

MAR 11 1975

HOUSE FILE 455

APPROPRIATIONS CALENDAR *Page 3/11*  
*Jan 3/26*

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 3-24-75 (708) Passed Senate, Date 4-8-75 (860)  
Vote: Ayes 87 Nays 1 Vote: Ayes 48 Nays 0  
Approved as amended April 22, 1975 (Sec. 2)

## A BILL FOR

1 An Act making appropriations to the Iowa state fair board,  
2 agricultural societies, the geological survey, and the  
3 Iowa natural resources council.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. There is appropriated from the general fund  
2 of the state for the fiscal year beginning July 1, 1975 and  
3 ending June 30, 1976 the following amounts, or so much thereof  
4 as is necessary, for the agencies designated:

5  
6 1975-76  
Fiscal Year

7 1. IOWA STATE FAIR BOARD  
8 For maintenance of buildings  
9 and grounds ..... \$ 70,000  
10 For premiums ..... \$ 10,000

11 2. AGRICULTURAL SOCIETIES  
12 (local fairs)  
13 a. For state aid ..... \$210,000  
14 b. The appropriation for state aid to agricultural so-  
15 cieties is conditional on full compliance with all other  
16 statutes which regulate and prescribe the conditions under  
17 which such aid is payable. In no case shall any county receive  
18 more than two thousand one hundred (2,100) dollars, except  
19 that in a county where there are two definitely separate  
20 county extention offices, each such society shall receive  
21 state aid in such amount as it would be entitled to if it  
22 were the only society in the county. In counties having more  
23 than one fair entitled to state aid, the state aid available  
24 for the county shall be prorated to the fairs on the basis  
25 of cash premiums paid by the fairs.

26 3. GEOLOGICAL SURVEY  
27 a. General office  
28 (1) For salaries ..... \$375,923  
29 (2) For support, maintenance,  
30 miscellaneous purposes and stream  
31 gauging ..... \$322,892  
32 b. Iowa coal research project  
33 (1) For salaries ..... \$ 55,663  
34 (2) For support, maintenance,  
35 and miscellaneous purposes ..... \$ 51,314

1	c. Topographic mapping program .....	\$100,000
2	4. IOWA NATURAL RESOURCES COUNCIL	
3	a. For salaries .....	\$314,237
4	b. For support, maintenance,	
5	and miscellaneous purposes .....	\$ 70,963
6	c. Notwithstanding the provisions of section four hundred	

7 fifty-five A point seventeen (455A.17) of the Code, the Iowa  
8 natural resources council may perform its statutory duties  
9 relating to uses and developments of water sources of the  
10 state without meeting the provisions of a comprehensive  
11 statewide plan for the control, utilization, and protection  
12 of the water resources of the state until such time as the  
13 plan is prepared and completed.

14 Sec. 2. The funds appropriated to the geological survey  
15 general office under subparagraph one (1) of paragraph a of  
16 subsection three (3) of section one (1) of this Act shall  
17 be used to pay salaries for a table of organization of not  
18 more than twenty-eight permanent full-time positions. The  
19 funds appropriated to the geological survey, Iowa coal research  
20 project, for salaries under subparagraph one (1) of paragraph  
21 b of subsection three (3) of section one (1) of this Act shall  
22 be used to pay salaries for a table of organization of not  
23 more than four permanent full-time positions. The funds  
24 appropriated to the Iowa natural resources council for salaries  
25 under paragraph a of subsection four (4) of section one (1)  
26 of this Act shall be used to pay salaries for a table of  
27 organization of not more than thirty permanent full-time  
28 positions.

29 Sec. 3. All federal grants to and the federal receipts  
30 of the agencies receiving funds under this Act are appropriated  
31 for the purpose set forth in such federal grants or receipts.

32 Sec. 4. Notwithstanding section eight point thirty-three  
33 (8.33) of the Code, unobligated or unencumbered funds remaining  
34 from funds appropriated by this Act on June 30, 1976 shall  
35 revert to the general fund of the state on August 31, 1976.



The following item veto message from the Governor to the Secretary of State was presented:

April 22, 1975

The Honorable Melvin D. Synhorst  
Secretary of State  
State Capitol  
Local

*Veto sustained 5/5 (1536)*

Dear Mr. Synhorst:

I hereby transmit House File 455, an Act making appropriations to the Iowa state fair board, agricultural societies, the geological survey and the Iowa natural resources council.

House File 455 is approved April 22, 1975, with the following exception which I hereby disapprove.

I am unable to approve Item 2 designated in the Act as Section 2 which reads as follows:

"Sec. 2. The funds appropriated to the geological survey general office under subparagraph one (1) of paragraph a of subsection three (3) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than twenty-eight permanent full-time positions. The funds appropriated to the geological survey, Iowa coal research project, for salaries under subparagraph one (1) of paragraph b of subsection three (3) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than four permanent full-time positions. The funds appropriated to the Iowa natural resources council for salaries under paragraph a of subsection four (4) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than thirty permanent full-time positions."

I must question this particular section as an unconstitutional infringement of the legislature into an executive function. This section violates the principle that staffing should be an executive prerogative within the budget limitations established by the General Assembly.

