

I am unable to approve the item designated as Section 9, subsection 8, in its entirety. This item would require the Department to take all actions necessary to avoid using license receipts or other income for capitals and acquisitions unless the Code specifically designates the use. The Department would not be able to reduce personnel until all other actions necessitated by the expenditure reduction are exhausted. This could require the Department to turn back federal dollars for lack of a state match.

I am unable to approve the item designated as Section 12, in its entirety. This section appropriates \$50,000 to restore and repair a lowhead dam in Jones County. Several counties in the state have requested appropriations to pay for repairs of lowhead dams and the Resource Enhancement and Protection Act funds may be used for this purpose. Given the state's reduced revenues, I cannot approve this general fund expenditure.

I am unable to approve the item designated as Section 17, in its entirety. This section is ambiguous and is unnecessary, for the Department of Management currently notifies the chairpersons and ranking members of proposed transfer of funds.

I am unable to approve the item designated as Section 18, in its entirety. In lieu of divisional appropriations, this language was added to fiscal year 1990's appropriation bill. Senate File 2364 now includes divisional appropriations and this additional report is no longer necessary.

I am unable to approve the item designated as Section 22, in its entirety. This section eliminates Jones County from the list of four counties who were allowed to borrow ahead on their REAP allocations. Since I have vetoed Section 12 of this bill, there is no need for this section.

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 2364 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*

CHAPTER 1261

APPROPRIATIONS AND OTHER PROVISIONS RELATING TO STATE REGULATORY AGENCIES AND THE PUBLIC DEFENDER

S.F. 2328

AN ACT relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, allocating certain standing appropriations subject to certain procedures and conditions, and affecting certain regulated entities, 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 auditor of state for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

.....	\$	2,036,602
.....	FTEs	154.50

Of the amount appropriated in this section, \$276,952, or so much thereof as is necessary, is to be expended for 19 FTEs, which are new positions, to conduct audits required to prepare financial statements related to full implementation of generally accepted accounting principles (GAAP). The authorization for 19 additional FTEs in this paragraph is intended to be a one-time appropriation, and those positions are not intended to be funded in subsequent fiscal years.

The auditor of state may expend additional moneys and retain additional full-time equivalent positions as is reasonable and necessary to perform audits, such as audits for local governments, if all of the following conditions are satisfied:

1. The amount expended is proportional to the costs that are reimbursable from the entity being audited, including but not limited to expenses reimbursable pursuant to section 11.5A, 11.20, or 11.21.
2. The auditor of state submits a request to the department of management to expend a specific additional amount in connection with specified reimbursable audits.
3. The department of management approves the additional spending from any unappropriated funds in the state treasury upon a finding that all or substantially all of the amount requested and approved will be reimbursable from the entity being audited.
4. The department of management notifies the legislative fiscal bureau of any additional moneys approved.
5. The department of management notifies the legislative fiscal committee of any additional moneys approved prior to the expenditure.
6. Upon payment or reimbursement by the entity, the auditor of state shall credit the payments to the state treasury for deposit in the general fund.

The auditor of state shall discontinue the use of the revolving fund currently used to fund reimbursable audits, and shall instead use moneys from the general fund as provided in this section to perform reimbursable audits.

Sec. 2.

There is appropriated from the general fund of the state to the campaign finance disclosure commission for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	263,118
.....	FTEs	6.75

Of the amount appropriated, \$24,000, or so much thereof as is necessary shall be expended for 1 clerk typist FTE, and necessary expenses, in connection with the performance of administrative duties for the director of the commission.

Sec. 3.

There is appropriated from the general fund of the state to the department of employment services for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

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

.....	\$	2,727,562
.....	FTEs	104.80

From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

Of the amount appropriated under this subsection, the following amounts, or so much thereof as is necessary, shall be expended for the designated purposes: \$344,258, for 10 FTEs to enforce the Iowa minimum wage law; \$98,974, for 3.0 FTEs in connection with asbestos removal; \$14,108,

for 1 FTE to implement a recordkeeping system to meet federal occupational and health administration requirements; and \$70,244, for 2 FTEs for administration and enforcement of the contractor registration program.

2. DIVISION OF INDUSTRIAL SERVICES

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

.....	\$	1,989,820
.....	FTEs	45.76

As a condition, qualification, and limitation of the funds appropriated by this subsection, \$403,208, or so much thereof as is necessary, shall be expended for 9 FTEs, and necessary expenses, including 4 deputy industrial commissioners, 2 word processors, 2 data entry operators, and 1 insurance program specialist to expedite the administrative hearing process for workers' compensation cases, and to assist in reducing the contested case backlog.

As a condition, qualification, and limitation of the funds appropriated by this section, the department of employment services shall direct the division of industrial services to implement, by rule, procedures for an informal mediation process to avoid filing contested cases and for an expedited workers' compensation contested case proceeding.

Of the amount appropriated under this subsection, \$116,000, or so much thereof as is necessary, is to reimburse the department of employment services, for data processing costs.

