation services, and administering certain federal funds.

Within the department is a division of special education and a division of vocational rehabilitation. The board of education retains most of its powers and duties with respect to vocational rehabilitation with the exception of hiring personnel and receiving and disbursing gifts.

The department is given the responsibility to provide administrative services for the First in the Nation Education foundation.

The college aid commission is attached to the department for organizational purposes only. The higher education loan authority is attached to the college aid commission for administrative purposes. Both had previously been free-standing state entities. Under reorganization, their functions remain the same.

The state council on vocational education also is attached to the department of education for administrative purposes.

New Programmatic Responsibilities:

The board is made responsible for adopting a five-year plan for educational goals.

Administrators, superintendents, or teachers in the field of education who have, as part of their responsibility, the authority to evaluate teacher performance, are required to receive evaluator approval which meets

specified requirements, as established by the department. The board of educational examiners is required to adopt rules establishing requirements for an evaluator approval, including coursework, by July 1, 1987 and persons must receive evaluator approval by July 1, 1990.

Both public and nonpublic school districts are required to be accredited by the department, with this accreditation process commencing for one-fifth of the school districts on July 1, 1989. The process is phased in over five years, with a five year validity for accreditation. A five member accreditation committee receives written evidence of a district's compliance with accreditation standards and visits the school district and reports to the director, who reviews and comments to the board. The board makes the final accreditation decision. If not accredited, the director meets with the district board members to correct deficiencies. If the board determines that deficiencies are not corrected within a reasonable time established by the board, the board is required to merge the district with another district or districts. The Lakota sections of the Code are sunsetted on July 1, 1989, when the new education accreditation standards take effect.

The vocational rehabilitation division of the department is responsible for certifying job applicants to the department of personnel who shall be exempt from normal merit testing procedures.

Appointment Powers:

The director of the department is appointed by the governor, subject to senate confirmation. This constitutes a change from previous statute, where the board made that appointment.

The five member accreditation committee is appointed by the director of the department, and must be composed of individuals with various education backgrounds.

COMMERCE AND ECONOMIC DEVELOPMENT SECTION

DEPARTMENT OF COMMERCE

Departmental Responsibilities:

The department of commerce is responsible for the coordination and administration of various regulatory, service, and licensing functions of the state relating to the conducting of business and commerce. The department itself is composed of a number of previously independent regulatory agencies of state government.

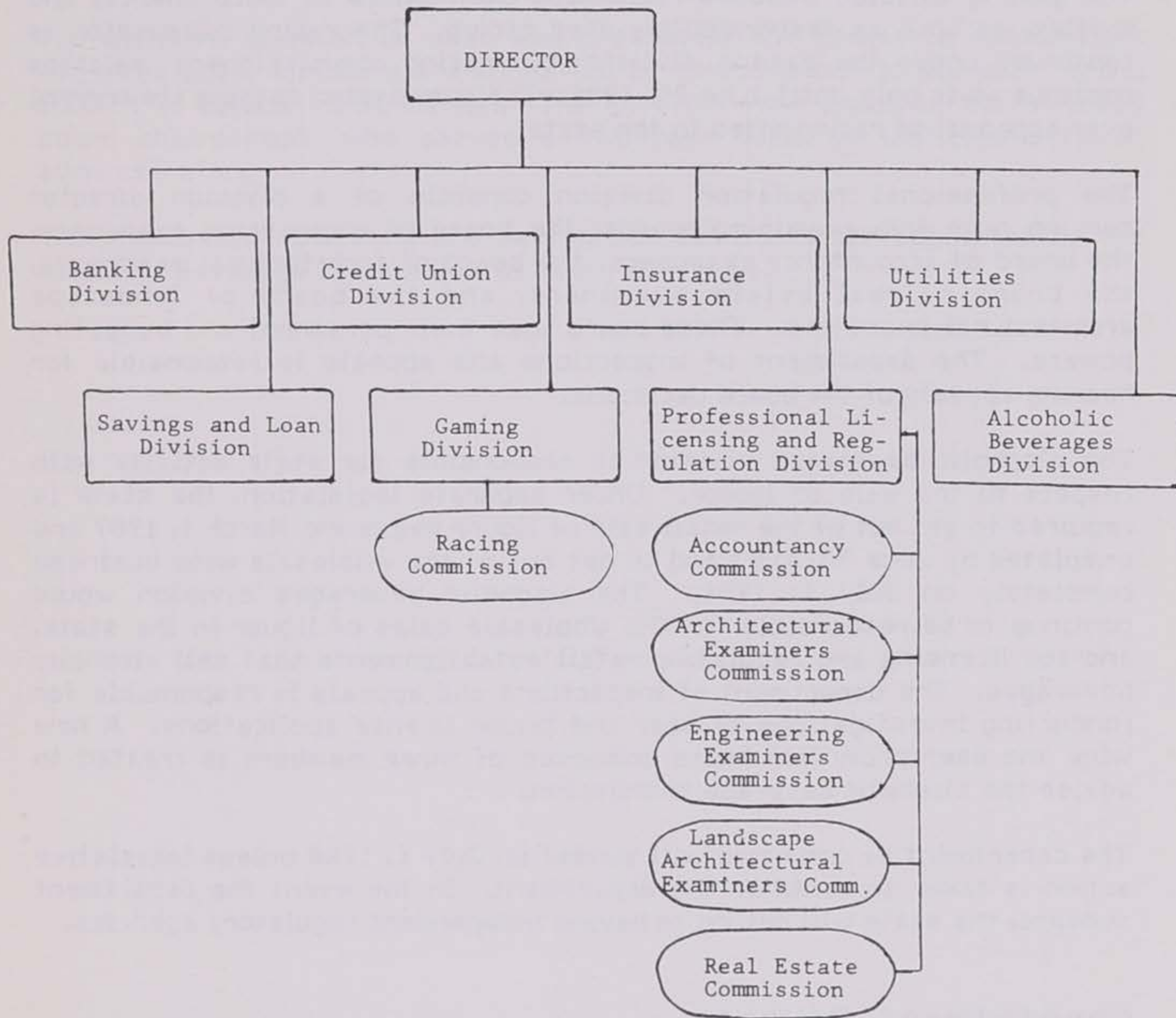
Major Reorganization Changes:

A department director is created to coordinate personnel services and administrative support services of the separate divisions in the department of commerce, and to coordinate development of an annual budget and identify and facilitate opportunities for coordination among the divisions. While the department director is given some limited control over budgets and personnel by this authorization, that control is minimized by the fact that many of the individual divisions within the department are budgeted through trust funds and those trust fund monies may not be transferred from one division to another. Trust funds are established for banking, credit union, savings and loan, alcoholic beverages, and the examining part of insurance.

The department itself is comprised of eight divisions. With the exception of the powers provided the director, the divisions retain the authority and responsibilities they previously had as independent agencies. Specifically, division administrators have rulemaking and policymaking authority, hire and fire employees, supervise and direct personnel and resources, and establish fees that are assessed to the regulated industry for operation of the division.

The divisions of the department are as follows: (1) banking division, (2) credit union division, (3) savings and loan division, (4) insurance division, (5) gaming division, (6) utilities division, (7) professional regulation division, and (8) alcoholic beverages division.

TABLE OF ORGANIZATION:
DEPARTMENT OF COMMERCE



The office of consumer advocate is transferred to the department of justice, but continues to be physically located with the utilities division. The utilities division continues to provide administrative support services for the office of consumer advocate. The three-member commerce commission is renamed the utilities board. Its prior responsibility for grain warehouse inspection is transferred to the department of agriculture and land stewardship.

The gaming division includes regulation over games of skill, chance, and raffles, as well as responsibility over racing. The racing commission is continued under the gaming division, but racing commissioners' salaries continue as is only until June 30, 1988. The commission retains its control over approval of racing sites in the state.

The professional regulation division consists of a division director serving over five examining boards: the board of engineering examiners, the board of accountancy examiners, the board of architectural examiners, the board of real estate examiners, and the board of landscape architectural examiners. These board lose their personnel and budgeting powers. The department of inspections and appeals is responsible for hearing appeals of the board decisions.

The alcoholic beverages division is responsible for state activity with respect to the sale of liquor. Under separate legislation, the state is required to get out of the retail sale of liquor beginning March 1, 1987 and completed by June 30, 1987 and to get out of the wholesale wine business completely on July 1, 1986. The alcoholic beverages division would continue to be responsible for the wholesale sales of liquor in the state, and for licensing and regulating retail establishments that sell alcoholic beverages. The department of inspections and appeals is responsible for conducting investigations of beer and liquor license applications. A new wine and beer promotion board composed of three members is created to advise the alcoholic beverage commission.

The department of commerce will sunset on July 1, 1988 unless legislative action is taken to continue the department. In the event the department sunsets, the state will return to having independent regulatory agencies.

Appointment Powers:

The governor appoints the director of the department of commerce, subject to senate confirmation. The governor is prohibited from selecting a

department director who has been an officer or employee of any bank, credit union, savings and loan association, or insurance company.

The governor also appoints the director of each of the divisions, subject to senate confirmation, except for the gaming division. The administrator of the gaming division is selected by the racing commission. The administrator of the savings and loan division previously had been appointed by the auditor.

The utilities division is what was previously the commerce commission. All three board members are appointed by the governor to six year terms, subject to Senate confirmation. The governor now appoints the utilities board chairperson, who serves a two-year term as utilities division administrator.

The members of the wine and beer promotion board are appointed by the alcoholic beverage commission to two-year terms.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Departmental Responsibilities:

The department of economic development is the chief agency responsible for economic development efforts in the state, including administration of most of the money raised for economic development through the state lottery. The department is also responsible for administering most federal job training programs in the state, and a good percentage of the department's staff consists of persons dealing with job training programs. Reorganization of the Iowa Development Commission had been the topic of a legislative interim committee, which made a number of recommendations for additional programmatic responsibilities that were included in the final reorganization plan.

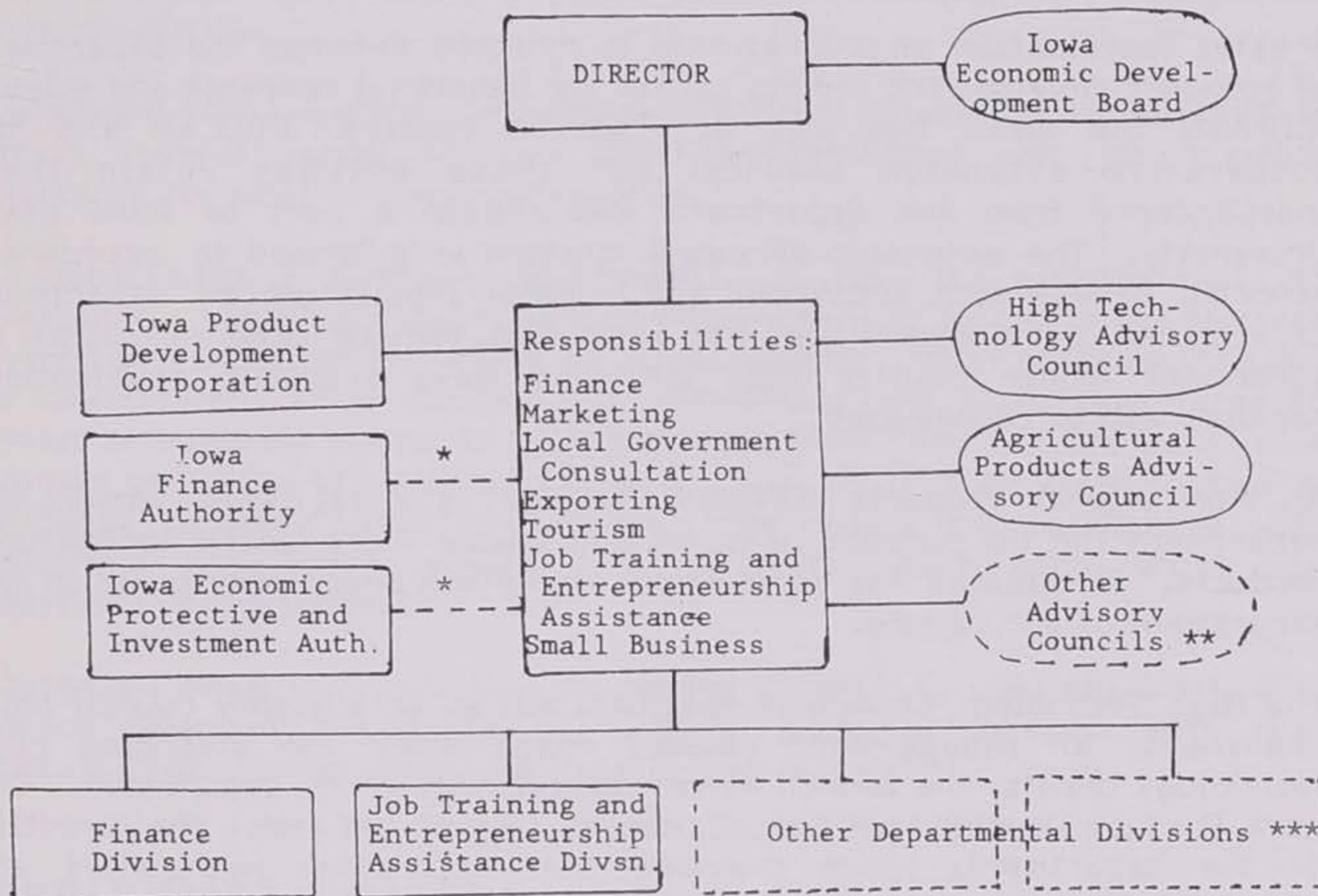
Major Reorganization Changes:

