

CHAPTER 315

APPROPRIATIONS AND PROVISIONS RELATING TO STATE EXECUTIVE AGENCIES AND NATIONAL ORGANIZATIONS

S.F. 517

AN ACT relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date.

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

Section 1. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|-----------|
| ..... | \$ | 1,608,849 |
| ..... | FTEs | 47.0 |

**For salaries, support, maintenance, and miscellaneous purposes for a pilot project to provide county recorders on-line computer access to records maintained by the secretary of state, and for not more than the following full-time equivalent positions:*

| | | |
|-------|------|--------|
| ..... | \$ | 53,475 |
| ..... | FTEs | 1.0 |

The secretary of state shall report to the legislative fiscal bureau and the co-chairpersons and ranking minority members of the administration appropriations subcommittee at six-month intervals concerning the costs and the benefits of the project, including reductions in the time required to provide business services. Such reports shall continue throughout the duration of the project.

For the purchase of computer hardware and software to begin computerization of election results for reporting on election night:

| | | |
|-------|----|---------|
| | \$ | 28,900* |
|-------|----|---------|

Sec. 2. There is appropriated from the general fund of the state to the office of the governor for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes for the general office of the governor, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 826,218 |
| ..... | FTEs | 15.0 |

2. For the governor's expenses connected with office:

| | | |
|-------|----|-------|
| | \$ | 5,434 |
|-------|----|-------|

3. For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at Terrace Hill, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|--------|
| ..... | \$ | 93,420 |
| ..... | FTEs | 3.0 |

4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem, not exceeding forty dollars,

*Item veto; see message at end of the Act

and actual expenses of committee, council, or task force members and as a condition, limitation, and qualification of this appropriation, the ad hoc committees, councils, and task forces appointed by the governor shall be subject to chapters 21 and 22 and the members shall be so informed:

| | | |
|---|------|--------|
| ..... | \$ | 8,009 |
| 5. For salaries, support, maintenance, and miscellaneous purposes for the office of administrative rules coordinator, and for not more than the following full-time equivalent positions: | | |
| ..... | \$ | 93,332 |
| ..... | FTEs | 2.0 |
| 6. For payment of Iowa's membership in the national governors' conference: | | |
| ..... | \$ | 73,120 |

Sec. 3. There is appropriated from the general fund of the state to the office of the lieutenant governor for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes including the lieutenant governor's compensation and expenses as provided in section 2.10, subsection 2, including service as a member of the legislative council and per diem and expenses incurred while performing duties of the lieutenant governor when the general assembly is not in session, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 124,586 |
| ..... | FTEs | 2.5 |

Sec. 4. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 703,083 |
| ..... | FTEs | 27.0 |

Of the amount appropriated by this section, \$24,162 shall be used for salary and support for one full-time equivalent position designated as accountant/auditor I.

Sec. 5. There is appropriated from the general fund of the state to the executive council for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|--------|
| ..... | \$ | 40,129 |
| ..... | FTEs | 1.12 |

Sec. 6. There is appropriated from the general fund of the state to the following named agencies for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. NATIONAL CONFERENCE OF STATE LEGISLATURES

For support of the membership assessment:

| | | |
|-------|----|--------|
| | \$ | 67,455 |
|-------|----|--------|

2. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of the members:

| | | |
|-------|----|--------|
| | \$ | 15,500 |
|-------|----|--------|

Sec. 7. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 493,201 |
| ..... | FTEs | 16.0 |

2. COMMUNICATIONS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 397,589 |
| ..... | FTEs | 9.0 |

3. DIRECTOR'S OFFICE

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|--------|
| ..... | \$ | 99,125 |
| ..... | FTEs | 2.0 |

4. MATERIALS MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|--------|
| ..... | \$ | 85,468 |
| ..... | FTEs | 3.3 |

5. PROPERTY MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|-----------|
| ..... | \$ | 3,711,052 |
| ..... | FTEs | 146.0 |

6. PRINTING AND MAIL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 445,439 |
| ..... | FTEs | 22.5 |

7. RECORDS MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 388,326 |
| ..... | FTEs | 13.5 |

8. INFORMATION SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|-----------|
| ..... | \$ | 5,652,186 |
| ..... | FTEs | 157.3 |

9. The department of general services shall not change the appropriations for the purposes designated in subsections 1 through 8 from the amounts appropriated under those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

Savings achieved in providing telecommunications services shall be used by the department of general services to increase efficiencies in the provision of those services.