The division shall continue charging a \$65 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim; however, the fee can be taxed as a cost, and therefore, paid by the losing party, except in cases where it would impose an undue hardship or be unjust in the circumstances.

The department of employment services, the department of personnel, and the department of management shall work together to ensure that as nearly as possible all full-time equivalent positions authorized and funded for the department of employment services will be utilized during the fiscal year beginning July 1, 1990, and ending June 30, 1991, and future fiscal years, to ensure that the backlog of cases in that department will be reduced as rapidly as possible.

***Sec. 4. DEPARTMENT OF EMPLOYMENT SERVICES, DIVISION OF INDUSTRIAL SERVICES PILOT SERVICES DELIVERY PROGRAM.**

1. *The division of industrial services of the department of employment services shall establish a pilot program to deliver precontested case proceeding services to employees and employers from the local job service office in each of the following service areas: Dubuque and Sioux City. Each of the job service offices in the industrial services pilot program shall be assigned one additional professional staff person and one additional support staff person, for a total of 2 additional FTEs in each office.*

2. *The industrial services pilot program employees in each of the participating job service offices shall provide the following precontested case proceeding services:*

a. *Independent informational services for both employees and employers by providing informal assistance in determining rights and obligations of employees and employers under state and federal law, especially as such rights pertain to workers' compensation rights and obligations. Advice or information provided shall not be binding upon the division.*

b. *Workers' compensation compliance investigations, based upon complaints received, or upon a random selection mechanism from a list of employers within the service area.*

c. *Informal mediation of disputes between employers and employees to avoid, if possible, filing of a contested case by resolving disputes through mediation.*

d. *Assistance in preparation of an adequate record or an initial complaint to facilitate the contested case proceedings. Evidence of the initial fact gathering conducted under the pilot program, or of information or advice provided through the pilot program, may be introduced in a contested case proceeding to the extent such information is relevant.*

e. *Other duties assigned to the pilot program employees by the industrial commissioner in connection with workers' compensation compliance enforcement; avoidance of contested cases through improved communications among the department, employees, and employers; and decentralized administrative duties.*

*Item veto; see message at end of the Act

3. The department of employment services and the division of industrial services shall employ reasonable efforts to advertise and make known the availability of industrial services pilot program services in the communities served. Such efforts shall include notices in any departmental mass mailings to employers or employees in the service areas, public service announcements and advertisements, and leaflets to be made available in each job service office served and to be made otherwise available.

4. The professional staff person assigned to each participating job service office of the industrial services pilot program may order an employee or employer to participate in an informal mediation meeting. A person who fails to comply with an order to participate in mediation shall pay all costs incurred by the division and other parties in connection with the order and the attempted mediation, and is admissible in evidence in any subsequent contested case proceeding.

5. There is appropriated from the general fund of the state, to the division of industrial services of the department of employment services, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purpose designated:

For industrial services pilot program salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:	\$	180,000
.....	FTEs	4.00

6. The industrial commissioner shall submit a report to the general assembly on or before January 15, 1991, summarizing the impact to date of the pilot program on contested case proceedings filed by employees and upon division compliance efforts. The commissioner shall make specific recommendations on whether to continue the pilot program, and whether the scope of the program should be expanded to include other job service offices. It is the intention of the general assembly to reduce the number of contested case filings by employees through early voluntary resolution of disputes between informed employees and employers. Provision of accurate information by the division, and mediation if necessary, early in the process is intended to substantially reduce the legal and litigation expenses typically incurred by employers and employees in workers' compensation contested cases. Further, accurate information should help employers avoid incurring unintended liability and thus avoid disputes. It is also the intention of the general assembly to assure that employees receive the full benefit of the protections of the workers' compensation law through improved compliance enforcement. The commissioner's report shall analyze the pilot program in light of these goals.*

Sec. 5.

1. Notwithstanding the provisions of section 96.13, subsection 3, which restrict the use of moneys in the special employment security contingency fund, moneys in the fund on June 30, 1990, shall not be transferred by the treasurer of state to either the temporary emergency surcharge fund or the unemployment compensation fund, but shall be available to the division of job service of the department of employment services for the fiscal year beginning July 1, 1990, and ending June 30, 1991, for expenditures under subsection 2.

2. The division of job service shall expend moneys which are credited to the special employment security contingency fund during the fiscal year beginning July 1, 1990, and ending June 30, 1991, including moneys which are available to the division of job service under subsection 1, only in accordance with the following restrictions:

a. The division may expend up to \$50,000 from the fund for repairs to the exterior of the office building located at 150 Des Moines Street, Des Moines, Iowa.

b. The division may expend up to \$559,300 from the fund for the support of the county, labor survey, economic development teams to assist in conducting "labor availability surveys" on a county basis.

c. The division may expend moneys in the fund in accordance with section 96.13, subsection 3, paragraph "a", for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds, received for or in the employment security administration fund.