By imposing staff limitations on the Geological Survey and the Natural Resources Council, the General Assembly removes needed administrative flexibility. It is essential that an administration be permitted to use its manpower with good judgment and some flexibility and not be tied to a rigid structure that is unable to respond to changes that might benefit our citizens.

This is not to say I favor increased staff levels. This Administration has constantly discouraged the addition of any staff not essential to departmental operation.

While general increases in staffing for the Geological Survey and the Natural Resources Council are not anticipated, experience has shown the need for sufficient flexibility within budget limitations to effectively plan and react to changing conditions. The federal government has shown an amazing capacity to launch major new programs, such as the Comprehensive Employment and Training Act, which require new state personnel if Iowans are to benefit. State and local problems can arise suddenly that require staff additions or shifts.

The Geological Survey and the Natural Resources Council may themselves face increased staff demands during the next fiscal year to respond to changing needs—demands that could not be met by the staffing limitations imposed by this Act.

Should Congress decide to fund phase II of the Dam Safety Act of 1972, the Natural Resources Council will need additional staff to conduct the inspections of Iowa's dams. As more and more Iowa communities join the National Flood Insurance Program (a program which requires communities to adopt flood plan regulations consistent with federal and state guidelines), the Natural Resources Council may require additional staff to fulfill its mandated responsibility of reviewing community guidelines and ordinances. The Geological Survey faces possible new responsibilities in the areas of remote sensing work for the Soil Conservation Service and the domestic water well survey requested by the General Assembly.

It may be argued that additional employees could be added to be paid exclusively out of non-state funds in spite of the provisions of this legislation. However, I believe this would be both an improper interpretation of this bill and poor procedure.

I believe these considerations indicate why staff limitations as imposed in House File 455 are unwise. One of the keys to successful administration is the best possible manpower utilization. Section 2 of House File 455 could prevent that.

In previous years I have also vetoed similar provisions. I would hope that the General Assembly sees fit not to place similar limitations in future bills.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 455 are hereby approved this date.

Sincerely,  
ROBERT D. RAY  
Governor

## HOUSE FILE 455

## AN ACT

MAKING APPROPRIATIONS TO THE IOWA STATE FAIR BOARD, AGRICULTURAL SOCIETIES, THE GEOLOGICAL SURVEY, AND THE IOWA NATURAL RESOURCES COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975 and ending June 30, 1976 the following amounts, or so much thereof as is necessary, for the agencies designated:

	1975-76 Fiscal Year
1. IOWA STATE FAIR BOARD	
For maintenance of buildings and grounds .....	\$ 70,000
For premiums .....	\$ 10,000
2. AGRICULTURAL SOCIETIES (local fairs)	
a. For state aid .....	\$210,000
b. The appropriation for state aid to agricultural societies is conditional on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable. In no case shall any county receive more than two thousand one hundred (2,100) dollars, except that in a county where there are two definitely separate county extension offices, each such society shall receive state aid in such amount as it would be entitled to if it were the only society in the county. In counties having more than one fair entitled to state aid, the state aid available for the county shall be prorated to the fairs on the basis of cash premiums paid by the fairs.	

3. GEOLOGICAL SURVEY	
a. General office	
(1) For salaries .....	\$375,923
(2) For support, maintenance, miscellaneous purposes and stream gauging .....	\$322,892
b. Iowa coal research project	
(1) For salaries .....	\$ 55,663
(2) For support, maintenance, and miscellaneous purposes .....	\$ 51,314
c. Topographic mapping program .....	\$100,000
4. IOWA NATURAL RESOURCES COUNCIL	
a. For salaries .....	\$314,237
b. For support, maintenance, and miscellaneous purposes .....	\$ 70,963
c. Notwithstanding the provisions of section four hundred fifty-five A point seventeen (455A.17) of the Code, the Iowa natural resources council may perform its statutory duties relating to uses and developments of water sources of the state without meeting the provisions of a comprehensive statewide plan for the control, utilization, and protection of the water resources of the state until such time as the plan is prepared and completed.	

Sec. 2. The funds appropriated to the geological survey general office under subparagraph one (1) of paragraph a of subsection three (3) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than twenty-eight permanent full-time positions. The funds appropriated to the geological survey, Iowa coal research project, for salaries under subparagraph one (1) of paragraph b of subsection three (3) of section one (1) of this Act shall be used to pay salaries for a table of organization of not more than four permanent full-time positions. The funds appropriated to the Iowa natural resources council for salaries under paragraph a of subsection four (4) of section one (1)

of this Act shall be used to pay salaries for a table of organization of not more than thirty permanent full-time positions.

Sec. 3. All federal grants to and the federal receipts of the agencies receiving funds under this Act are appropriated for the purpose set forth in such federal grants or receipts.

Sec. 4. Notwithstanding section eight point thirty-three (8.33) of the Code, unobligated or unencumbered funds remaining from funds appropriated by this Act on June 30, 1976 shall revert to the general fund of the state on August 31, 1976.

Sec. 5. When any laws of this state are in conflict with this Act, the provisions of this Act shall govern for the fiscal year ending June 30, 1976.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 455, Sixty-sixth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved \_\_\_\_\_, 1975

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ROBERT D. RAY  
Governor