

CHAPTER 56

ENERGY RESEARCH

S. F. 289

AN ACT to create an energy research and development fund within the energy policy council and making an appropriation.

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

1 SECTION 1. Chapter ninety-three (93), Code 1975, is amended by
2 adding the following new sections:

3 NEW SECTION. **Energy research and development fund.** There is
4 created within the council an energy research and development fund.
5 Moneys deposited in the fund shall be used for the research and devel-
6 opment of projects designated to improve Iowa's energy situation by
7 developing improved methods of energy conservation, by enabling
8 Iowans to better manage available energy resources, or through the in-
9 creased development and use of Iowa's renewable or nonrenewable en-
10 ergy resources. Said projects will be selected by the council with the
11 advice of knowledgeable persons appointed by the council to provide
12 assistance.

13 NEW SECTION. **Additional funds.** The council may accept funds
14 from state and local sources and shall take steps necessary to obtain
15 federal funds allotted and appropriated for the purpose of the above
16 described energy-related programs. Such funds shall be deposited in
17 the energy research and development fund. Federal funds received un-
18 der the provisions of this section are appropriated for the purposes set
19 forth in the federal grants.

1 SEC. 2. There is appropriated from the general fund of the state for
2 the fiscal year commencing July 1, 1975 and ending June 30, 1976, to
3 the energy policy council, the sum of two hundred fifty thousand
4 (250,000) dollars, or so much thereof as may be necessary, to carry out
5 the purposes of this Act. Any unobligated balance of funds as of June
6 30, 1976 appropriated by this section shall revert to the credit of the
7 general fund on August 31, 1976.

Approved July 15, 1975

This Act was passed by the G.A. prior to July 1, 1975; see §3.12 of the Code

CHAPTER 57

CAMPAIGN FINANCE DISCLOSURE COMMISSION, BANKING, BEER AND LIQUOR,
INSURANCE AND REAL ESTATE DEPARTMENTS

H. F. 431

AN ACT making an appropriation to the campaign finance disclosure commission, amending laws relating to the administration of the campaign finance laws and providing penalties, and making appropriations to state regulatory agencies for the regulation of banking, beer and liquor control, insurance, real estate, and those subjects regulated by the secretary of state.

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

1 SECTION 1. There is appropriated from the general fund of the state
2 for the fiscal year beginning July 1, 1975 and ending June 30, 1976 to

3 the following agencies the following amounts, or so much thereof as
 4 may be necessary, to be used for the following purposes:

5	1. DEPARTMENT OF BANKING	
6	For salaries, support, maintenance, and miscellaneous purposes	
7	.....	\$1,739,719
8	2. IOWA BEER AND LIQUOR CONTROL DEPARTMENT	
9	For salaries, support, maintenance, and miscellaneous purposes	
10	.....	\$9,228,360
11	3. CAMPAIGN FINANCE DISCLOSURE COMMISSION	
12	For salaries, support, maintenance, and miscellaneous purposes	
13	.....	\$ 49,550
14	4. INSURANCE DEPARTMENT OF IOWA	
15	For salaries, support, maintenance, and miscellaneous purposes	
16	.....	\$1,233,104
17	5. IOWA REAL ESTATE COMMISSION	
18	For salaries, support, maintenance, and miscellaneous purposes	
19	.....	\$ 144,456
20	6. OFFICE OF SECRETARY OF STATE	
21	For salaries, support, maintenance, and miscellaneous purposes	
22	.....	\$ 410,200

1 SEC. 2. Section forty-three point eighteen (43.18), Code 1975, is
 2 amended to read as follows:

3 **43.18 Affidavit by candidate.** Every candidate shall make and
 4 file an affidavit in substantially the following form:

5 "I,....., being duly sworn, say that I reside
 6 at.....street, city of....., county
 7 of.....in the state of Iowa; that I am eligible
 8 to the office for which I am a candidate, and that the political party
 9 with which I affiliate is the.....party; that I am a candidate
 10 for nomination to the office of.....to be made at the primary
 11 election to be held on....., and hereby request that my name be
 12 printed upon the official primary ballot as provided by law, as a candi-
 13 date of that party. I furthermore declare that if I am nominated and
 14 elected I will qualify as such officer.

15 *I am aware that I am required to organize a candidate's commit-*
 16 *tee which shall file an organization statement and disclosure re-*
 17 *ports if it receives contributions, makes expenditures, or incurs*
 18 *indebtedness in excess of one hundred dollars for the purpose of sup-*
 19 *porting my candidacy for public office.*

20 (Signed).....
 21 Subscribed and sworn to (or affirmed) before me by.....on
 22 this.....day of.....,19.....
 23
 24 (Name)
 25
 26 (Official title)

1 SEC. 3. Section forty-four point three (44.3), Code 1975, is amended
 2 by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The affidavit required to be filed un-
 4 der the provisions of this section shall include a statement in substan-
 5 tially the following form:

6 I am aware that I am required to organize a candidate's committee
 7 which shall file an organization statement and disclosure reports if it
 8 receives contributions, makes expenditures, or incurs indebtedness in

9 excess of one hundred dollars for the purpose of supporting my candi-
10 dacy for public office.