*Item veto; see message at end of the Act

d. The balance of moneys in the special employment security contingency fund shall be deposited by the treasurer of state in the division-approved training fund which is created as a special fund in the state treasury. Notwithstanding section 453.7, interest or earnings from moneys deposited in the division-approved training fund shall be credited to that fund. The division shall use moneys from the fund to pay only the instructional cost of training related to tuition and course fees, approved by the division pursuant to section 96.4 and 345 Iowa administrative code, rules 4.39 and 4.40, for individuals who demonstrate to the division's satisfaction that they are financially incapable of paying the instructional cost of the approved training. However, the division may expend up to \$40,000 from the fund for administrative costs relating to payments for division approved training.

Payments from the fund shall not be made to the individual receiving approved training but shall be made directly to the institution or person providing the approved training. Payments shall not exceed \$1,000 per individual trainee in any 2-year period. The division shall distribute information on the qualification requirements for and availability of payment for the division-approved training to individuals filing claims for benefits or receiving benefits under chapter 96.

Sec. 6.

There is appropriated from the administrative contribution surcharge fund of the state to the department of employment services for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

DIVISION OF JOB SERVICE

Notwithstanding section 96.7, subsection 12, paragraph "c", for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,895,084
.....	FTEs	171.80

As a condition, qualification, and limitation of this appropriation, the department of employment services shall provide services throughout the fiscal year beginning July 1, 1990, and ending June 30, 1991, in all communities in which job service offices are operating on July 1, 1990. However, this provision shall not prevent the consolidation of multiple offices within the same city or the collocation of job service offices with another public agency.

Sec. 7.

There is appropriated from the administrative contribution surcharge fund of the state to the department of employment services, the lesser of \$200,000 or the remaining balance in the fund at the end of the fiscal year beginning July 1, 1989, and ending June 30, 1990, to provide services in communities where job service offices were located as of July 1, 1989.

Sec. 8.

There is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. FINANCE AND SERVICES DIVISION

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

.....	\$	582,796
.....	FTEs	26.00

Of the amount appropriated, \$13,210, or so much thereof as is necessary, shall be expended for 1 FTE and necessary expenses in connection with the administration of payment claims to court-appointed counsel for adult and juvenile indigent defense costs.

2. AUDITS DIVISION

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

.....	\$	559,809
.....	FTEs	18.00

3. APPEALS AND FAIR HEARINGS DIVISION

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

.....	\$	366,991
.....	FTEs	15.50

4. INVESTIGATIONS DIVISION

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

.....	\$	467,632
.....	FTEs	39.00

5. HEALTH FACILITIES DIVISION

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

.....	\$	1,627,109
.....	FTEs	104.00

6. INSPECTIONS DIVISION

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

.....	\$	929,177
.....	FTEs	26.50

7. EMPLOYMENT APPEAL BOARD

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

.....	\$	42,804
.....	FTEs	16.80

The employment appeal board shall be reimbursed by the labor services division of the department of employment services for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board is authorized to expend, in addition to the amount appropriated under this subsection, such amounts as are directly billable to the labor services division under this subsection and to retain such additional FTEs as needed to conduct hearings required pursuant to chapter 91C.

8. FOSTER CARE REVIEW BOARD

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

.....	\$	467,946
.....	FTEs	12.85

Of the amount appropriated in this subsection, the following amounts, or so much thereof as is necessary, shall be expended for the purpose designated: for the purchase of 2 laptop computers, associated printers, and other hardware and software, \$6,200; to expand the foster care registry statewide, \$25,828 for 1.00 FTE; for the Polk county foster care coordinator, \$34,342 and 1 FTE; and for expansion of the foster care review system into the eighth judicial district, \$74,433 and 2.50 FTEs.

9. The department of inspections and appeals may charge state departments, agencies, and commissions for services rendered and the payment received shall be considered repayment receipts as defined in section 8.2, subsection 5.

10. BINGO AUDITORS

For salaries, support, maintenance, and miscellaneous purposes in connection with conducting 100 percent of the required bingo audits every 2 years, and for not more than the following full-time equivalent positions:

.....	\$	87,430
.....	FTEs	2.00

Sec. 9.

There is appropriated from the general fund of the state to the office of the state public defender for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	3,915,141
.....	FTEs	93.80

a. Of the amount appropriated in this subsection, \$91,652, or so much thereof as is necessary, shall be expended for 3 FTEs, and necessary expenses, to operate the Polk county deposition unit.

b. Of the amount appropriated in this subsection, \$76,863, or so much thereof as is necessary, shall be expended for 2 FTEs and necessary expenses for the Pottawattamie county office of the public defender in connection with juvenile defense expenses of that office in Pottawattamie county.

2. For indigent court-appointed attorney fees for adults and juveniles, notwithstanding section 232.141 and chapter 815:

.....	\$	9,700,000
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Of the amount appropriated in this subsection, \$75,000, or so much thereof as is necessary, shall be transferred to the legal services corporation of Iowa for the general obligations of the legal services corporation of Iowa.