Sec. 8. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CAPITOL PLANNING COMMISSION

For expenses of the members in carrying out their duties under chapter 18A:

| | | |
|-------|----|-------|
| | \$ | 1,542 |
|-------|----|-------|

2. UTILITY COSTS

For payment of utility costs:

..... \$ 1,667,302

The department of general services may use funds appropriated in this subsection for utility costs to fund energy conservation projects in the state capitol complex which will have a one hundred percent payback within a twenty-four month period. The department of general services shall report quarterly to the co-chairpersons and ranking minority members of the administration appropriations subcommittee concerning the savings generated as a result of implementation of these projects.

3. RENTAL SPACE

For payment of lease or rental costs of buildings and office space at the seat of government as provided in section 18.12, subsection 9, notwithstanding section 18.16:

..... \$ 440,929

Sec. 9. Notwithstanding section 18.12, subsection 11, Code 1989, the excess funds in the rental space account shall not be deposited in the general fund of the state on June 30, 1989, and these funds are appropriated to the designated departments for the fiscal year beginning July 1, 1989, and ending June 30, 1990, in the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department of personnel, for salaries and support for not more than the following full-time equivalent positions for safety officers to evaluate unsafe work sites and provide training in worker safety:

..... \$ 63,097
..... FTEs 2.0

2. For the department of general services, for service maintenance contracts for the new historical building:

..... \$ 100,000

3. For the department of personnel, for travel expenses for personnel officers who provide service to institutions under the jurisdiction of the department of human services and the department of corrections for the department of personnel:

..... \$ 30,000

4. For the property management division of the department of general services, and for not more than the following full-time equivalent positions, to provide building maintenance in the capitol complex:

..... \$ 80,000
..... FTEs 4.0

5. For the records management division of the department of general services, for supplies and for salary and support, and for not more than the following full-time equivalent position, for microfilming services:

..... \$ 19,000
..... FTEs 1.0

Sec. 10. There is appropriated from the revolving funds designated to the department of general services for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

DEPARTMENT OF GENERAL SERVICES – REVOLVING FUNDS

1. From the centralized printing permanent revolving fund established by section 18.57 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 795,172
..... FTEs 29.0

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising

during the fiscal year beginning July 1, 1989, and ending June 30, 1990, which are legally payable from this fund.

3. From the centralized purchasing permanent revolving fund established by section 18.9 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 519,414 |
| ..... | FTEs | 15.0 |

4. The remainder of the centralized purchasing permanent revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1989, and ending June 30, 1990, which are legally payable from this fund.

5. From the vehicle dispatcher revolving fund established by section 18.119 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 458,582 |
| ..... | FTEs | 15.0 |

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, gasohol, oil, tires, repairs, and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1989, and ending June 30, 1990, which are legally payable from this fund.

Sec. 11. Any capitol complex new construction appropriation shall commence in the administration appropriations subcommittee, even if consideration of the matter necessitates reconvening the subcommittee after its other work is completed.

Sec. 12. There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|-----------|
| ..... | \$ | 3,628,203 |
| ..... | FTEs | 99.25 |

As a condition, limitation, and qualification of this appropriation, the department of personnel shall report quarterly to the co-chairpersons and ranking minority members of the administration appropriations subcommittee concerning the number of vacancies in existing full-time equivalent positions and the average time taken to fill the vacancies. The reports shall include quarterly and annual averages organized according to state agency and general occupational category as established by the federal equal employment opportunity commission. All departments and agencies of the state shall cooperate with the department in the preparation of the reports.

Sec. 13. There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salary annualization:

| | | |
|-------|----|--------|
| | \$ | 50,000 |
|-------|----|--------|

Sec. 14. There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, to pay the costs of administration of federal old age benefit and Iowa old age survivors insurance programs, and for not more than the following full-time equivalent positions:

| | | |
|-------|------|---------|
| ..... | \$ | 109,141 |
| ..... | FTEs | 2.5 |

Sec. 15. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees' retirement system:

..... \$ 2,402,913

It is the intent of the general assembly that the Iowa public employees' retirement system employ sufficient staff within the appropriation provided in this section to meet the developing requirements of the investment program.

