

COMMERCE, DEPARTMENT OF

Jack Nystrom, director; Lucas State Office Building, Des Moines 50319; 515/281-7401

The Department of Commerce was created to coordinate and administer the various regulatory, service, and licensing functions of the state relating to the conducting of business or commerce in the state.

The chief administrative officer of the department is the director. The director shall be appointed by the governor, subject to the confirmation of the Senate, and shall serve at the pleasure of the governor. The director is subject to reconfirmation after four years in office. The director shall be appointed on the basis of executive and administrative abilities but shall not have been an officer or employee of any bank, credit unions, savings and loan association, or insurance company. The department consists of the Office of Administrative Services and the following divisions:

Administrative Services

Jack Nystrom, director; Lucas State Office Building, Des Moines 50319; 515/281-7405

Administrative Services provides data processing, personnel, payroll and shared administrative support services for the department, and coordinates the development of the department's finances.

Alcoholic Beverages Division

James M. Kuhlman, acting administrator; 1918 S.E. Hulsizer Ave., Ankeny 50021; 515/281-7406

INGWER HANSEN, Hartley; term expires 1993
 JOAN B. POE, Cedar Falls, term expires 1995
 EDWARD F. SEITZINGER, Des Moines; term expires 1997
 LORRAINE TATE, Ankeny; term expires 1994
 WAYNE R. VENTER, Oskaloosa; term expires 1996

The Alcoholic Beverages Division was created administratively within the Department of Commerce to administer and enforce the laws of this state concerning beer and alcoholic liquor. An Alcoholic Beverages Commission was created within the division and is composed of five members, not more than three of whom shall belong to the same political party. Commission members are appointed by the governor for five-year terms subject to confirmation by two-thirds of the Senate. The commission shall act as a division policy-making body and serve in an advisory capacity to the division administrator.

The division administrator is appointed by the governor to a four-year term subject to confirmation by two-thirds of the Senate. The administrator supervises the daily operations of the division and executes the policies of the division as determined by the commission. The commission may affirm, reverse, or amend all actions of the administrator, including but not limited to the following instances:

- A. Purchases of alcoholic liquor for resale by the division.
- B. The granting or refusing of liquor licenses and permits, wine permits, and beer permits and the suspension or revocation of the licenses and permits.
- C. The establishment of wholesale prices of alcoholic liquor.

The division has sole power to buy, import, and sell at wholesale all alcoholic liquors in the state; to appoint necessary employees; to determine the nature, form, and capacity of packages kept or sold under the act, and to prescribe or approve labels and seals to be placed on same; to license, inspect, and control the manufacture of alcoholic liquors in Iowa; and to make rules and regulations necessary for carrying out the provisions of the act.

Credit Union Division

James E. Forney, superintendent; 200 E. Grand Ave., Suite 370, Des Moines 50309; 515/281-6514

WILLIAM G. SIZER, chair, Waterloo; term expires 1994.
 MARCIA J. BENIT, Spirit Lake; term expires 1995
 MARGARET M. CHADWELL, Urbandale; term expires 1993
 JAMES J. MC CUE, Cedar Rapids; term expires 1993.
 BARBARA A. NIXON, Fairfield; term expires 1995
 TOM N. SARVIS, Dubuque; term expires 1994
 H. IDRIS THOMAS, Mason City; term expires 1994

The Department of Credit Unions was established January 1, 1979, by the 67th General Assembly, and was reorganized as the division of Credit Unions within the Department of Commerce by the 71st General Assembly, July 1, 1986. The superintendent is appointed by and serves at the pleasure of the governor subject to confirmation by the Senate. The seven-member review board is appointed by the governor for staggered three-year terms, also subject to confirmation by the Senate. Two of the board members may be public members; however, at no time shall more than five of the members be directors or employees of a credit union. A list of nominees may be submitted to the governor by any credit union located in the state. The board may adopt, amend, and repeal rules pursuant to Chapter 17A or take such action as it deems necessary or suitable to affect the provisions of Chapter 533, *Code of Iowa*.

The superintendent is charged with the supervision, control, and enforcement of the laws, bylaws, rules, and regulations pertaining to the organization and operation of credit unions operating under a state charter. It is the intent and responsibility of the superintendent and division staff to protect the interests and corporate rights of the more than 700,000 members of Iowa credit unions. This is done through regular examination and analysis of the operation in each credit union, with such remedial action taken as deemed necessary. In addition, the division provides an orderly process for the chartering, merger, conversion, and liquidation of state credit unions; advises governmental bodies and agencies and individuals in matters of credit union affairs; provides fundamental and technical assistance to credit unions; provides state liaison with authorized member account insurers; and maintains an equitable fee structure and offset of division expenditures.

Insurance Division

David Lyons, insurance commissioner; Lucas State Office Building, Des Moines 50319; 515/281-5705

The Office of Commissioner of Insurance, as the executive head of the Insurance Division of the Department of Commerce, was created by Chapter 146, of the Laws of the 35th General Assembly (1913). The first commissioner took office on July 1, 1914. Previous at that time, the supervision of insurance had been under the direction of the auditor of state.

The commissioner of insurance has general control, supervision, and direction over all insurance business transacted in the state, and is charged with the responsibility of administering the laws of the state relating to insurance.

The commissioner supervises all transactions relating to the organization, reorganization, liquidation, and dissolution of domestic insurance corporations. He supervises the sale in the state of all stock or other evidences of interest either by domestic or foreign insurance companies. He is the statutory receiver in the event of liquidation of any Iowa insurance company.

All domestic and foreign insurance companies must, before engaging in the insurance business in this state, obtain a certificate of authority from the commissioner of insurance. These certificates expires annually on May 1, and action is taken on the renewals after analysis of complete financial statements filed covering the condition of the company as of the previous year end. In 1991, there were 1,630 insurance companies authorized to do business in the state.

A state statute requires casualty insurance companies to file policy forms and rates with the insurance commissioner for approval, and a rating division has been set up with the insurance department to handle form and rate filings together with supporting statistical information. There are approximately 36,000 filings each year.

In addition, the commissioner supervises the business of life and health insurers, health maintenance organizations, and mutual hospital and health service corporations, including rates and forms used by them. There are approximately 25,000 of these filings each year.

The commissioner conducts examinations of all domestic insurance organizations at least once every three years. He may also make an examination of any foreign insurance company authorized or seeking to be authorized to do business within the state.

The Consumer and Legal Affairs Bureau handles citizens, complaints and inquiries and investigates/prosecutes any wrongdoing by insurance agents and companies. Also regulated by this bureau is agents licensing. Each individual insurance agent must be licensed and maintain yearly continuing education eligibility. There are approximately 30,000 licensed agents.