3. The office of the public defender shall be permitted to transfer so much as is necessary for salaries, support, maintenance, and miscellaneous purposes, for 2 FTEs from the \$9,700,000 appropriated for indigent defense, if the following conditions are satisfied:

a. The office of the public defender proposes the transfer in the course of an expansion of services to provide public defender services to persons who would otherwise be served by court-appointed council funded from the indigent defense appropriation.

b. The department of management approves the transfer upon a finding that the delivery of services through the public defender's office would be more cost effective.

c. The department of management reports the transfer of moneys to the legislative fiscal bureau and to the regulation appropriations subcommittee of the general assembly.

Sec. 10.

There is appropriated from the road use tax fund to the department of inspections and appeals for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	483,356
.....	FTEs	11.50

It is the intent of the general assembly that the department of inspections and appeals cross-train its employees to perform more than one form of inspection or work whenever possible.

Sec. 11.

There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	685,409
.....	FTEs	14.00

Of the amount appropriated in this section, \$18,954, or so much thereof as is necessary, may be expended for .5 FTE by converting a part-time administrative law judge to a full-time position.

*Item veto; see message at end of the Act

Sec. 12.

There is appropriated from the professional licensing revolving fund to the professional licensing and regulation division of the department of commerce, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	856,600
.....	FTEs	11.00

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the designated purposes: \$29,045 for the real estate appraisers board per diem, charges, and expenses; \$6,700 to reimburse the auditor of state; \$450 to reimburse the department of personnel; and \$24,768 to reimburse the office of the attorney general for services provided by those agencies to the division.

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the designated purposes: \$29,000 for 1 administrative assistant FTE, \$20,000 to contract for insurance consulting services, and \$17,280 for support and capital expenses, all in connection with the first year of implementing House File 730,* regarding errors and omission insurance for real estate appraisers, if enacted by the 1990 Session of the General Assembly.

The professional licensing and regulation division may expend additional funds, including funds required for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for the division, and result directly from the licensing and regulation of the subject professions. Before the division expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the division and the division does not have other funds from which the expenses can be paid. Upon approval of the director of the department of management, the division may expend and encumber funds for excess expenses. The amounts necessary to fund the excess expenses shall be collected from those persons being regulated or licensed which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 13.

There is appropriated from the administrative services trust fund to the administrative services division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

.....	\$	1,528,295
.....	FTEs	43.50

Sec. 14.

Notwithstanding section 123.53, there is appropriated from the beer and liquor control fund to the alcoholic beverages division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	4,690,167
.....	FTEs	85.86

*Chapter 1126 herein

Sec. 15.

There is appropriated from the banking revolving fund to the banking division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

.....	\$	5,650,448
.....	FTEs	118.50

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, are to be expended for the designated purpose: \$8,500, to reimburse the auditor of state; \$6,040 to reimburse the department of personnel; and \$10,000 to reimburse the attorney general for services performed by those agencies for the division.

The banking division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for bank examinations and directly result from examinations of banks. Before the division expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the division and that the division does not have other funds from which examination expenses can be paid. Upon approval of the director of the department of management the division may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected from those banks being regulated which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 16.

There is appropriated from the credit union revolving fund to the credit union division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

.....	\$	1,067,070
.....	FTEs	20.00

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the purposes designated: for the purchase of personal computers, \$25,000; and to remodel administrative office space for new staff added in fiscal year 1990, \$10,000.

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the purposes designated: \$6,150, to reimburse the auditor of state; \$1,440, to reimburse the department of personnel; and \$18,000, to reimburse the attorney general for services performed by those agencies for the division.

The credit union division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for credit union examinations and directly result from examinations of credit unions. Before the division expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the division and that the division does not have other funds from which examination expenses can be paid. Upon approval of the director of the department of management the division may expend and encumber funds for excess examination expenses. The amounts necessary to fund

the excess examination expenses shall be collected from those credit unions being regulated which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 17.

There is appropriated from the savings and loan revolving fund to the savings and loan division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

.....	\$	162,818
.....	FTEs	3.00

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the designated purposes: \$5,500, to reimburse the auditor of state; and \$280, to reimburse the department of personnel for services performed by those agencies for the division.

The savings and loan division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for savings and loan examinations and directly result from examinations of savings and loan associations. Before the division expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the division and that the division does not have other funds from which examination expenses can be paid. Upon approval of the director of the department of management the division may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected from those savings and loan associations being regulated which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2, subsection 5.

Sec. 18.

There is appropriated from the insurance revolving fund to the insurance division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

.....	\$	4,282,403
.....	FTEs	92.33

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the designated purposes: \$91,619, for travel expenses of examination teams; and \$7,315, to reimburse the department of personnel for services performed for the division.

It is the intent of the general assembly that the department of commerce shall transfer 60 percent of insurance nonexamination revenues received for the fiscal year beginning July 1, 1990, and ending June 30, 1991, to the general fund of the state. If the remaining 40 percent of nonexamination revenues is insufficient, or is estimated to be insufficient, to fully fund the division's appropriation pursuant to this section, the division shall retain such amount from the 60 percent of nonexamination revenues as is necessary to fully fund the division's appropriation.

Sec. 19.