The economic development board of the department is a sixteen member board, with nine voting members and seven nonvoting members. Eight of the voting members are appointed by the governor, with the ninth member being the secretary of agriculture. The seven nonvoting members include four legislators and the designees of the presidents of the three state institutions of higher education. Members of the board must be selected to represent all areas of responsibility of the department.

The board is responsible for the development and coordination of a comprehensive, long-range economic development policy, including the preparation of and evaluation of five- and twenty-year economic development plans. Other state agencies engaged in economic development activities must submit their proposals for review and potential inclusion in the plans. The board approves guidelines for grant proposals, adopts departmental rules, and approves the departmental budget.

The department has economic development responsibilities delineated under seven primary areas: (1) finance, (2) marketing, (3) local government and service coordination, (4) exporting, (5) tourism, (6) job training and entrepreneurship assistance, and (7) small business. The director is given authority to establish divisions within the department, but initially there

**TABLE OF ORGANIZATION:
DEPARTMENT OF ECONOMIC DEVELOPMENT**



* The two authorities are attached to the department for organizational purposes only and retain their policy-making independence.

** The department is authorized to continue the small business advisory council and to establish other advisory councils as necessary.

*** The director, with the board's approval, may establish departmental divisions, but initially there must be a finance division and a job training and entrepreneurship assistance division.

must be a finance division and a job training and entrepreneurship assistance division.

Included among the programs administered by the department are the job training partnership act (JTPA) program, the Iowa Youth Corps, the community development loan program, the community economic betterment program, the research and development fund, and programs previously administered by the office for planning and programming dealing with local government financial assistance and economic analysis.

Greater coordination of programming is directed between the department of economic development and the center for industrial research and science (CIRAS), the small business development centers (SBDCs), and the cooperative extension service; but those entities retain their independence from the department and remain a part of Iowa State University. The extension service's mission is extended to incorporate economic development activities, and in other legislation the department of economic development and the extension service must establish an agreement (under chapter 28E) outlining ways economic development services will be coordinated.

An Agricultural Products Advisory Council is established within the department for the purpose of promoting Iowa's value-added agricultural products. It replaces the agricultural marketing board previously in the department of agriculture.

The High Technology Council is retained, but as an advisory council only. Previously an independent council responsible for awarding high technology grants, the council is now placed within the department. The Iowa Product Development Corporation is also placed under the direction of the department, which provides the corporation with staff and administrative support. The Iowa Economic Protective and Investment Authority and the Iowa Finance Authority are placed within the department, but for organizational purposes only, although the department may provide staff and administrative support. The venture capital fund and the venture capital fund board are eliminated.

New Programmatic Responsibilities:

The reorganization legislation creates a number of new programmatic responsibilities for the department of economic development.

The Iowa Business Industry Information and Training Network Act establishes in the department responsibilities to coordinate job training programs and local economic development programs around the state, including the ability to monitor and evaluate Iowa's "623" program.

The Self-Employment Loan program establishes a low-interest loan program for low-income individuals needing limited financing to start their own businesses. The department is given additional mandates to assist workers laid off as a result of plant closings in seeking new management for those plants.

A financing rural economic development (FRED) project is established to attract federal funds for economic redevelopment and job training assistance for smaller Iowa communities.

The department of economic development is given the responsibility to administer a targeted small business procurement program for all of state government, including the state board of regents. That program includes the development of a network for identifying and qualifying targeted (female or minority owned or operated) businesses and the set-aside of a minimum of 2 % of state contracts, and a goal of 10 % of state contracts, for those targeted small businesses. The department is charged with assisting businesses which have difficulty performing under the guidelines of the program.

A targeted small business loan guarantee program is also established to provide financial assistance to targeted small businesses, with that program administered under the Iowa finance authority.

Appointment Powers:

The governor appoints the head of the department of economic development, subject to senate confirmation. The director appoints the various division directors, and appoints the president of the Product Development Corporation, previously appointed by that corporation's Board of Directors.

DEPARTMENT OF EMPLOYMENT SERVICES

Departmental Responsibilities:

The department of employment services is established to administer laws relating to unemployment compensation, insurance, job placement and training, employment safety, labor standards, and workers compensation.

Major Reorganization Changes:

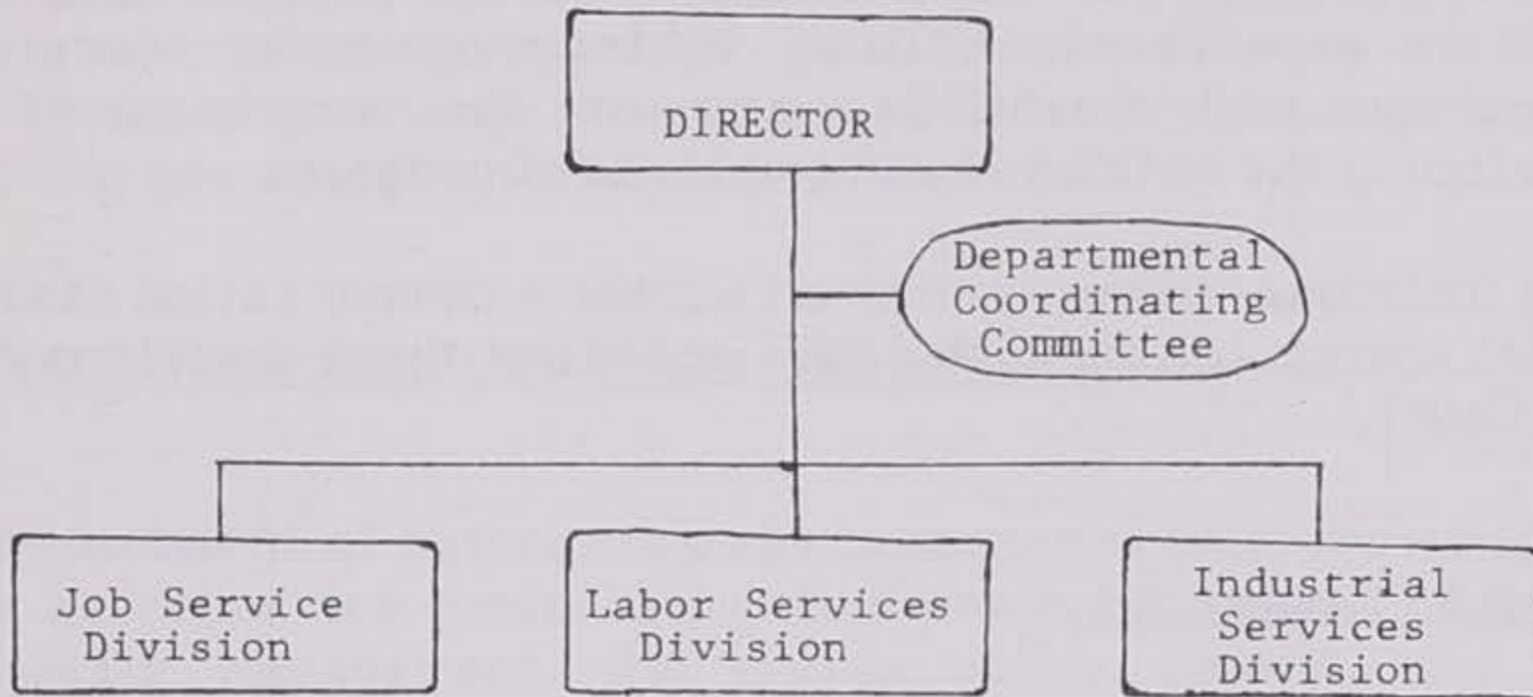
The department of employment services combines the duties of three previous offices-- the department of job service, the industrial commissioner, and the bureau of labor-- with the exception that the responsibility for the administration of IPERS is transferred to the department of personnel. The director of the overall department is made responsible for the budget and personnel functions of the department, the annual report, and approving industrial and labor commissioner contracts.

The department itself is split into three divisions-- the division of job service, the division of labor services, and the division of industrial services. Except for the functions assumed by the department director and as outlined below, these divisions assume the responsibilities of the three departments they replace.

The commissioners of the three divisions also form a coordinating council to monitor federal issues relating to the three divisions.

The labor services division retains most of its previous authority and gains responsibilities relating to child work permits, employment agency licensing, and boxing and wrestling regulation. The labor commissioner becomes the state commissioner of athletics. The committee on child labor, the employment agency licensing commission, and the occupational safety and health review commission are abolished. The department of inspections and appeals is made responsible for conducting hearings and appeals relative to occupational safety and health (OSHA) regulations and the state elevator code. Certain unemployment compensation and labor services disputes are made appealable to the employment appeals board within the department of inspections and appeals.

TABLE OF ORGANIZATION
DEPARTMENT OF EMPLOYMENT SERVICES



The industrial services division continues to administer the worker's compensation law. The statutory requirement for the medical board is eliminated, but the industrial commissioner is given authority to appoint physicians to report on occupational diseases.

New Programmatic Responsibilities:

The job service division is directed to coordinate with the department of economic development to provide intake, eligibility and job placement services to JTPA participants and to establish in conjunction with the department of human rights a program to provide job placement and training to persons with disabilities. The division is also directed to cooperate with the department of human rights' program for training and placement of persons with disabilities, and with the department of elder affairs in developing the retired Iowan employment program.

Actions by the industrial commissioner on worker's compensation cases are considered final agency action, with direct appeal of those decisions to the Iowa Supreme Court.

Appointment Powers:

The director of the department of employment services is appointed by the governor, subject to senate confirmation.

The commissioner of job service is appointed by the governor, subject to senate confirmation. The commissioners of labor services and industrial services are appointed by the governor to serve six-year terms, subject to senate confirmation.

STATE INFRASTRUCTURE SECTION

DEPARTMENT OF NATURAL RESOURCES

Departmental Responsibilities:

The department is responsible for state conservation areas and state parks and forests; for the administration, regulation, and enforcement of state environmental protection laws; for establishing state energy policy and conducting energy programs and administering grants; and for providing geological information for the state.