Sec. 16. The Iowa public employees' retirement system shall conduct a study of the public retirement systems established in this state and shall provide a preliminary report to the general assembly, which report shall be transmitted to the chief clerk of the house of representatives and the secretary of the senate no later than February 1990. The study shall include the judicial retirement system; the Iowa department of public safety peace officers' retirement, accident, and disability system; and retirement systems for local police officers and fire fighters established under chapter 411. The report to the general assembly shall include an analysis of the findings of the Iowa public employees' retirement system concerning the financial condition of the existing systems, including but not limited to membership status, benefits paid, average age of members, annual compensation average, rate of contribution necessary to make the systems actuarially sound, and the actual rate of return against the expected rate of return. The Iowa public employees' retirement system may use the most recent actuarial valuations conducted under sections 97A.5, subsection 11; 97B.61; 411.5, subsections 12 through 14; and 602.9116 in completing its studies. If the Iowa public employees' retirement system requires an additional actuarial valuation of a local retirement system established pursuant to chapter 411 and the valuation is paid for by the local system, the conduct of the additional actuarial valuation shall constitute compliance with the next requirement for a valuation under section 411.5 for that system. The Iowa public employees' retirement system shall develop recommendations concerning the findings of the study.

There is appropriated from the Iowa public employees' retirement system fund an amount sufficient to pay the costs of the study. The Iowa public employees' retirement system shall determine the portion of the cost of the study to be allocated to each public retirement system and shall notify the governing board of each such system. Each governing board shall reimburse the Iowa public employees' retirement system fund for its share of the cost from moneys available to the governing board, including but not limited to moneys from the respective retirement funds. The governing boards of all public retirement systems in this state shall cooperate with the Iowa public employees' retirement system in providing information concerning their systems. As used in this paragraph, "governing board" means the body or officer responsible for administration of the public retirement system.

Sec. 17. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions used for the purposes designated in subsections 1 through 11:

| | | |
|---|------|-----------|
| ..... | FTEs | 612.77 |
| 1. PROCESSING | | |
| For salaries, support, maintenance, and miscellaneous purposes: | | |
| ..... | \$ | 3,785,607 |
| 2. ACCOUNTING FUNCTION | | |
| For salaries, support, maintenance, and miscellaneous purposes: | | |
| ..... | \$ | 846,434 |

| | |
|---|--------------|
| 3. OPERATIONS, SYSTEMS, AND STATISTICS | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 1,691,575 |
| 4. LOCAL GOVERNMENT SERVICES | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 1,274,329 |
| 5. OFFICE REVIEW | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 2,101,218 |
| 6. IN-STATE FIELD AUDIT | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 2,966,555 |
| 7. OUT-OF-STATE FIELD AUDIT | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 1,085,212 |
| 8. TAXPAYER SERVICES | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 1,027,195 |
| 9. COLLECTIONS | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 2,706,890 |
| 10. ADMINISTRATION | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 727,520 |
| 11. TAX POLICY AND APPEALS | |
| For salaries, support, maintenance, and miscellaneous purposes: | |
| ..... | \$ 1,100,713 |

12. The department of revenue and finance shall not change the appropriations for the purposes designated in subsections 1 through 11 from the amounts appropriated under those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

Notwithstanding any other provisions, not more than \$1,000,000 of the funds received in payment of taxes to the state of Iowa from audits conducted by the department of revenue and finance shall be transferred to the general fund of the state but shall be placed in a special account within the department of revenue and finance and may be used by the director of revenue and finance to hire or retain not more than 33 full-time equivalent positions to conduct audits and investigations and initiate tax collection proceedings and enforcements, provided the director determines that the effect of the use of the funds for this purpose will result in collecting an additional three dollars in tax collections for every dollar expended in fiscal year 1990. The director shall report at least quarterly to the fiscal committee of the legislative council, the legislative fiscal bureau, and the co-chairpersons and ranking minority members of the administration appropriations subcommittee, concerning the personnel and support services provided, the funds expended, the tax obligations established, and the taxes collected under the provisions of this paragraph.

The department of revenue and finance shall report quarterly to the co-chairpersons and ranking minority members of the administration appropriations subcommittee, concerning progress in the implementation of generally accepted accounting principles, including determination of reporting entities, fund classifications, modification of the Iowa financial accounting system, progress on preparing a comprehensive annual financial report, and the most current estimate of the general fund balance based on current generally accepted accounting principles.

Sec. 18. There is appropriated from the motor vehicle fuel tax fund created by section 324.77 to the department of revenue and finance for the fiscal year beginning July 1, 1989, and

ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

| | | |
|---|----|-----------|
| For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 324 and the motor vehicle use tax program: | \$ | 1,023,958 |
|---|----|-----------|

Sec. 19. There is appropriated from the lottery fund to the department of revenue and finance for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|--|------|-----------|
| | \$ | 7,409,914 |
| | FTEs | 141.35 |

Sec. 20. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|--|------|-----------|
| | \$ | 1,608,078 |
| | FTEs | 33.0 |

As a condition, limitation, and qualification of this appropriation, no more than \$1,462,648 from all revenue sources, plus an allocation for salary adjustment, may be expended for salaries and benefits for not more than the above listed full-time equivalent positions and not more than \$201,430 from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

**As a condition, limitation, and qualification of this appropriation, each state department hiring to fill a newly created full-time equivalent position shall fill the position within eight weeks of the approval of the enacting legislation or, if the position is not filled, shall report to the co-chairpersons and ranking minority members of the administration appropriations subcommittee the reason the position was not filled, the anticipated date of filling the position, and the anticipated savings in personal services due to the length of time the position was not filled. The department of management shall assist and cooperate in carrying out this requirement.*

The department of management shall report to the co-chairpersons and ranking minority members of the administration appropriations subcommittee on every significant transfer between object classes of accounts.