There is appropriated from the insurance revolving fund to the insurance division of the department of commerce for the fiscal year* beginning July 1, 1989, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

*"Years" probably intended

For a contract for the mass-loading and processing of insurance agent licensing and continuing education data:

..... \$ 60,000

As a condition, qualification, and limitation of this appropriation, the division shall report on or before January 1, 1991, on the reduction in delays in agent continuing education, licensing, and company appointments data processing occurring, or to occur, as a result of this contract. The report shall be delivered to the legislative fiscal bureau.

The insurance division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for insurance company examinations and directly result from examinations of insurance companies. Before the division expends or encumbers an amount in excess of the funds budgeted for examinations, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the examination expenses exceed the funds budgeted by the general assembly to the division and that the division does not have other funds from which examination expenses can be paid. Upon approval of the director of the department of management the division may expend and encumber funds for excess examination expenses. The amounts necessary to fund the excess examination expenses shall be collected from those insurance companies being regulated which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2, subsection 5.

The insurance division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for administrative law duties and directly result from the administration of duties assigned the commissioner of insurance pursuant to Senate File 2249, if enacted by the 1990 Session of the General Assembly, and the expenditure is reasonably necessary to eliminate or prevent the creation of a backlog of workers' compensation contested-case-related determinations. Before the division expends or encumbers an amount in excess of the funds budgeted for administrative law duties, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine the need for the additional expenditures by the division and that the division does not have other funds from which the administrative law expenses can be paid. Upon approval of the director of the department of management, the division may expend and encumber funds for excess administrative law expenses. The amounts necessary to fund the excess administrative law expenses shall be expended from the insurance revolving fund subject to such terms and conditions imposed by the director of the department of management when the expenditure is approved.

Sec. 20.

There is appropriated from the utilities trust fund to the utilities division of the department of commerce for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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:

..... \$ 4,650,920
..... FTEs 87.50

Of the amount appropriated in this section, the following amounts, or so much thereof as is necessary, shall be expended for the designated purposes: \$33,000, to reimburse the department of general services for increased rent expenses; and \$3,000, to reimburse the department of personnel for services performed for the division.

Sec. 21.

There is appropriated from the racing commission fund to the racing and gaming commission for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, *conditioned upon the creation of the state racing and gaming

*Item veto; see message at end of the Act

commission as a separate and distinct state department not under the authority of the department of inspections and appeals,* to be used for the purposes designated:

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

.....	\$	1,793,953
.....	FTEs	35.49

The racing and gaming commission shall provide, in the budget forms for the fiscal year beginning July 1, 1991, and ending June 30, 1992, a separate line item for veterinarian services and another line item for body fluid testing of dogs and horses. These items shall also be designated in the base budget package and any decision packages in which they appear in the budget forms. Other professional and scientific services may be combined into an additional line item, but must be clearly explained in the budget narrative section of the budget forms.

Sec. 22.

There is appropriated from the excursion boat gambling revolving fund to the racing and gaming commission, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, *conditioned upon the creation of the state racing and gaming commission as a separate and distinct state department not under the authority of the department of inspections and appeals,* to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for administration and enforcement of the excursion boat gambling laws:

.....	\$	448,213
.....	FTEs	17.00

Sec. 23.

1. There is appropriated from the general fund of the state to the racing and gaming commission, for the fiscal period beginning July 1, 1990, and ending June 30, 1992, for deposit in the excursion boat gambling revolving fund, *conditioned upon the creation of the state racing and gaming commission as a separate and distinct state department not under the authority of the department of inspections and appeals,* \$106,154.

Notwithstanding section 99D.13 to the contrary, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, of the moneys escheated to the state pursuant to section 99D.13, subsection 2, which are directed to the racing and gaming commission, the first \$129,000 received shall be deposited into the excursion boat gambling revolving fund for expenditure as provided for under subsection 3 of this section. Moneys received by the commission in excess of \$129,000 shall be subject to the standing appropriation formula contained in section 99D.13, subsection 2.

There is appropriated from the funds available under section 99D.13 to the racing and gaming commission for the fiscal year beginning July 1, 1990, and ending June 30, 1991, for deposit in the excursion boat gambling revolving fund, \$129,000.

Notwithstanding section 8.33, unencumbered and unobligated moneys of the moneys appropriated in this subsection on June 30, 1991, shall not revert to the general fund of the state but shall remain available for expenditure for the purposes specified.

2. The amount appropriated from the general fund of the state in subsection 1 is appropriated from the excursion boat gambling revolving fund to the treasurer of state, to be transferred to and deposited in the general fund of the state no later than June 30, 1992.

3. There is appropriated from the excursion boat gambling revolving fund to the racing and gaming commission, for the fiscal year beginning July 1, 1990, and ending June 30, 1991, 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 for administration and enforcement of the excursion boat gambling laws in connection with the initial 3 excursion gambling boats to be licensed:

.....	\$	235,154
.....	FTEs	5.25

*Item veto; see message at end of the Act

The appropriation in this section is in addition to the appropriation to the racing and gaming commission from the excursion boat gambling revolving fund in section 21.