Major Reorganization Changes:

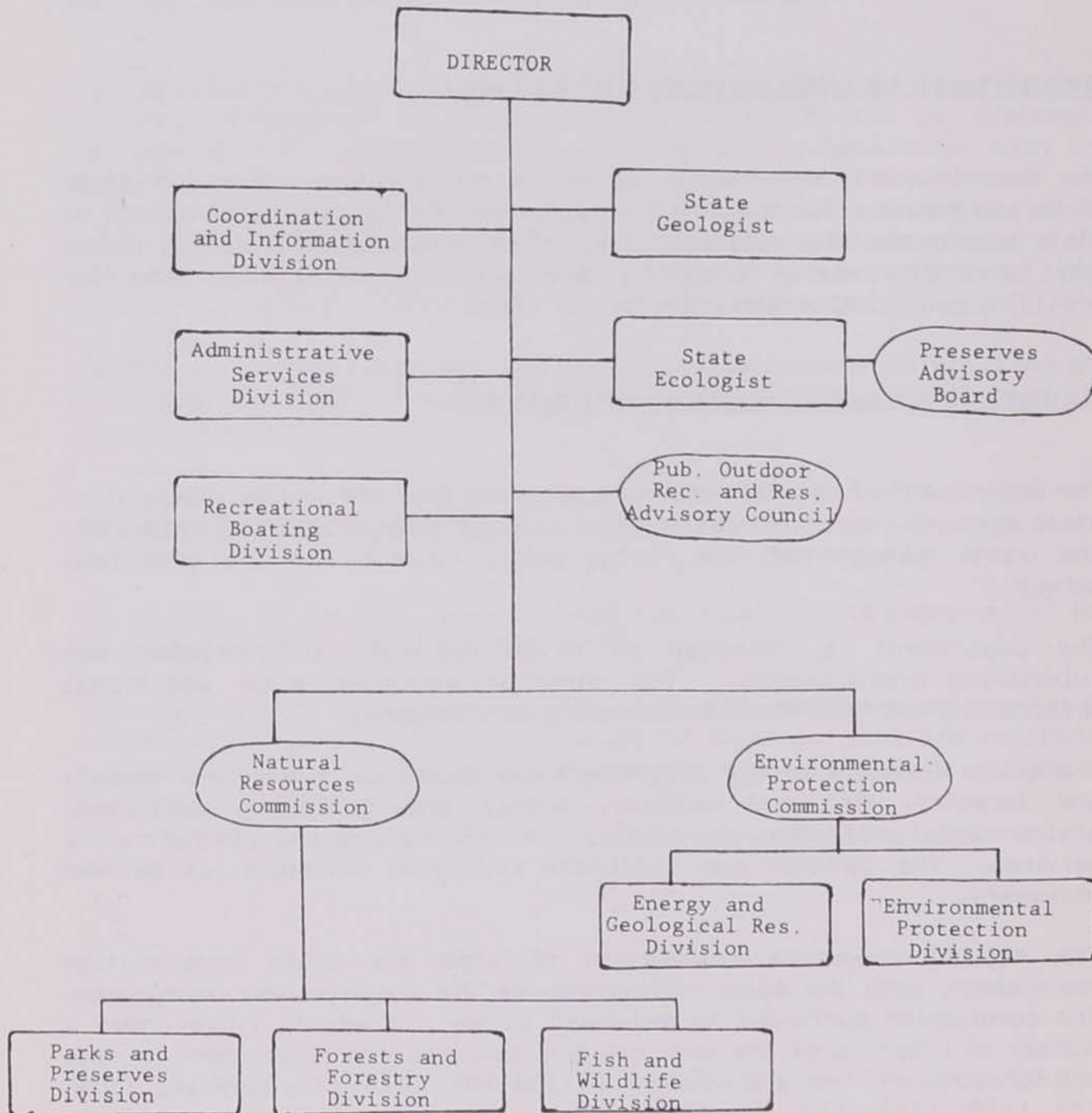
The department of natural resources combines four previously independent state agencies: the conservation commission, the department of water, air, and waste management, the energy policy council, and the geological survey.

The department is composed of seven divisions and includes two rulemaking commissions. The director assumes some additional responsibilities from the two rulemaking commissions.

The seven divisions of the department are: parks and preserves, forests and forestry, fish and wildlife, energy and geological resources, environmental protection, coordination and information, and administrative services. The director may designate additional divisions, as deemed necessary.

The natural resources commission replaces the state conservation commission, with the same membership as the conservation commission. The commission continues to establish policy and adopts rules under a number of chapters of the code relating to parks and recreation, forests and forestry, and fish and wildlife (ch. 106-109, 109A, 110, 110A and 110B, 111, 111B, 111D, 112, and 321G). The commission hears appeals of the director's decisions regarding those chapters and approves the director's actions relating to the acquisition or disposal of land and water.

TABLE OF ORGANIZATION:
DEPARTMENT OF NATURAL RESOURCES



The director assumes the following responsibilities from the old conservation commission: appointment of temporary officers and jurisdiction for flood control and adoption of a flood control plan and delineation of floodway boundaries and construction of flood control works. The commission no longer has the ability to modify the director's emergency orders for suspensions or restrictions relating to nonregulated waters, although the courts may modify those orders.

The environmental protection commission replaces the commission of the department of water, air, and waste management, with the same membership as that commission. The environmental protection commission has policy and rulemaking authority over chapters 455B, 455C and 469 of the Iowa Code, which relate to environmental regulations. The commission hears appeals of the director's decisions relating to those chapters and to chapters 84 and 93 (formerly heard by the soil conservation committee and the energy policy council), and approves or disapproves hazardous waste disposal site licenses.

The director of the department assumes the following responsibilities from the old commission: adopting rules and standards regarding variances for owner's buildings or property and for acceptance of local air pollution control programs, adopting rules for notice and public participation hearings, hearing appeals of suspension or revocation of sanitary disposal project permits, adopting rules for hazardous substances, adopting a plan for the prevention or abatement and control of hazardous conditions in the state, determining which technologies are best for land disposal of hazardous wastes, developing a comprehensive plan for the management of hazardous wastes, and adopting rules for the certification of hazardous waste handlers.

The department assumes responsibilities for energy management under Chapter 93, previously administered by the energy policy council.

The state geologist is brought under the department and some of the powers of the geologist are changed. The director of the department is responsible for rulemaking under Chapter 84, and the state geologist is responsible for administering the chapter. The state geologist cannot alter the director's orders allowing for wells to be drilled at specific locations. The department director issues permits and certifies notices and orders. The state geologist previously issued these permits and certified notices and orders.

The state preserves board is retained, and the board continues to fix the state ecologist's salary.

The certification board for waterworks and waste water operators is eliminated, and the department director assumes examination and certification responsibilities in this area, including suspension and revocations. Operators are still subject to continuing education requirements, and the department director may appoint advisory committees to assist in carrying out the director's responsibilities.

The hazardous chemicals information interagency coordinating council is eliminated. The administrator of the division of environmental protection, the director of the department of public health, and the administrator of the division of labor of the department of employment services are given authority by consensus action to expand the list of hazardous chemicals covered under the "right to know" act.

New Programmatic Responsibilities:

The division of energy and geological resources division is responsible for administering the energy conservation trust fund, with the administrator of the division the administrator of that trust fund. The trust fund was created as part of separate legislation (Senate File 2305) to appropriate monies from the Exxon oil overcharge settlement of \$24 million to the state. An energy fund disbursement council is created to approve all program expenditures, composed of the governor or the governor's designee, the administrator of the division of community action agencies of the department of human rights, the administrator of the energy and geological resources division of the department of natural resources, and a designee of the director of the department of transportation, who is knowledgeable in the field of energy conservation.

The attorney general gains the authority to initiate civil or criminal proceedings under chapter 455B (water, air, and waste management), previously only authorized if recommended by the commission of the department of water, air, and waste management.

A citizen with standing is also given the right to initiate proceedings or intervene under chapter 455B, if the state is not actively prosecuting a civil action or negotiating an out-of-court settlement. Standing is conditioned upon being adversely affected by the alleged violation or alleged failure to perform a duty or act.

Full-time conservation officers are given peace officer status, with enforcement powers over all state laws and not just conservation laws.

Temporary conservation officers have peace officer status only in enforcement of conservation laws and the trespass law.

Appointment Powers:

The director of the department is appointed by the governor, subject to senate confirmation. The director must be knowledgeable in the general field of natural resources management and environmental protection.

All division administrators are appointed by the director. Many had previously been appointed by the governor and subject to senate confirmation. The state geologist and the state ecologist are appointed by the department director, with the state ecologist appointed upon recommendation by the state preserves board. Previously, the state geologist had been appointed by the governor and the state ecologist appointed by the preserves board.

DEPARTMENT OF TRANSPORTATION

Departmental Responsibilities:

The department of transportation is responsible for transportation policies of the state, including the maintenance of the state highway system, rail transportation, and mass transit assistance.

Major Reorganization Changes:

The director of the department of transportation assumes many of the responsibilities previously given to the transportation commission. The transportation commission retains authority to adopt a five-year plan, approve the departmental budget (including amendments to that budget), and administer the RISE (Revitalize Iowa's Sound Economy) fund, but loses most of its other responsibilities.

Among these new responsibilities, the director has sole rulemaking responsibility, including that relating to the enforcement of the transportation of hazardous wastes. The director assumes authority for the acquisition and fund administration for reconstruction or relocation of portions of the great river road. With the exception of agreements on interstate bridge construction and reciprocal agreements relating to motor vehicle inspections (both of which the commission must approve), the director has the authority to enter into reciprocal agreements with other states. Agreements with the federal government on the scenic and recreation highway are made by the director of transportation and the director of the department of natural resources rather than by their commissions.

The department of inspections and appeals assumes the responsibility for franchise applicant hearings for terminations or additions to motor vehicle dealerships, previously a function of the transportation regulatory authority. The department of inspections and appeals also assumes responsibilities for hearing controversies arising from the change of management along a highway right-of-way, and controversies arising from valuation of property for sale. The department will conduct hearings on the issuance of certificates of public convenience and necessity.

The department of inspections and appeals assumes the responsibility for conducting hearings and appeals relative to the department of transportation's administration, with the department having the ability to review those decisions.

The transportation regulation authority is eliminated, and the department assumes the authority's functions, except for those assumed by the department of inspections and appeals.

The department is no longer statutorily broken into divisions, and the director is authorized to reorganize the department by rule. The department is provided the following areas of responsibility: administrative services, planning and research, aeronautics and transit, rail and water, highways, motor vehicles, and general counsel.

The salaries of commissioners are reduced to \$10,000 annually.

The legislation itself does not address the issue of approval of road projects, with language in the Iowa Code indicating that the "head" of the department makes those decisions. Under previous law, the commission was the head of the department, but under reorganization the department director is probably the head. Some ambiguity remains on who is responsible for final approval of road projects.

New Programmatic Responsibilities:

The responsibilities of the department under "rail and water" are expanded to include two new duties: to advise and assist the director in the development of river transportation and port facilities and to promote river transportation and coordinate river programs with other transportation modes.

Appointment Powers:

The department director is appointed by the governor, subject to senate confirmation. Previously, the director had been appointed by the commission.

HUMAN SERVICES SECTION

DEPARTMENT OF PUBLIC HEALTH

Departmental Responsibilities:

The department of public health administers a number of state and federal public health and substance abuse programs and provides for certification and inspection of a variety of health care facilities. Within the department are a number of health profession licensing boards.

Major Reorganization Changes:

The department of public health combines the previous departments of health and of substance abuse.

The requirements for board of health membership are changed to include five members knowledgeable in health-related fields and four public members. Previously, all members had to be knowledgeable in health-related fields. The board of health retains its rulemaking authority.

The commission on substance abuse is retained and retains its authority over the licensing of substance abuse facilities and the approval of grants and appeals to the department with respect to the distribution of those grants. The department director establishes the substance abuse treatment program, subject to review by the commission. The commission on substance abuse loses its rulemaking authority. The office of deputy department director is created, and that person serves as secretary for the substance abuse commission.