As a condition, limitation, and qualification of this appropriation, the department of management shall cause the targeted small business program to operate in its normal manner. It is the intent of the general assembly that as a condition, limitation, and qualification of this appropriation, the department of management shall compile the necessary data so that the Iowa targeted small business program will continue in compliance with the conditions of the United States supreme court decision in City of Richmond v. J. A. Croson Co. It is the intent of the general assembly that the department of management have authority to develop guidelines for state agencies to operate the targeted small business program to best achieve its goals in conformity with City of Richmond v. J. A. Croson Co., pending completion of a study and further legislative action. The department may, if necessary, suspend the operation of a particular preference until April 1, 1990, if it concludes that the suspension is mandated by federal law.*

Sec. 21. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

*Item veto; see message at end of the Act

COUNCIL OF STATE GOVERNMENTS

For support of the membership assessment:

..... \$ 58,600

Sec. 22. There is appropriated from the general fund of the state to the office of state-federal relations for the fiscal year beginning July 1, 1989, and ending June 30, 1990, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 200,629
..... FTEs 3.0

Sec. 23. Notwithstanding section 8.55, the moneys in the Iowa economic emergency fund are transferred to the general fund of the state if necessary to avoid a deficit in the general fund of the state and to defray expenses at the conclusion of the fiscal year beginning July 1, 1989, and ending June 30, 1990.

Sec. 24. For purposes of this Act and any other appropriations statute enacted by the Seventy-third General Assembly, 1989 Session, "full-time equivalent position" means a budgeting and monitoring unit that equates the aggregate of full-time positions, part-time positions, a vacancy and turnover factor, and other adjustments. One full-time equivalent position represents two thousand eighty working hours, which is the regular number of hours one full-time person works in one fiscal year. The number of full-time equivalent positions shall be calculated by totaling the regular number of hours that could be annually worked by persons in all authorized positions, reducing those hours by a vacancy and turnover factor and dividing that amount by two thousand eighty hours. In order to achieve the full-time equivalent position level, the number of filled positions may exceed the number of full-time equivalent positions during parts of the fiscal year to compensate for time periods when the number of filled positions is below the authorized number of full-time equivalent positions.

Sec. 25. Section 19.29, Code 1989, is amended to read as follows:

19.29 PERFORMANCE OF DUTY - EXPENSE.

The executive council shall not employ others, or incur any expense, for the purpose of performing any duty imposed upon the council when the duty may, without neglect of their usual duties, be performed by the members, or by their regular employees, but, subject to this limitation, the council may incur the necessary expense to perform or cause to be performed any legal duty imposed on the council, and pay the same out of any money in the state treasury not otherwise appropriated. The council shall consider the original sources of funds prior to committing general fund moneys in performing its duties under this section.

Sec. 26. Section 19.34, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The executive council shall resolve any disputes transmitted to it by the department of natural resources, the state building code commissioner, or both, arising under section 470.7.

Sec. 27. Section 29C.20, subsection 1, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. When a state department or agency requests that moneys from the contingent fund be expended to repair, rebuild, or restore state property injured, destroyed, or lost by fire, storm, theft, or unavoidable cause, the executive council shall consider the original source of the funds for acquisition of the property before authorizing the expenditure. If the original source was other than the general fund of the state, the department or agency shall be directed to utilize moneys from the original source if possible. The executive council shall not authorize the repairing, rebuilding, or restoring of the property from the disaster aid contingent fund if it determines that moneys from the original source are available to finance the project.

Sec. 28. Section 470.7, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Within thirty days of receipt of the response of the public agency affected, the department, the commissioner, or both, shall notify in writing the public agency affected of the department's, the commissioner's or both's, agreement or disagreement with the response. In the event of a disagreement, the department, the commissioner, or both, shall at the same time transmit the notification of disagreement with response and related papers to the executive council for resolution pursuant to section 19.34.