The racing and gaming commission may expend additional moneys from the excursion boat gambling revolving fund as are reasonably necessary for the regulation and enforcement of additional licensed excursion gambling boats beyond the initial 3 boats for which an appropriation is provided, conditioned upon the following requirements:

a. The commission shall request approval from the department of management to expend additional moneys in connection with additional licensed boats.

b. The department of management's approval of the request, provided that the additional expenditure shall not exceed \$114,417 and 5.0 FTEs for each additional licensed boat beyond the initial 3 excursion gambling boats.

c. The department of management shall notify the legislative fiscal bureau of the additional moneys to be expended.

Sec. 24. NEW SECTION. 11.21A REPAYMENT OF AUDIT EXPENSES BY STATE DEPARTMENTS AND AGENCIES.

The auditor of state shall be reimbursed by a department or agency for performing examinations of the following state departments or agencies, or funds received by a department or agency:

1. Department of commerce.
2. Department of human services.
3. State department of transportation.
4. Iowa department of public health.
5. State board of regents.
6. Department of agriculture and land stewardship.
7. Department of economic development.
8. Department of education.
9. Department of employment services.
10. Department of natural resources.
11. Offices of the clerks of the district court of the judicial department.
12. The Iowa public employees' retirement system.
13. Federal financial assistance, as defined in Pub. L. No. 98-502, received by all other departments.

Sec. 25. Section 84A.1, subsection 2, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The director shall direct the administrative and compliance functions and control the docket of the division of industrial services.

Sec. 26. Section 86.2, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The commissioner may appoint one or more chief deputy industrial commissioners and one or more assistant industrial commissioners. A chief deputy industrial commissioner or an assistant industrial commissioner shall perform such additional administrative responsibilities as are deemed reasonably necessary and assigned by the commissioner.

Sec. 27. Section 86.4, Code 1989, is amended to read as follows:

86.4 POLITICAL ACTIVITY AND CONTRIBUTIONS.

It shall be unlawful for the commissioner, or ~~any appointee of the~~ a chief deputy industrial commissioner while in office, to espouse the election or appointment of any candidate to any political office, and any person violating the provisions of this section shall be guilty of a simple misdemeanor.

Sec. 28. Section 96.5, subsection 10, Code 1989, is amended to read as follows:

10. ALIENS — DISQUALIFIED. For services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for the purpose of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who is lawfully present in the United States as a result of the application of the provisions of section 203(a)(7) or section 212(d)(5) of the Immigration and Nationality Act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of the individual's alien status shall be made except upon a preponderance of the evidence.

Sec. 29. Section 96.7, subsection 12, paragraph d, Code Supplement 1989, is amended by striking the paragraph and inserting in lieu thereof the following:

d. This subsection is repealed July 1, 1994, and the repeal is applicable to contribution rates for calendar year 1995 and subsequent calendar years.

STATE RACING AND GAMING COMMISSION

**Sec. 30. Section 99D.5, subsection 1, Code Supplement 1989, is amended to read as follows:*

*1. A state racing and gaming commission is created ~~within the~~ as a separate department of inspections and appeals consisting. The membership of the commission shall consist of five members who shall be appointed by the governor subject to confirmation by the senate, and who shall serve not to exceed a three-year term at the pleasure of the governor. The term of each member shall begin and end as provided in section 69.19.**

Sec. 31. Section 99D.11, subsection 5, Code Supplement 1989, is amended to read as follows:

5. As each race is run the licensee shall deduct sixteen percent from the total sum wagered on all horses or dogs as first winners. The balance, after deducting breakage, shall be paid to the holders of certificates on the winning horse or dog in the proportion that the amount wagered by each certificate holder bears to the total amount wagered on all horses or dogs in the race as first winners. The licensee may pay a larger amount if approved by the commission. ~~The licensee shall likewise receive other wagers on horses or dogs selected to run second, third, or both, or in places or combinations the commission may authorize.~~ The method, procedure, and the authority and right of the licensee, as well as the deduction allowed to the licensee, shall be as specified with respect to wagers upon horses or dogs selected to run first. However, the commission may authorize the licensee to deduct a higher percent of the total sum wagered not to exceed twenty percent on multiple or exotic wagering involving more than one horse or dog.

Sec. 32. Section 99D.13, subsection 2, Code Supplement 1989, is amended to read as follows:

2. Winnings from each racetrack forfeited under subsection 1 shall escheat to the state and to the extent appropriated by the general assembly shall be used by the department of agriculture and land stewardship to administer ~~sections~~ section 99D.22 and 99D.27. The remainder shall be paid over to the commission to pay the cost of drug testing at the tracks. To the extent the remainder paid over to the commission, less the cost of drug testing, is from unclaimed winnings from harness racing meets, the remainder shall be used as provided in subsection 3. To the extent the remainder paid over to the commission, less the cost of drug testing, is from unclaimed winnings from tracks licensed for dog or horse races, the commission, at least quarterly, shall remit one-third of the amount to the treasurer of the city in which the racetrack is located, one-third of the amount to the treasurer of the county in which the racetrack is located, and one-third of the amount to the racetrack from which it was forfeited. If the racetrack is not located in a city, then one-third shall be deposited as provided in chapter 556. The amount received by the racetrack under this subsection shall be used only for retiring the debt of the racetrack facilities and for capital improvements to the racetrack facilities.