A professional licensure division is established within the department. All Chapter 147 (health-related) examining boards-- except for medical, dental, pharmacy, and nursing examiners-- are required to share administrative and clerical services. Medical, dental, pharmacy, and nursing examiners and inspections stay within the department as

independent boards and are not located within the professional licensure division. The department of inspections and appeals is responsible for hearing appeals of board decisions and conducting investigations within the licensure division.

The Health Facilities Council retains its current authority, but council members' salaries are reduced from \$ 6000 per year to \$ 3000 per year.

The department is given the explicit authority to administer the maternal and child health program and the crippled children's program, previously administered by the University of Iowa hospitals and clinics.

The state responsibility for inspection of mobile home parks is turned over to local jurisdictions. The requirement for annual inspections of substance abuse facilities and licensed programs is eliminated. The radioactive materials interagency council and the advanced emergency medical care council are abolished.

Appointment Powers:

The department director is appointed by the governor, subject to senate confirmation. The director is no longer appointed to a fixed, four-year term, but serves at the pleasure of the governor. The governor is required to select a director with education and experience in public health.

DEPARTMENT OF ELDER AFFAIRS

Departmental Responsibilities:

The department of elder affairs develops and administers a state plan on aging and coordinates the work of area agencies on aging, including the responsibility for overseeing the expenditure of a variety of federal funds. The department serves as an advocate for senior citizens and is responsible for care review committees.

Major Reorganization Changes:

The department of elder affairs is structured in the same manner as the previous commission on aging, but assumes several additional responsibilities.

The commission on elder affairs replaces the previous commission on aging. It retains the previous responsibilities and continues to be an eleven-member board, with four nonvoting legislative members. Four of the seven members appointed by the governor are required to be fifty-five years of age or older, a new requirement.

The department takes over the administration of the retired senior volunteer program, previously administered by the office for planning and programming. The department and the division of job training and entrepreneurship assistance of the department of economic development coordinate to assure appropriate and full use of JTPA funds targeted to older workers.

New Programmatic Responsibilities:

Provision for the elder law education program is made statutory. Funding comes through the college aid commission.

The long-term care resident advocate's responsibilities are expanded to include care review activity for hospices as well as nursing homes and residential care facilities.

A long-term care coordinating unit, chaired by the director of the department and including the directors of human services and public health, is established within the department to develop a common intake system and assessment form for clients making use of programs administered by the three departments. The unit is also charged with developing, for legislative review, a case-managed system of long-term care based upon a uniform comprehensive assessment tool.

The director of the department is added as a fourth voting member of the Health Data Commission and the Commission is made responsible for collective data on long-term care.

Appointment Powers:

The director of the department is appointed by the governor, subject to senate confirmation. The director must be trained in gerontology, social work, public health, or public administration with direct experience or extensive knowledge of elder programs and services.

DEPARTMENT OF HUMAN SERVICES

Departmental Responsibilities:

The department of human services is responsible for administering most categorical welfare assistance programs, including the Medicaid and AFDC programs. The department is also responsible for providing support for and regulation of both institutional and community programs for the developmentally disabled, the mentally ill, and juveniles in need of support.

Major Reorganization Changes:

The department of human services retains, under reorganization, its previous specific programmatic responsibilities but some of its hearings, appeals, audits, investigations, and inspections are transferred to the department of inspections and appeals. Further, its property management personnel and its responsibilities for the property management of its institutions are transferred to the department of general services. Most employees involved with personnel decisions are transferred to the department of personnel.

With respect to inspections and appeals, hearings and appeals relative to foster care facilities, child day care facilities, administration of the state medical assistance (Medicaid) program, administration of the state supplemental assistance program, administration of the food stamp program, and administration of the aid to families with dependent children program are transferred to the department of inspections and appeals. The decisions of the department of inspections and appeals are subject to review and final action by the director of the department of human services.

Investigations relative to the administration of the state supplemental assistance program, the state medical assistance program, the food stamp program, and the aid to families with dependent children program, and the liquidation of overpayment debts are transferred to the department of inspections and appeals. Many of these responsibilities deal with addressing issues of fraud or abuse or reducing error rates in the administration of federal programs.

The statutory requirement for an advisory board for displaced homemakers is eliminated, but the department can continue such an advisory board.

New Programmatic Responsibilities:

The department takes over the responsibility for administering the refugee assistance program, previously administered as a part of the department of job service.

Appointment Powers:

The director of the department of human services continues to be appointed by the governor, subject to senate confirmation.

DEPARTMENT OF HUMAN RIGHTS

Departmental Responsibilities:

The department of human rights serves as an umbrella for a number of small human rights commissions that serve as advocates for specific populations. It also serves as an umbrella for several commissions with significant program functions, such as the commission for the blind, and has the responsibility for administering federal weatherization and home energy assistance programs and community service block grants.

Major Reorganization Changes:

The department of human rights combines six previously free-standing commissions and makes each a separate division within the department.

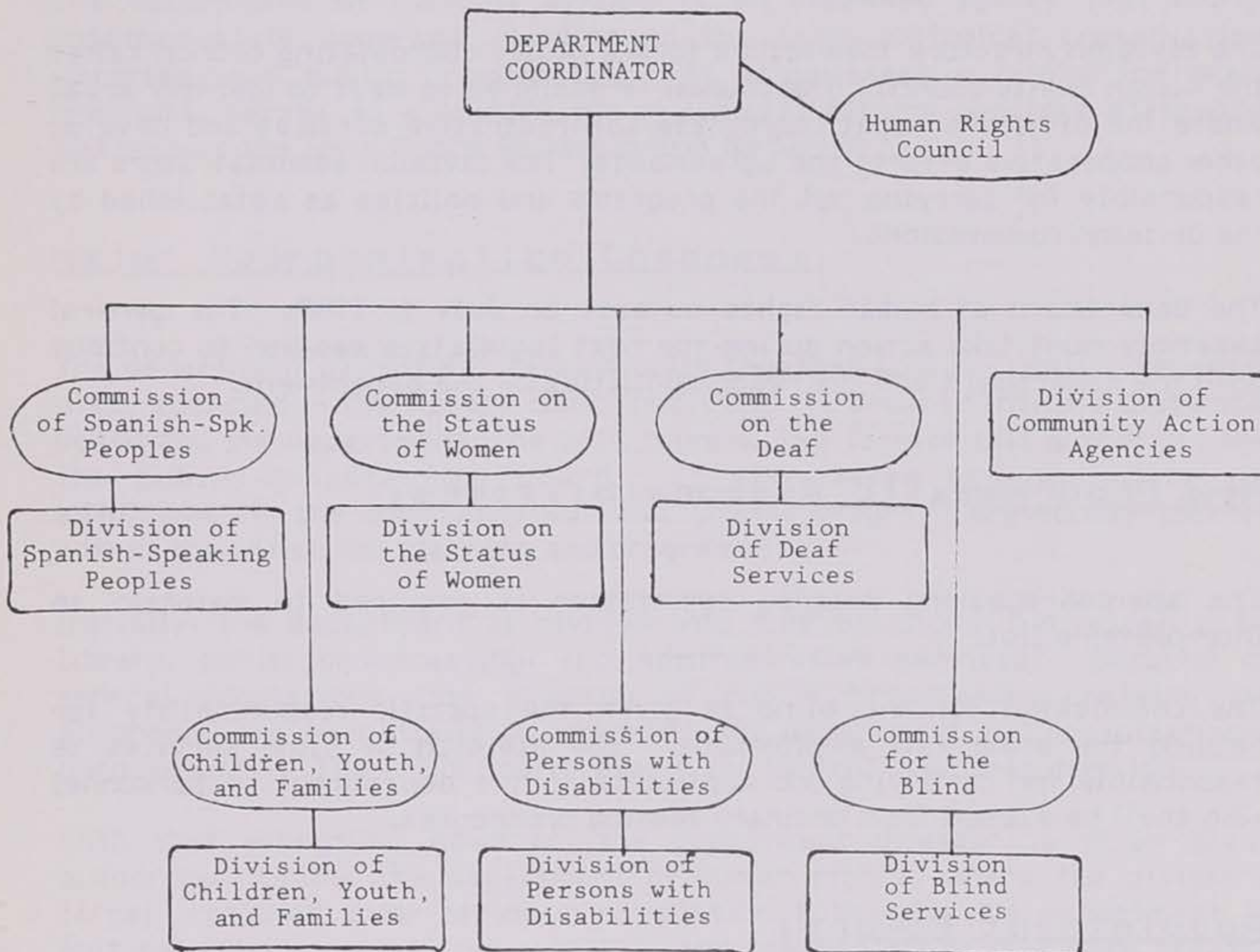
Also established is a seventh separate division to administer the federal weatherization and home energy assistance programs and the federal community services block grant program. Under that seventh division, the community action agencies receive their statutory authorization. The community action agencies previously had received their statutory authority within the office for planning and programming, which also administered the community services block grant program. The weatherization and home energy assistance programs had previously been administered by the energy policy council.

The seven divisions within the department are as follows:

1. Division of Spanish-Speaking People
2. Division of Children, Youth, and Families
3. Division of Blind Persons Services
4. Division on the Status of Women
5. Division of Persons with Disabilities
6. Division of Deaf Services
7. Division of Community Action Agencies.

Each of the first six divisions retains the statutory responsibilities previously given to the free standing commission. Each has a commission

**TABLE OF ORGANIZATION:
DEPARTMENT OF HUMAN RIGHTS**



of citizens to provide direction to the action of the division, identical in composition to that of the previous commission.

A departmental coordinator, rather than a departmental director, is established as the overseer of the department and is responsible for "coordinating" personnel and budget functions of the seven divisions. The coordinator approves personnel decisions of the divisions and receives division budget requests and reconciles them into one budget.

The division directors themselves form a policy coordinating council called the human rights council. The council is designed to meet to identify areas where the divisions might coordinate administrative services and develop other cooperative efforts and agreements. The division administrators are responsible for carrying out the programs and policies as established by the division commissions.

The department of human rights sunsets on July 1, 1987. The general assembly must take action during the next legislative session to continue both the department and the responsibilities of the department.

New Programmatic Responsibilities:

The spanish-speaking peoples commission is required to maintain an interpreter's list.

The commission for the blind is given the specific responsibility for helping the blind find employment. The division of blind services is responsible for certifying job applicants to the department of personnel who shall be exempt from ordinary testing procedures.

Appointment Powers:

The department coordinator is appointed by the governor, subject to senate confirmation. Each division administrator is also appointed by the governor, subject to senate confirmation. The commissions in each of the six divisions which have commissions are responsible for selecting their own commission chairperson.

DEPARTMENT OF CULTURAL AFFAIRS

Departmental Responsibilities:

The department of cultural affairs is an umbrella agency that brings together state programs relating to the arts, historical preservation, libraries, and public broadcasting. It administers a number of grant programs, serves as a coordinator of cultural affairs services statewide, and houses the Iowa Public Broadcasting Network.