Sec. 29. The operational requirements and the optimum life cycle cost of the renovation facility design of the old historical building shall include utilization to the maximum extent practicable of state-of-the-art energy efficiency equipment, systems, and procedures and energy conservation measures and strategies. In addition, the operational requirements and the optimum life cycle cost of the renovation facility design of the old historical building shall include utilization of all equipment, systems, and procedures reasonably necessary to measure over the life of the renovation the energy savings resulting from the renovation and the energy savings, if any, attributable to future modifications made during the life of the renovation.

Sec. 30. For purposes of section 470.4, the operational requirements and the optimum life cycle cost of the facility design of the proposed capitol annex office building shall include utilization to the maximum extent practicable of state-of-the-art energy efficiency equipment, systems, and procedures and energy conservation measures and strategies. In addition, the operational requirements and the optimum life cycle cost of the facility design of the proposed capitol annex office building shall include utilization of all equipment, systems, and procedures reasonably necessary to measure over the life of the facility the energy savings resulting from the implementation of the state-of-the-art energy efficiency and energy conservation requirements and the energy savings, if any, attributable to future modifications made during the life of the facility.

Sec. 31. A county recorder who participates in a pilot project established by the secretary of state to provide the county recorder with direct access to uniform commercial code records is deemed to be a filing officer for the purpose of section 554.9407, subsection 2, except that the county recorder is not authorized to issue a certificate.

Sec. 32. 1988 Iowa Acts, chapter 1275, section 14, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Of the total amount appropriated by this section, \$135,000, or so much thereof as is necessary, is allocated for the purpose of analyzing the Iowa public employees' retirement system data processing system and formulating plans for future development. Notwithstanding section 8.33, funds allocated under this paragraph which are not obligated or expended on June 30, 1989, shall not revert to the Iowa public employees' retirement system fund but shall remain available for the designated purposes during the fiscal year beginning on July 1, 1989, and ending on June 30, 1990.

Sec. 33. All federal grants to and the federal receipts of agencies appropriated funds under this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Sec. 34. REPEAL. 1986 Iowa Acts, chapter 1096, section 12, is repealed.

Sec. 35. EFFECTIVE DATE. Sections 9 and 32 of this Act and this section, being deemed of immediate importance, take effect upon enactment.

Approved June 5, 1989, except those items which I hereby disapprove and which are designated as section 1, unnumbered paragraphs 3 and 4, and section 31 in its entirety; section 1, unnumbered paragraph 5; section 20, unnumbered paragraphs 4 and 5; that portion of section 20, unnumbered paragraph 6 which is herein bracketed in ink and initialed by me; and section 30 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the secretary of state this same date a copy of which is attached hereto.

TERRY E. BRANSTAD, *Governor*

Dear Madam Secretary:

I hereby transmit Senate File 517, an Act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date.

Senate File 517 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 1, unnumbered paragraphs 3 and 4, and Section 31, in its entirety, which would establish a pilot project to provide county recorders on-line computer access to records maintained by the Secretary of State. Private enterprise is currently serving Iowans with access to these records without the use of taxpayers funds and, indeed, the private payroll contributes to the state's economy. As long as private enterprise is willing to provide this service, we should resist this unnecessary expansion of government.

I am unable to approve the item designated as Section 1, unnumbered paragraph 5, which calls for the purchase of computer hardware and software to begin computerization of election results for reporting on election night. Iowa's news media does an excellent job of gathering and reporting election results at no cost to the state and we should encourage this private enterprise to continue to do so, rather than add an unnecessary burden on Iowa's taxpayers.

I am unable to approve the item designated as Section 20, unnumbered paragraphs 4 and 5. This provision requires each state department to fill every newly created position within eight weeks of the approval of the legislation. In many cases, this requirement is impractical and inappropriate. This form of legislative micro-management clearly intrudes on executive branch management responsibilities.

Paragraph 5 of Section 20 requires that every specific accounts transfer be reported to the General Assembly. The reporting requirements are not clearly defined and are burdensome.

I am unable to approve the designated portion of unnumbered paragraph 6 in Section 20. This provision requires the Department of Management to maintain the targeted small business set-aside program despite a Supreme Court decision to the contrary. Moreover, this provision requires the department to collect data to prove that the state discriminates against such business. Such a function of state government lacks credibility. This item veto will allow the department to operate the targeted small business program, consistent with the U.S. Supreme Court decision.

I am unable to approve the item designated as Section 30 in its entirety. This section details standards for a proposed Capitol Annex office building. There is no need for such standards — no such building is to be built.

I am unable to approve the item designated as Section 31, in its entirety. With the veto of the pilot program for the county recorder direct access program, this section is unnecessary.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 517 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*