Sec. 33. Section 99D.15, Code Supplement 1989, is amended to read as follows:

99D.15 PARI-MUTUEL WAGERING TAXES — RATE — CREDIT.

1. A tax of six percent is imposed on the gross sum wagered by the pari-mutuel method at each horse race meeting. The tax imposed by this subsection shall be paid by the licensee to the treasurer of state commission within ten days after the close of each horse race meeting and shall be distributed as follows:

a. If the racetrack is located in a city, five percent of the gross sum wagered shall be deposited in the general fund of the state with the commission. One-half of one percent of the gross sum wagered shall be remitted to the treasurer of the city in which the racetrack is located and shall be deposited in the general fund of the city. The remaining one-half of one percent of the gross sum wagered shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county.

b. If the racetrack is located in an unincorporated part of a county, five and one-half percent of the gross sum wagered shall be deposited in the general fund of the state with the commission. The remaining one-half of one percent of the gross sum wagered shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county.

2. A tax credit of up to five percent of the gross sum wagered per year shall be granted to licensees licensed for horse races and paid into a special fund for the purpose of retiring the annual debt on the cost of construction of the licensed facility. However, the tax credit is equal to six percent of the gross sum wagered in a year when the gross sum wagered is less than ninety million dollars. Any portion of the credit not used in a particular year shall be retained by the treasurer of state commission. A tax credit shall first be assessed against any share going to a city, then to the share going to a county, and then to the share going to the state.

3. a. A tax is imposed on the gross sum wagered by the pari-mutuel method at each track licensed for dog races. The tax imposed by this subsection shall be paid by the licensee to the treasurer of state commission within ten days after the close of the track's racing season. The rate of tax on each track is as follows:

(1) Six percent, if the gross sum wagered in the racing season is fifty-five million dollars or more.

(2) Five percent, if the gross sum wagered in the racing season is thirty million dollars or more but less than fifty-five million dollars.

(3) Four percent, if the gross sum wagered in the racing season is less than thirty million dollars.

b. The tax revenue shall be distributed as follows:

(1) If the racetrack is located in a city, one-half of one percent of the gross sum wagered shall be remitted to the treasurer of the city in which the racetrack is located and shall be deposited in the general fund of the city. One-half of one percent of the gross sum wagered shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county. The remaining amount shall be deposited in the general fund of the state with the commission.

(2) If the racetrack is located in an unincorporated part of a county, one-half of one percent of the gross sum wagered shall be remitted to the treasurer of the county in which the racetrack is located and shall be deposited in the general fund of the county. The remaining amount shall be deposited in the general fund of the state with the commission.

c. If the rate of tax imposed under paragraph "a" is five percent or four percent, a track shall set aside for retiring the debt of the racetrack facilities or for capital improvement to the racetrack facilities the following amount:

(1) If the rate of tax paid by the track is five percent, one percent of the gross sum wagered in the racing season shall be set aside.

(2) If the rate of tax paid by the track is four percent, two percent of the gross sum wagered in the racing season shall be set aside.

Sec. 34. Section 99D.17, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

99D.17 USE OF FUNDS.

Funds received pursuant to sections 99D.14 and 99D.15 shall be deposited in the pari-mutuel regulation fund created in the racing and gaming commission. These funds shall first be used to the extent appropriated by the general assembly and as provided in section 99D.18. The remainder shall be transferred to the treasurer of state to be deposited in the general fund of the state. The commission is subject to the budget requirements of chapter 8 and the applicable auditing requirements and procedures of chapter 11.

Sec. 35. Section 99D.18, Code 1989, is amended to read as follows:

99D.18 SURPLUS FUNDS – HOW USED.

From the balance of the funds coming into the hands of the commission pursuant to ~~section~~ sections 99D.14 and 99D.15, fifty thousand dollars shall be used by the Iowa state university college of veterinary medicine to develop further research on the treatment of equine injuries and diseases and fifty thousand dollars shall be used by the Iowa state university college of veterinary medicine to develop further research on the treatment of dog injuries and diseases. The remaining funds shall be retained by the commission and may be distributed to a research program or project which the commission determines to be worthy and would benefit the racing industry in the state.

Sec. 36. Section 114.12, Code 1989, is amended to read as follows:

114.12 DISPOSITION OF FEES.

The secretary shall collect and account for all fees provided for by this chapter and pay the same to the treasurer of state who shall deposit the fees in the general fund of the state professional licensing revolving fund.

Sec. 37. Section 116.3, subsection 3, unnumbered paragraph 1, Code 1989, is amended to read as follows:

3. All fees and other moneys received by the board, pursuant to the provisions of this chapter, shall be paid monthly to the treasurer of state for deposit in the professional licensing revolving fund.