Major Reorganization Changes:

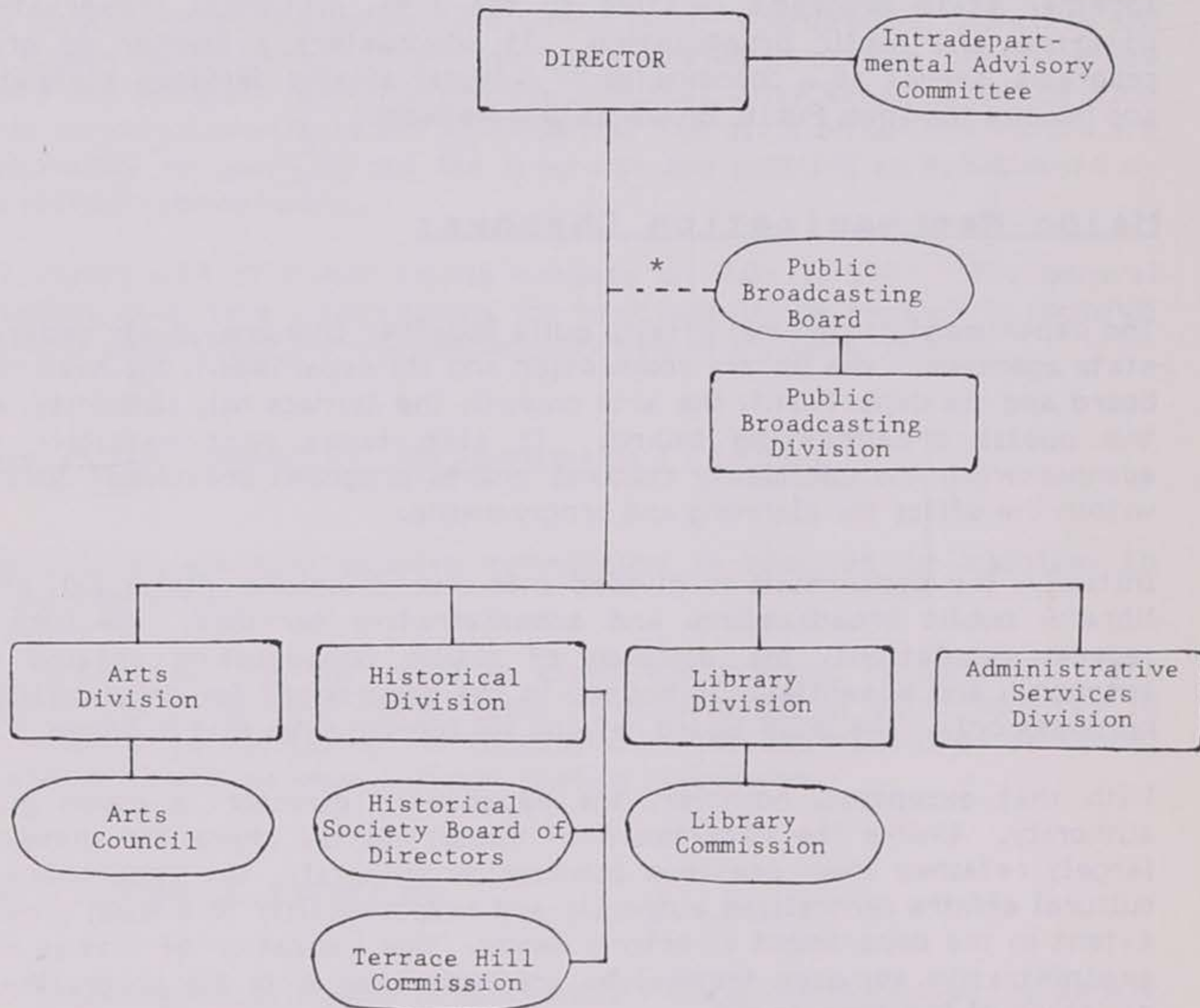
The department of cultural affairs pulls together five previously separate state agencies-- the library commission and its department, the historical board and its department, the arts council, the terrace hill authority, and the public broadcasting board. It also takes responsibility for administering the community cultural grants program, previously located within the office for planning and programming.

Initially, the department is divided into five divisions: historical, arts, library, public broadcasting, and administrative services. Because of federal regulations, the division of public broadcasting retains its autonomy, and essentially is housed in the department for organizational purposes only. The IPBN Board retains its control over that division.

With that exception, however, the department director is given great authority. Unlike the department of human rights, where the divisions largely retained their previous commission authority, the department of cultural affairs centralizes authority and responsibility to a much greater extent in the department director's hands. One indication of that is that administrative services themselves are separated from the programmatic divisions of the department.

In addition, the director is given authority to reorganize the department by rule (with the exception of the public broadcasting division). The director hires all departmental personnel and submits the departmental budget request. The director is given authority to appoint an advisory committee, and is given broad rulemaking authority.

**TABLE OF ORGANIZATION:
DEPARTMENT OF CULTURAL AFFAIRS**



* The public broadcasting board is attached to the department for organizational purposes only. With the exception of this division, however, the director is given the authority to reorganize the department by departmental rule.

The historical division of the department takes on the responsibilities of the previous historical department and also assumes administration of Terrace Hill. The Terrace Hill Authority is renamed the Terrace Hill Commission and retains its rulemaking authority. The state historical board, however, is replaced with the state historical society board of trustees. That board consists of seven members, three elected from the membership of the state historical society. In effect, this combines the private state historical society with the state historical board. The board becomes advisory, rather than rulemaking.

The library division administers the responsibilities previously administered by the library department. The library commission loses its rulemaking powers to the director of the department.

The arts division assumes the state's responsibility to incorporate fine arts elements into the construction of state buildings, except for those buildings under the control of the state board of regents. The arts council remains an advisory council.

An intradepartmental advisory council is set up to advise the director, consisting of the chairs of the historical society board, the library commission, the arts council, the public broadcasting board; and two public members and an historian, a librarian, and an artist.

The department administers the community cultural grants program, with the director responsible for the final decisions on grant awards. An advisory committee composed of members from the arts council, the historical board, and the department of economic development review applications and submit recommendations to the director.

The department of inspections and appeals conducts hearings and appeals relative to the administration of the department of cultural affairs.

New Programmatic Responsibilities:

An historical resource development program is established to preserve, conserve, interpret, and enhance historical resources through the provision of grants and loans. It is patterned after the cultural affairs grant program but has yet to receive state program funding.

The department is required to submit a plan to the governor and the general assembly for the improvement of library services specifically for state government.

Appointment Powers:

The director of the department is appointed by the governor, subject to senate confirmation. The director, in turn, appoints division heads with the exception of the head of the public broadcasting division and the library division. The public broadcasting division director is appointed by the public broadcasting board and the library division director is appointed by the library commission.

The intradepartmental advisory council's public members and professional historian, librarian and artist are appointed by the governor.

PUBLIC SAFETY SECTION

DEPARTMENT OF CORRECTIONS

Departmental Responsibilities:

The department of corrections is responsible for operating the state's correctional facilities, including its penal institutions and parole and probation services. The board of parole is located within the department for administrative purposes, and is responsible for paroles and the work release program.

Major Reorganization Changes:

The administration of the state correctional facilities is not changed. The major reorganization changes relate to the board of parole, which is placed within the department for routine administrative and support services.

The composition of the board of parole is changed from seven part-time members to five members, three of whom are full-time members and two of whom are part-time members. One member must be from a minority group and other members must meet at least two of these requirements: a disinterested layperson, an attorney, or a person holding at least a master's degree in social work or counseling and guidance. The board may include an ordained member of the religious community knowledgeable in correctional procedures and issues.

The board of parole's duties are expanded to include interviewing prisoners and granting work releases, administering the risk assessment program, arranging interviews between the board's liaison officers and the offenders to inform them of the earliest parole opportunity, collecting information on new programs and informing the director of corrections about them, reviewing data processing applications, and maintaining records of grantees. The board is required to review annually the state parole and work release program and report to the governor and the

general assembly. The board may appoint an executive secretary and other staff and submit its own budget to the department of management.

The work release program itself is established by the department, in consultation with the parole board. The parole board grants work release privileges, including working out the terms and conditions for work release. The work release committee, which previously handled work release, is abolished. A majority vote of the parole board is required to grant work release privileges. A single member of the parole board may revoke a work release or parole, unless the inmate requests a panel of three to conduct a revocation hearing. A majority vote of that panel is required for revocation.

The correctional training center at Mount Pleasant is codified, and the department is required to maintain that center.

The statistical analysis center, previously a part of the office for planning and programming, is transferred to the department.

New Programmatic Responsibilities:

The board of corrections is required to approve the locations for all state penal, reformatory, or corrective institutions. Previously, this had been a departmental function.

Appointment Powers:

The director of the department is appointed by the governor, subject to senate confirmation. The members of the board of parole are appointed by the governor, subject to senate confirmation.

DEPARTMENT OF PUBLIC SAFETY

Departmental Responsibilities:

The department of public safety houses the highway safety patrol and enforces various state laws, including drug law enforcement, parimutual enforcement, and beer and liquor enforcement.

Major Reorganization Changes:

The department of public safety itself does not change appreciably under reorganization.

The state medical examiner is placed within the department for administrative support only.

The confidential records council is eliminated and its responsibilities transferred to the director of public safety.

The department of inspections and appeals assumes the conduct of hearings and appeals relative to the administration of the department of public safety, with decisions subject to review by the department of public safety.

The highway safety office, previously located within the office for planning and programming, is placed within the department of public safety under a \$20,000 appropriation to the troopers division for that purpose.

Appointment Powers:

The director of the department is appointed by the governor, subject to senate confirmation. The state medical examiner is appointed by the director of the department. Previously, that appointment had been made by the governor.

DEPARTMENT OF PUBLIC DEFENSE

Departmental Responsibilities:

The department administers state disaster services, oversees the Iowa element of the national guard, and performs responsibilities related to veterans' affairs.

Major Reorganization Changes:

The previous department of veterans affairs becomes a division under the department of public defense, expanding the number of statutory divisions under the department to three: Military, Disaster Services and Veterans Affairs.

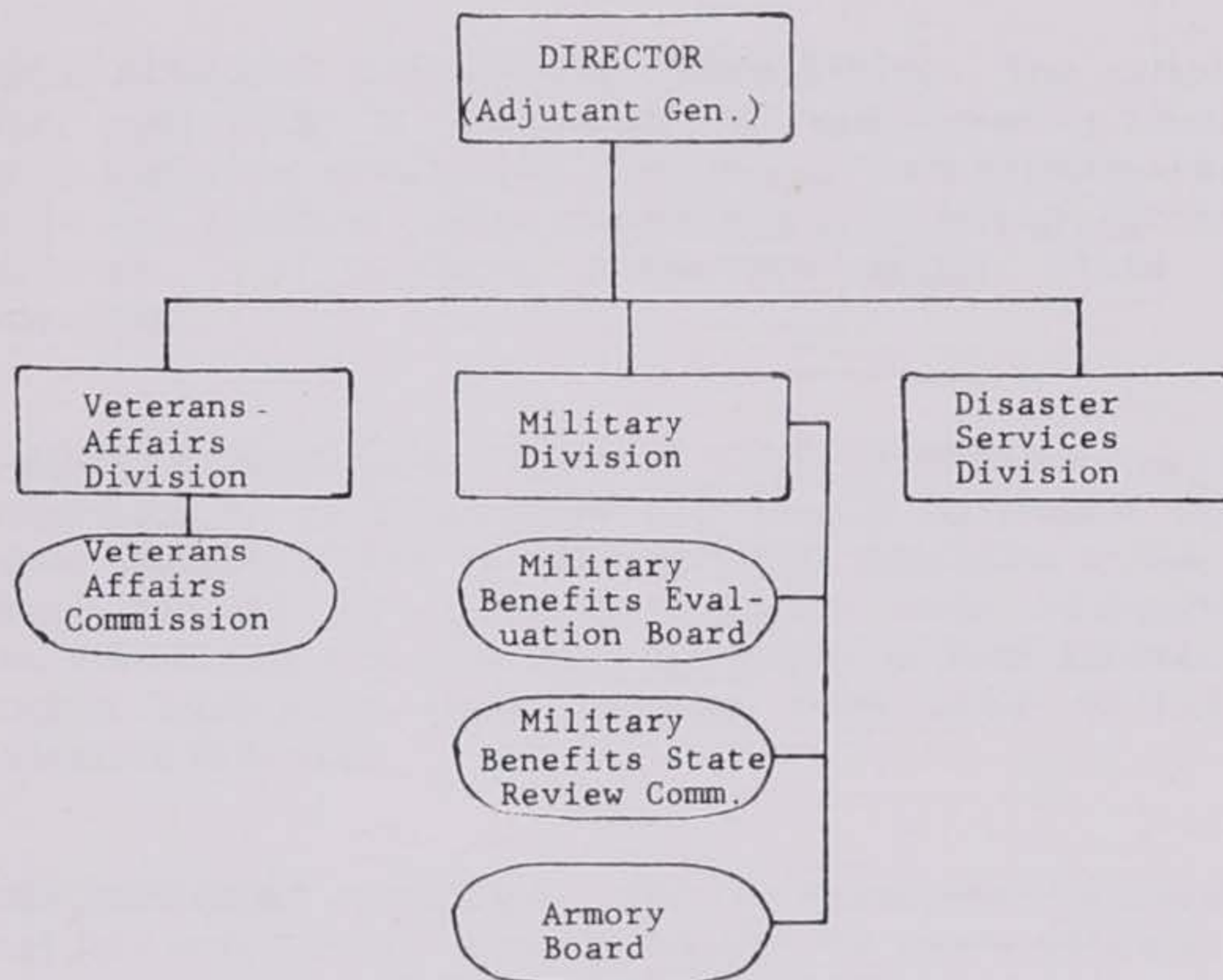
The adjutant general is the department director as well as the administrator of the military division, and assumes budgetary and personnel authority over the department.

The commission of veterans affairs is made advisory. It is required to annually visit and evaluate the veterans home. The administrator of the division of veterans affairs has rulemaking authority, and submits the division budget to the department director. The agent orange program is placed under the division of veterans affairs.

New Programmatic Responsibilities:

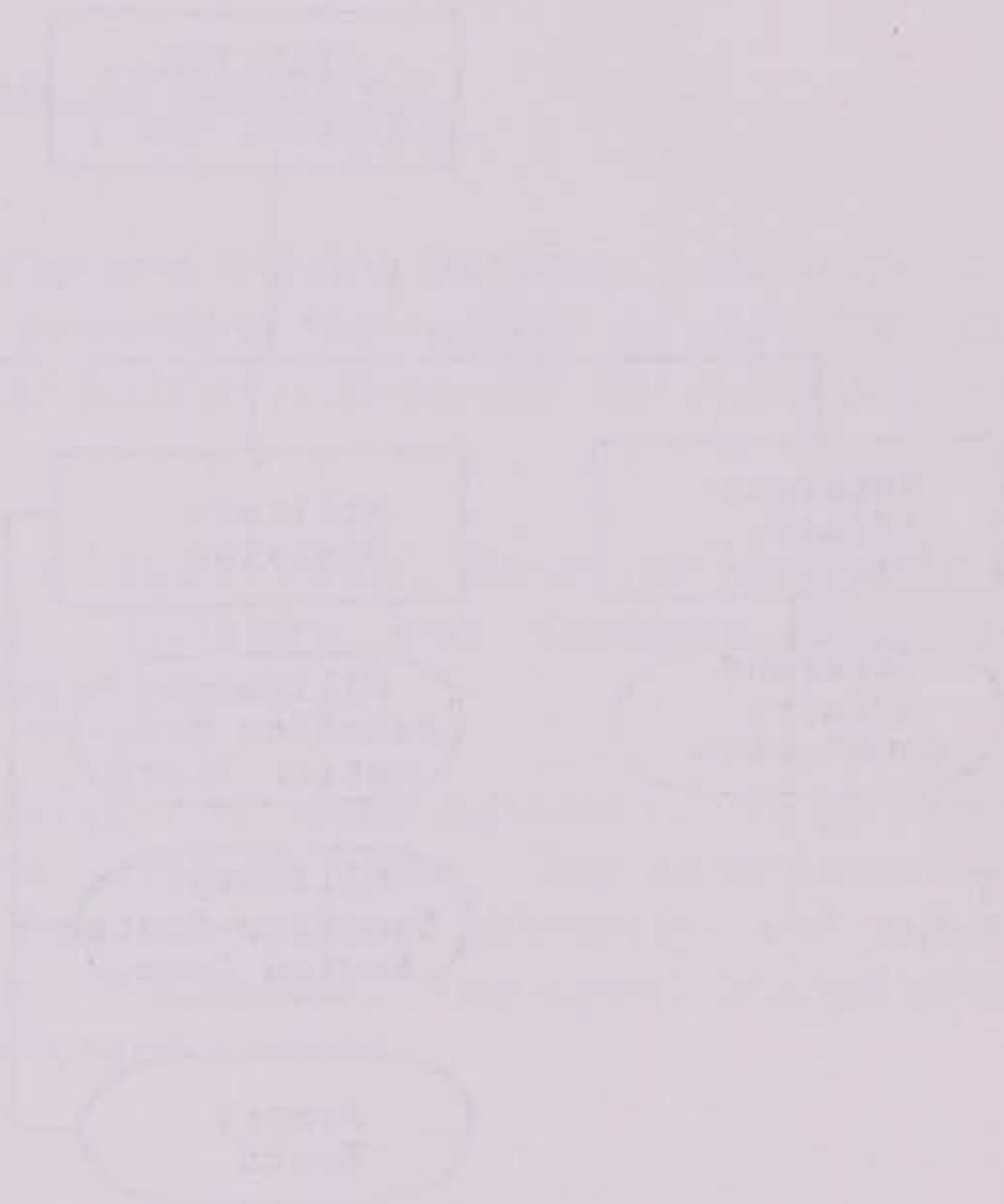
Within the appropriations legislation (HF2484), a state emergency telephone number commission is established, located within the division of disaster services. The director of disaster services serves as the commission chairperson, and the commission itself is composed of seventeen members representing a variety of interests. The commission sunsets on June 30, 1992. The commission is charged with furthering the use of the 911 emergency telephone number system.

TABLE OF ORGANIZATION:
DEPARTMENT OF PUBLIC DEFENSE



Appointment Powers:

The adjutant general is appointed by the governor, subject to senate confirmation. The administrators of the division of disaster services and the division of veterans affairs are appointed by the governor, subject to senate confirmation. The administrator of the division of veterans affairs must be a veteran. Previously, the director of veterans affairs had been appointed by the commission of the department of veterans affairs.



INDEPENDENT STATE COMMISSIONS, BOARDS, AND ACADEMIES

Because of the nature of their responsibilities, several state agencies were not merged into larger departments but retained their independent status. They are not considered "departments" in the terminology of the reorganization legislation. They are listed below, together with any changes of their responsibilities.

CAMPAIGN FINANCE DISCLOSURE COMMISSION. The campaign finance disclosure commission is responsible for administering Iowa's campaign finance disclosure provisions, including maintaining records from candidates and political action committees on campaign contributions and expenditures. It remains unchanged under state government reorganization.

CIVIL RIGHTS COMMISSION. The civil rights commission has the authority and responsibility to investigate and finally determine the merits of complaints alleging unfair or discriminatory practices in the state. The commission retains its independent status under reorganization. In addition, individuals are given greater ability to seek judicial remedies to civil rights complaints under Chapter 601A prior to exhausting all administrative remedies.

LAW ENFORCEMENT ACADEMY. The law enforcement academy serves as a central law enforcement training facility for peace officers. It remains unchanged under state government reorganization, retaining its autonomy.

PUBLIC EMPLOYMENT RELATIONS BOARD. The public employment relations board administers the provisions of Iowa's public relations, or collective bargaining, law, Chapter 20. It serves to arbitrate state bargaining negotiations. The public employment relations board retains its previous independence as an autonomous state board. It receives a new responsibility of hearing state merit system employee appeals relating to discipline and grievance proceedings.

**STATE OFFICES HEADED BY ELECTED STATEWIDE
OFFICIALS OTHER THAN THE GOVERNOR**

**DEPARTMENT OF AGRICULTURE AND LAND
STEWARDSHIP**

Departmental Responsibilities:

The addition of the words "land stewardship" to the department of agriculture represents not only a name change but also a significant change in department responsibilities. In addition to encouraging and promoting agricultural activities, the department is charged with administering soil conservation and mines and minerals reclamation programs, and houses the State Fair Board and the Agricultural Development Authority.

Major Reorganization Changes:

In addition to the name change, the department of agriculture and land stewardship takes on a number of new functions.

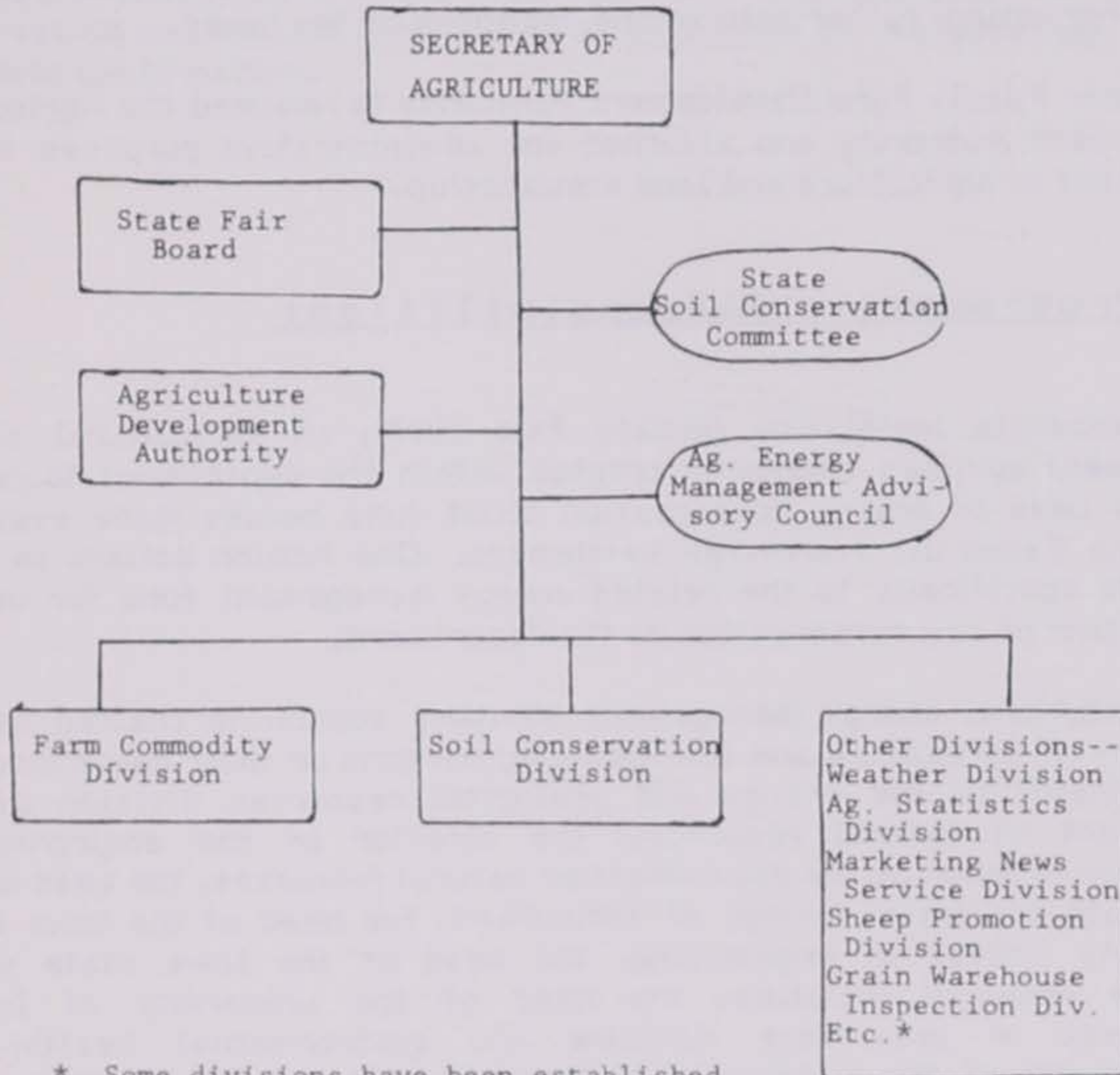
A grain warehousing division is located within the department, responsible for the inspection and regulation of grain elevators. This responsibility was transferred from the commerce commission.