Sec. 38. Section 117.14, Code Supplement 1989, is amended to read as follows:

117.14 FEES AND EXPENSES.

All fees and charges collected by the real estate commission under this chapter shall be paid into the ~~general fund in the state treasury~~ professional licensing revolving fund, except that the equivalent of ten dollars per year of the fees for each real estate salesperson's or broker's license shall be paid into the Iowa real estate education fund created in section 117.54. All expenses incurred by the commission under this chapter, including compensation of staff assigned to the commission, shall be paid out of the ~~general fund in the state treasury~~ professional licensing revolving fund, except for expenses incurred and compensation paid for the real estate education director, which shall be paid out of the real estate education fund.

Sec. 39. Section 117B.6, subsection 2, Code Supplement 1989, is amended to read as follows:

2. Fees collected by the board shall be transmitted to the treasurer of state who shall deposit the fees in the general fund of the state professional licensing revolving fund.

Sec. 40. Section 118.11, unnumbered paragraph 2, Code 1989, is amended to read as follows:

All fees shall be paid to the treasurer of state and deposited in the general fund of the state professional licensing revolving fund.

Sec. 41. Section 118A.14, unnumbered paragraph 2, Code 1989, is amended to read as follows:

All fees shall be collected by the secretary, paid to the treasurer of state and deposited in the general fund of the state professional licensing revolving fund.

Sec. 42. Section 546.10, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 5. There is created in the office of the treasurer of state a professional licensing revolving fund. Fees collected under chapters 114, 116, 117, 117B, 118, and 118A shall be paid to the treasurer of state and credited to the professional licensing revolving fund. All expenses required in the discharge of the duties and responsibilities imposed upon the professional licensing division of the department of commerce, the administrator, and the licensing boards by the laws of this state shall be paid from the revolving fund and appropriated by the general assembly from the fund. Transfers shall not be made from the general fund of the state or any other fund for the payment of expenses of the division. Fees collected by the division shall not be transferred to the general fund. The funds held by the treasurer of state for the professional licensing division of the department of commerce shall be invested by the treasurer of state and the income derived from the investments shall be credited to the general fund of the state.

Sec. 43. 1989 Iowa Acts, chapter 272, section 42, is amended, to read as follows:

SEC. 42. Sections 34, 35, and 36 of this Act are effective July 1, ~~1990~~ 1991.

Sec. 44. Section 43 of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 45. 1989 Iowa Acts, chapter 321, section 42, is repealed.

Sec. 46.

Section 45 of this Act, being deemed of immediate importance, takes effect April 30, 1990.

Sec. 47.

Section 7 of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 48. Section 29 of this Act, being deemed of immediate importance, takes effect June 30, 1990.

Sec. 49. The sections of this Act amending chapter 99D, being deemed of immediate importance, take effect upon enactment.

Approved April 5, 1990, except those items which I hereby disapprove and which are designated as section 4 in its entirety; section 9, subsection 2, unnumbered and unlettered paragraph 2 in its entirety; section 19, unnumbered and unlettered paragraphs in its entirety; those portions of sections 21, 22, and 23, which are 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 president of the senate this same date, a copy of which is attached hereto.

TERRY E. BRANDSTAD, *Governor*

Dear Madam President:

I hereby transmit Senate File 2328, an Act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, allocating certain standing appropriations subject to certain procedures and conditions, and affecting certain regulated entities, and providing an effective date.

Senate File 2328 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 4, in its entirety. I have approved language in this bill to require the Department of Employment Services to establish and provide staff for an informal mediation process for workers' compensation cases. This provision, directing the establishment of pilot projects for the same purpose, does not authorize the department to do anything that cannot be accomplished under the approved language.

I am unable to approve the item designated as Section 9, subsection 2, unnumbered and unlettered paragraph 2, in its entirety. This provision would allow funds from the indigent defense appropriation to be transferred to the Legal Services Corporation of Iowa. The indigent defense appropriation in this bill falls short of my recommendation by over \$500,000. Monies allocated to the Legal Services Corporation of Iowa would add to that shortfall, and increase the already certain need for supplemental funds in this area next year.

I am unable to approve the item designated as Section 19, unnumbered and unlettered paragraph 5, in its entirety. Because I have previously acted upon the corresponding legislation referred to in this section, the authorization provided in this provision is not necessary.

I am unable to approve the designated portions of Sections 21, 22 and 23, and the item designated as Section 30, in its entirety. These provisions would remove the state Racing and Gaming Commission from the Department of Inspections and Appeals, and establish the Commission as a separate state agency. The functions of the Racing and Gaming Commission have been satisfactorily performed as a part of the Department of Inspections and Appeals, and I see no need to establish the Racing and Gaming Commission as a new state department.

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 2328 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, Governor

CHAPTER 1262

ECONOMIC DEVELOPMENT APPROPRIATIONS AND OTHER PROVISIONS

S.F. 2327

AN ACT relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, Iowa finance authority, and small business advocate, and establishing a small business advocate.

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

Section 1. DEPARTMENT OF ECONOMIC DEVELOPMENT.

There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

.....	\$	815,706
.....	FTEs	21.00

2. TOURISM OPERATIONS

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

.....	\$	728,835
.....	FTEs	15.97