The previous department of soil conservation is a new division within the department. The soil conservation commission is retained, with its current rulemaking authority, and a tree farmer is added to the membership of the commission. Also transferred over as a responsibility is the administration of mines and minerals under Chapter 83A.

A farm commodity division is established within the department to enhance marketing of raw agricultural products. It replaces the agricultural marketing division, which dealt both with raw and value-added products.

TABLE OF ORGANIZATION:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP



* Some divisions have been established previously by statute. The secretary of agriculture has the authority to establish additional divisions, as necessary.

Value-added products come under the jurisdiction of the new department of economic development.

The former soil conservancy districts are renamed watershed planning districts and are placed under the department's direction, although they are scheduled to sunset on July 1, 1988.

The State Fair Board is placed within the department. The secretary of agriculture, the president of Iowa State University, and the governor become nonvoting, rather than voting, members of the board.

The former Family Farm Development Authority is renamed the Agriculture Development Authority and attached for administrative purposes to the department of agriculture and land stewardship.

New Programmatic Responsibilities:

Under separate legislation (Senate File 2305), an agricultural energy management advisory council is created within the department to review possible uses of energy conservation trust fund monies made available under the Exxon oil overcharge settlement. One million dollars is made available specifically to the related energy management fund for use by the division of soil conservation of the department.

The agricultural energy management advisory council is chaired by the secretary of agriculture and the following persons or their designees: the administrator of the energy and geological resources division of the department of natural resources, the director of the environmental protection division of the department of natural resources, the head of the Iowa state university college of agriculture, the head of the Iowa state university college of engineering, the head of the Iowa state water resource research institute, the head of the university of Iowa's department of preventive medicine and environmental health, the administrator of the division of soil conservation of the department of agriculture and land stewardship, and the head of the Iowa cooperative extension service in agriculture and home economics. Four legislators, appointed by the presiding officers of the senate and the house, also serve on the council as nonvoting members.

Appointment Powers:

The secretary of agriculture, who heads the department of agriculture and land stewardship, is elected by the people of Iowa to a four-year term. The secretary, rather than the governor (as existed previously) appoints the director of the Agricultural Development Authority. The secretary also appoints the secretary of the Fair Board, from a list of three candidates submitted by the Fair Board. The members of the soil conservation commission continue to be appointed by the governor, subject to senate confirmation.

DEPARTMENT OF JUSTICE

Departmental Responsibilities:

The department of justice, headed by the attorney general, serves as the attorney for the state in prosecution and defense, and provides legal opinions on matters relating to law. Incorporated into the department of justice are a family farm division, a consumer protection division, and the office of consumer advocate.

Major Reorganization Changes:

The consumer advocate, previously an independent state agency, becomes an independent division of the Attorney General's office. The actual office of the consumer advocate remains at its present location with the utilities division of the department of commerce, its current duties remain the same, and the utilities division continues to provide administrative support services.

The Prosecuting Attorney's Council is placed under the office of the attorney general for administrative support, but otherwise retains its independence.

New Programmatic Responsibilities:

Under the reorganization proposal, the department of justice is given the authority to intervene in environmental protection cases upon its own initiative. Previously, intervention required recommendation from the Water, Air, and Waste Management Commission.

Under separate legislation (HF2473), a farm crisis program coordinator is established in the department of justice and the department is given responsibility for coordinating with nonprofit organizations a legal assistance and a farm mediation program for distressed farmers.

Appointment Powers:

The attorney general is elected by the people of Iowa to a four-year term. The attorney general appoints the consumer advocate, subject to senate confirmation. Previously, the governor had appointed the consumer advocate. The attorney general also appoints five members to the Consumer Advisory Panel, with the governor appointing the remaining four members. Previously, the governor had appointed all nine members.

The attorney general appoints the farm crisis program coordinator.

OFFICE OF THE TREASURER

Office Responsibilities:

The state treasurer's office is the custodian of state funds, and is responsible for the investment of idle state funds, is the custodian of the IPERS system, and handles the Peace Officers Retirement System investments.

Major Reorganization Changes:

Under reorganization, the treasurer is given new responsibilities with respect to state revenue bonding activity. With the exception of the board of regents' bonding efforts, the treasurer is responsible for coordinating all bonding activity by state agencies, including the selection of professional employees for the issuance of bonds through a competitive bidding process. The competitive bidding process may be waived upon notification to the executive council stating why the waiver would be in the public interest. In assuming this responsibility, the treasurer is to coordinate the activities with the respective bonding authorities. The treasurer is also responsible for reporting on the bonding activities of all political subdivisions, instrumentalities, and agencies of the state, including the state board of regents. All bonding must be conducted through businesses with a taxable nexus in Iowa.

Appointment Powers:

The treasurer is elected by the people of Iowa to a four-year term.

OFFICE OF THE AUDITOR

Office Responsibilities:

The auditor of state is responsible for auditing state departments and agencies, and counties, cities, and school districts.

Major Reorganization Changes:

The responsibility for regulating state chartered savings and loan associations is transferred from the auditor of state to the department of commerce.

Appointment Powers:

The state auditor is elected by the people of Iowa to a four-year term. The supervisor of savings and loan associations is appointed by the governor. Previously, the supervisor had been appointed by the auditor.

OFFICE OF THE SECRETARY OF STATE

Office Responsibilities:

The secretary of state maintains corporate records and administers elections.

Major Reorganization Changes:

None.

Appointment Powers:

The secretary of state is elected by the people of Iowa to a four-year term.

OFFICE OF THE LIEUTENANT GOVERNOR

Office Responsibilities:

The lieutenant governor presides over the Iowa Senate. The lieutenant governor succeeds the governor in the event of death or incapability of performing the duties of governor.

Major Reorganization Changes:

The lieutenant governor no longer has the authority to approve travel requests from senators.

Appointment Powers:

The lieutenant governor is elected by the people of Iowa to a four-year term.

Under reorganization, the lieutenant governor loses any authority for appointment of persons to special committees or commissions. The responsibility for making those appointments in most instances is transferred to the majority leader of the Iowa senate. Among those appointments are those to the administrative rules review committee, the advisory committee on intergovernmental relations, the boundary commission, the capital planning commission, the college aid commission, the commission on children, youth and families, the compensation commission, the education commission of the states, the functional classification commission, the health data commission, the interstate co-operation commission, the Iowa law enforcement academy council, the IPERS Investment Board, the legislative council, the legislative fiscal committee, and the medical assistance advisory council.

Through a change in senate rules, the lieutenant governor does not approve committee assignments and committee chairpersons. The majority leader makes those assignments, after consultation with the lieutenant governor.

EXECUTIVE COUNCIL

Council Responsibilities:

The Executive Council is a body composed of the Governor, the Secretary of Agriculture, the Secretary of State, the Auditor of State, and the State Treasurer. The Council is responsible for making a number of decisions on matters relating to state government.

Major Reorganization Changes:

The Executive Council had been charged with a number of statutory responsibilities for a variety of actions. Many of these duties are stripped under reorganization.

The Executive Council does retain authority over risk assessment, over disability and health insurance, and the disaster contingency funds. It no longer is responsible for approving pay and job classification plans or travel requests.

Specifically, the following previous powers and authority of the council are eliminated:

1. Approval of land or water acquisition,
2. Concurrence in finding of revenues inadequate to pay appropriations in full,
3. Approval of the state fair board's expenditure of emergency or sinking fund money,
4. Receipt of copies of all audit reports,
5. Appeal of the director of the department of general services' decision not to allow individual department purchases,
6. Approval of the purchase price of new state vehicles,
7. Hearing of appeals of the dispatcher's decisions to deny employee use of state vehicles,

8. Approval of mileage figures for personal vehicle use,
9. Authorization to cooperate with the U.S. Census Bureau in gathering, compiling and publishing census statistics assigned to the secretary of state,
10. Approval of the adjutant general's operating or leasing any of the national guard facilities at Camp Dodge,
11. Concurrent approval with the attorney general of disbursements of the petroleum case fund overcharges,
12. Approval of the department of job service's acquisition by purchase or rental purchase agreement of land and building for departmental use,
13. Purchase or condemnation of highways connecting parks with public highways transferred to the natural resources commission,
14. Consent of natural resource commission's acceptance of gifts of land or property, or use and improvement of land for a term of year as state parks,
15. Approval of natural resource commission adjustment of boundary lines between state and privately owned property,
16. Sale or exchange of public land under the natural resource commission's jurisdiction following recommendation of the commission for the sale and condition thereof,
17. Approval of fair board purchase of property adjacent to the state fairgrounds,
18. Approval of the director of human services' purchase and sale of real estate or grant of utility easements for the use of institutions.
19. Concurrent approval with the board of corrections of the director's purchase and sale of real estate and capital improvements,
20. Sale of school building or sites purchased by the state mining camp funds,
21. Approval of sale of unused right-of-way if the land is held or used in connection with any primary road or state park or institutional road,

22. Location, purchase, and sale of suitable treatment or disposal facility sites transferred to the environmental protection commission,
23. Approval of the governor's removal of the commissioner of insurance,
24. Acceptance of gifts, devises, or bequests of property on behalf of the state,
25. Approval of the civil rights comission's acceptance, administration, disbursement, and account of contributed funds,
26. Allocation of free space in the capitol lobby for a veteran-run newsstand and adoption of rules for its operation,
27. Approval of armory board acquisition or disposal of land, real estate, or improvements and creation of indebtedness, and
28. Approval of classification and pay plans.

The executive council secretary no longer serves as the secretary of the conservation commission.

Appointment Powers:

Members of the Council are all statewide elected officials.

INTERSTATE COMMISSIONS

Two interstate commissions, not under the direct authority of the governor, exist to provide for greater cooperation and coordination among states.

THE INTERSTATE CO-OPERATION COMMISSION. The Interstate Co-operation Commission, established under Chapter 28B, is composed of five members appointed by the majority leader of the senate, five members appointed by the speaker of the house, and three administrative officers appointed by the governor. It forms the state link with the Council on State Governments and its duties are unchanged.

THE INTERSTATE AGRICULTURAL GRAIN MARKETING COMMISSION. The Interstate Agricultural Grain Marketing Commission is a free-standing commission established in HF 2488 with the responsibility to coordinate with other states on matters relating to grain marketing. It is a three member commission, with one member being appointed by the senate, one by the house, and one by the governor.

CHAPTER THREE:

LEGISLATIVE OVERSIGHT

The legislature's constitutional responsibility to oversee executive branch operations is significantly enhanced by many of the reorganization provisions. These revisions relate to budget preparation, confirmation powers, oversight of reorganization activities, performance evaluations of state departments, and rules review.

BUDGET PREPARATION. The governor's biennial budgeting process is changed to coincide with the legislature's annual appropriations process. Further, a revenue estimating conference is created to develop a revenue estimate to be used for the Governor's budget each year. That conference consists of the governor or the governor's designee, the director of the legislative fiscal bureau, and a third member selected jointly by the governor and the director of the fiscal bureau.

Statutory changes further require monthly transmittal of actual executive branch expenditures and, beginning September 1, transmittal of weekly budget tapes reflecting agency budget requests for the following fiscal year.

Finally, the governor's authority to transfer funds within state departments is limited, to reflect the lesser number of departments under the new legislation. What constitutes an appropriations bill is defined by statute, to clarify what bills are subject to line item veto under the state constitution.

CONFIRMATION POWERS. The senate retains its responsibility to confirm most appointments to boards and commissions that it previously had. The senate also assumes responsibility for confirming all department heads, and, for reconfirming those heads after four years in office. Previously, there has been no reconfirmation process and, once appointed, a department head might never again come before the senate for evaluation and reconfirmation.

OVERSIGHT OF REORGANIZATION ACTIVITIES. A legislative reorganization oversight committee is established, consisting of twelve

members, six from each chamber, to study and monitor the reorganization. That oversight committee will meet through the legislative interim, as reorganization proceeds.

The attorney general is required to report all conflicts which may affect federal funding to the legislative oversight committee. The part which may affect funding may be suspended upon committee review, and the committee will report any suspensions to the general assembly. That authority is repealed July 1, 1987.

PERFORMANCE EVALUATION OF STATE DEPARTMENTS. The legislative oversight bureau, established by law but never implemented, is eliminated. The legislative fiscal bureau's role is altered to include independent assessments of state departments' program implementation. The director of the fiscal bureau is given the responsibility to determine the goals and objectives of the agency or program for program evaluations and performance audits. Significant resources are appropriated for this state department performance evaluation.

Finally, the legislative council is given authority for assignment of capitol building office space and legislative parking spaces. The capitol building is reserved for use by the governor, the courts, and the legislature and the legislative council can assign space in the capitol building except that space occupied by the governor and the courts as of January 1, 1986.

RULES PROMULGATION AND REVIEW. The Iowa Administrative Procedures Act is modified to require that executive orders of the governor creating agencies or programs be subject to review by the administrative rules review committee.

The administrative rules review committee's timeframe for delaying a rule's effective date is extended from the current forty-five days to the adjournment date of the next general assembly. The governor's authority to veto agency rules is also extended, from thirty-five days to seventy days.

More extensive organizational rules are required of state agencies, and objections can be filed against adopted, as well as proposed, administrative rules. The governor's authority to veto legislative joint resolutions rescinding administrative rules is eliminated.

CHAPTER FOUR

OTHER REORGANIZATION PROVISIONS

A number of other issues were addressed in the reorganization legislation that either apply generally to state government or otherwise do not fall under one specific agency.

BOARD AND COMMISSION PER DIEM AND SALARIES. Per diems in effect on January 1, 1986 for persons serving on executive branch boards and commissions remain in effect. For those positions where only expenses were previously allowed, an additional \$40 per day expense allowance is provided if the holder of that position has an income level at or below 150 % of the federal poverty level.

GENDER BALANCE. All boards, councils and commissions are required, as much as is possible, to reflect a gender balance. Multiple appointing authorities are to confer to adhere to this provision.

PARTISAN BALANCE. All boards and commissions are required to reflect a partisan balance, with no more than a simple majority of one political party. Multiple appointing authorities are to confer to adhere to this provision.

RIGHT-TO-SERVE. A provision of the reorganization legislation requires that persons appointed to state boards be given unpaid leaves of absence from employment to attend meetings of their boards, except if prohibited by law or if the employer has fewer than twenty fulltime employees.

TRANSITION PROVISIONS-- GENERAL. A number of provisions are contained to make an orderly transition within state government. Administrative rules are in effect until changed by the respective new agency. Personnel mandatorily transferred as a result of reorganization will not lose pay, benefits or seniority. Replacement of agency logos or names will be done in conjunction with a normal replacement cycle. Persons serving on boards, commissions and councils will continue to serve until their terms expire.

TRANSITION PROVISIONS-- LAYOFFS. Any layoffs as a result of reorganization must meet two conditions. First, they must not have a disproportionate adverse impact on women or minorities, defined as not laying off a greater percentage of women or minorities than previously existed in the specific job classification. Second, for workers under collective bargaining, layoffs also must adhere to any negotiated agreements already in place regarding the order of layoffs.

UNIFORM TERMINOLOGY. General terminology for distinguishing among different types of personnel and committees within departments is adopted. The code editor is charged with implementing the uniform system of terminology established in the legislation.

UNION MEMBERSHIP. A person who joins a state labor union is required to pay dues for a period of at least one year following membership, unless transferred to a nonunion position or leaving state government employment.

APPENDIX

WHERE THEY WENT -- INDEPENDENT STATE AGENCIES BEFORE REORGANIZATION AND WHERE THEY WENT AFTER REORGANIZATION

Executive departments under the control of the Governor.

Board of ACCOUNTANCY. Becomes part of professional and occupational licensing division of the department of commerce.

Commission on the AGING. Becomes new department of elder affairs.

APPELLATE Defender. Becomes autonomous separate part of the department of inspections and appeals.

Board of ARCHITECTURAL Examiners. Becomes part of the professional and occupational licensing division of the department of commerce.

ARTS Council. Becomes a division within the department of cultural affairs.

Department of BANKING. Becomes the banking division within the department of commerce.

BEER and Liquor Control Department. Becomes the alcoholic beverages division within the department of commerce.

Commission for the BLIND. Becomes the division for the blind in the department of human rights.

CAMPAIGN Finance Disclosure Commission. Remains independent.

CIVIL Rights Commission. Remains independent.

COLLEGE Aid Commission. Becomes attached to the department of education for organizational purposes only.

COMMERCE Commission. Becomes the utilities division of the department of commerce.

CONSUMER Advocate. Becomes a part of the department of justice.

State COMPTROLLER. Eliminated. Responsibilities for auditing, accounting, and property tax functions transferred to department of revenue and finance. Responsibility for budget preparation, claims audits, warrant issuance, and contract reviews transferred to department of management. Responsibility for administration of personnel system for exempt state employees transferred to department of personnel.

CONSERVATION Commission. Becomes the parks and preserves, forest and forestry, and fish and wildlife divisions of the department of natural resources.

Department of CORRECTIONS. Remains the department of corrections.

CREDIT Union Department. Becomes the credit union division of the department of commerce.

CRIMINAL and Juvenile Justice Planning Agency. Moved under the department of management.

Board of DENTAL Examiners. Becomes administratively attached to the department of public health.

Iowa DEVELOPMENT Commission. Becomes the department of economic development.

ENERGY Policy Council. Eliminated. Administration of federal home energy assistance program and federal weatherization programs transferred to the division of community action agencies in the department of human rights. Administration of other responsibilities transferred to the energy and geological resources division of the department of natural resources.

Board of ENGINEERING Examiners. Becomes part of the professional and occupational licensing division of the department of commerce.

State FAIR Board. Becomes attached to the department of agriculture and land stewardship.

FAMILY Farm Development Authority. Becomes administratively attached to the department of agriculture and land stewardship and renamed the agricultural development authority.

Department of GENERAL Services. Remains the department of general services.

GEOLOGICAL Survey. Becomes part of the energy and geological resources division of the department of natural resources.

Iowa FINANCE Authority. Becomes administratively attached to the department of economic development.

GOVERNOR's Office. Remains the Governor's Office.

Committee on the Employment of the HANDICAPPED. Becomes the division on persons with disabilities of the department of human rights.

Department of HEALTH. Becomes the department of public health.

Iowa HIGH Technology Council. Becomes an advisory council within the department of economic development.

HIGHER Education Loan Authority. Becomes attached to the college aid commission for administrative purposes, with the college aid commission attached to the department of education for organizational purposes.

HISTORICAL Department. Becomes the historical division of the department of cultural affairs.

Department of HUMAN Services. Remains the department of human services.

INDUSTRIAL Commissioner. Becomes the industrial service division of the department of employment services.

INSURANCE Department. Becomes the insurance division of the department of commerce.

Department of JOB Services. Becomes the job service division of the department of employment services.

Bureau of LABOR. Becomes the labor services division of the department of employment services.

Board of LANDSCAPE Architectural Examiners. Becomes part of the professional and occupational licensing division of the department of commerce.

Iowa LAW Enforcement Academy. Remains an independent state agency.

State LIBRARY. Becomes the library division of the department of cultural affairs.

LOTTERY Commission. Becomes part of the department of revenue and finance.

Board of MEDICAL Examiners. Becomes administratively attached to the department of public health.

MERIT Employment Department. Becomes the department of personnel.

Board of NURSING Examiners. Becomes administratively attached to the department of public health.

OCCUPATIONAL and Safety Health Review Commission. Abolished. Responsibilities become a part of the division of labor services of the department of employment services.

Board of PAROLE. Becomes attached to the department of corrections for routine administrative and support services.

PEACE Officers Retirement System Board of Directors. Becomes attached to the department of personnel.

Board of PHARMACY Examiners. Becomes administratively attached to the department of public health.

Office for PLANNING and Programming. Eliminated. Responsibilities for planning transferred to the department of management. Responsibilities for administering federal job training partnership act and community block grant funds transferred to the department of economic development. Responsibilities for administering the community services block grant transferred to the division of community action programs of the department of human rights.

Iowa PRODUCT Development Corporation. Becomes a part of the department of economic development.

Iowa PUBLIC Broadcasting. Becomes attached to the department of cultural affairs for organizational purposes only.

Department of PUBLIC Defense. Remains the department of public defense.

PUBLIC Employment Relations Board. Remains an independent state agency.

Department of PUBLIC Instruction. Becomes the department of education.

Department of PUBLIC Safety. Remains the department of public safety.

RACING Commission. Becomes part of the gaming division of the department of commerce.

REAL Estate Commission. Becomes part of the professional and occupational licensing division of the department of commerce.

REFUGEE Service Center. Becomes part of the department of human services.

Board of REGENTS. Remains the board of regents; considered a state department.

Department of REVENUE. Becomes the department of revenue and finance.

SOIL Conservation Department. Becomes the soil conservation division of the department of agriculture and land stewardship.

Commission on the STATUS of Women. Becomes the division on the status of women of the department of human rights.

Department of SUBSTANCE Abuse. Becomes part of the department of public health.

TERRACE Hill Authority. Becomes Terrace Hill Commission and attached to the department of cultural affairs.

Department of TRANSPORTATION. Remains the department of transportation.

Department of VETERANS' Affairs. Becomes the veterans' affairs division of the department of public safety.

VOCATIONAL Education Advisory Council. Attached to department of education for administrative purposes.

Department of WATER, Air, and Waste Management. Becomes the environmental protection division of the department of natural resources.

**Executive departments under the control
of other Statewide Elected Officials.**

Department of AGRICULTURE. Becomes the department of agriculture and land stewardship.

Office of the state AUDITOR. Remains the office of the state auditor.

Department of JUSTICE. Remains the department of justice under the direction of the attorney general.

Office of the LIEUTENANT Governor. Remains the office of the Lieutenant Governor.

Office of the SECRETARY of State. Remains the office of the secretary of State.

Office of the TREASURER. Remains the office of the treasurer.

CHANGED STATUS OF BOARDS AND COMMISSIONS

Boards and Commissions Eliminated:

1. Advanced Emergency Medical Care Council
2. Assessor Education Commission
3. Child Labor Committee
4. Communications Advisory Council
5. Community Cultural Grants Commission
6. Confidential Records Council
7. Displaced Homemakers Advisory Council
8. Educational Data Processing Committee
9. Employment Agency Licensing Council
10. Energy Policy Council
11. Family Practice Educational Advisory Board
12. Hazardous Chemical Information Interagency Council
13. Historical Building Code Advisory Council
14. Interagency Coordinating Commission on Radiation Safety
15. Land Rehabilitation Advisory Board
16. Plumbing Code Committee
17. Professional and Occupational Regulation Commission
18. Rural Community Development Committee
19. Soil Conservation Interagency Coordination Committee

20. State Branding Committee
21. Transportation Regulation Authority
22. Venture Capital Fund Board
23. Waterworks and Waste Water Operators Certification Board
24. Work Release Committee

Boards and Commissions Sunsetting:

1. Advisory Commission on Intergovernmental Relations (1990)
2. Boundary Commission (1990)

Boards and Commission Created:

1. Agricultural Energy Management Advisory Council (see Department of Agriculture and Land Stewardship)
2. Employment Appeals Board (see Department of Inspections and Appeals)
3. Energy Trust Fund Disbursement Council (see Department of Natural Resources)
4. Interstate Agricultural Grain Marketing Commission (see Interstate Commissions)
5. State Emergency Telephone Number Commission (see Department of Public Defense)
6. Wine and Beer Promotion Board (see Department of Commerce).



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