1 SEC. 4. Section forty-five point three (45.3), Code 1975, is amended
2 by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The affidavit required to be filed un-
4 der the provisions of this section shall include a statement in substan-
5 tially the following form:

6 I am aware that I am required to organize a candidate's committee
7 which shall file an organization statement and disclosure reports if it
8 receives contributions, makes expenditures, or incurs indebtedness in
9 excess of one hundred dollars for the purpose of supporting my candi-
10 dacy for public office.

1 SEC. 5. Section fifty-six point two (56.2), Code 1975, is amended by
2 striking subsection six (6) and inserting in lieu thereof the following:

3 6. "Political committee" means a committee, but not a candidate's
4 committee, which shall consist of persons organized for the purpose of
5 accepting contributions, making expenditures, or incurring indebted-
6 ness in the aggregate of more than one hundred dollars in any one cal-
7 endar year for the purpose of supporting or opposing a candidate for
8 public office or ballot issue.

1 SEC. 6. Section fifty-six point two (56.2), Code 1975, is amended by
2 adding the following new subsections:

3 NEW SUBSECTION. "Candidate's committee" means the committee
4 designated by the candidate to receive contributions, expend funds, or
5 incur indebtedness in excess of one hundred dollars in any calendar
6 year on behalf of the candidate.

7 NEW SUBSECTION. "Committee" includes a political committee and a
8 candidate's committee.

9 NEW SUBSECTION. "Disclosure report" means a statement of contribu-
10 tions received, expenditures made, and indebtedness incurred on forms
11 prescribed by the commission and approved by the administrative rules
12 review committee.

1 SEC. 7. Section fifty-six point four (56.4), Code 1975, is amended to
2 read as follows:

3 **56.4 Reports filed with commissioner commission.** All state-
4 ments and reports required to be filed under this chapter for a federal
5 or state office shall be filed with the state commissioner commission.
6 All statements and reports required to be filed under this chapter for a
7 county, city or school office shall be filed with the commissioner. State
8 statutory political committees shall file all statements and reports with
9 the state commissioner commission. All other statutory political com-
10 mittees shall file the statements and reports with the appropriate com-
11 missioner with a copy sent to the state commissioner commission.

12 *Political committees supporting or opposing candidates for both*
13 *federal office and any elected office created by law or the Constitu-*
14 *tion of the state of Iowa shall file statements and reports with the*
15 *commission in addition to any federal reports required to be filed*
16 *with the secretary of state.*

1 SEC. 8. Section fifty-six point five (56.5), Code 1975, is amended to
2 read as follows:

3 **56.5 Organization statement.**

4 1. Every political committee which receives or expends any amount
5 of money, as defined in this chapter, shall file a statement of organi-
6 zation within ten days from the date of its organization. For the pur-

7 poses of this section, "political committee" means a person or
8 committee, but not a candidate, including a statutory committee which
9 accepts any contributions or makes any expenditures for the purpose of
10 supporting or opposing a candidate for public office.

11 2. The statement of organization shall include:

12 a. The name and mailing address of the political committee.

13 b. The name, mailing address, and position of the political commit-
14 tee officers.

15 c. The name, mailing address, and position of the custodian of rec-
16 ords and accounts.

17 d. The name, address, office sought, and the party affiliation of all
18 candidates whom the political committee is supporting and if the polit-
19 ical committee is supporting the entire ticket of any party, the name of
20 the party.

21 e. The disposition of funds which will be made in the event of disso-
22 lution if the committee is not a statutory committee.

23 f. Such other information as may be required by this chapter or rules
24 adopted pursuant to this chapter.

25 g. A signed statement by the candidate or an officer the treasurer of
26 the political party committee which shall be in the following form:

27 "I am aware that I am required to file additional disclosure reports
28 if I receive the committee receives contributions, or expend more
29 than makes expenditures, or incurs indebtedness in excess of one
30 hundred dollars in a calendar year for the purpose of supporting or
31 opposing any candidate for public office or ballot issue."

32 3. Any change in information previously submitted in a statement of
33 organization or notice in case of dissolution of the political committee
34 shall be reported to the state commissioner commission or commissioner
35 not more than thirty days from the date of the change or dissolu-
36 tion.

37 4. All affidavits of candidacy required by law shall contain a sworn
38 statement by the candidate in substantially the following form:

39 "I am aware that I am required to file additional reports if I receive
40 or expend more than one hundred dollars for the purpose of supporting
41 or opposing any candidate for public office."

1 SEC. 9. Section fifty-six point five (56.5), Code 1975, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. A list, by office and district, of all candidates
4 who have filed an affidavit of candidacy in the office of the secretary
5 of state shall be prepared by the secretary of state and delivered to the
6 commission not more than ten days after the last day for filing nomi-
7 nation papers.

1 SEC. 10. Section fifty-six point six (56.6), Code 1975, is amended to
2 read as follows:

3 **56.6 Reports of contributions Disclosure reports.**

4 1. Each treasurer of a political committee shall file with the state
5 commissioner commission or commissioner disclosure reports of contri-
6 butions received and disbursed on forms prescribed by the state com-
7 missioner rules as provided by chapter seventeen A (17A) of the
8 Code. The reports from all committees, except those committees for
9 municipal and school elective offices, shall be filed on the twentieth
10 twenty-fifth day or mailed by certified mail by the twenty-fourth
11 day of January, May, July, and October of each year. The January
12 and July reports report shall be current to the end of the month pre-
13 ceding the filing. The May, July, and October reports shall be current
14 as of five days prior to the filing deadline. The January report shall be

15 the annual report. ~~Reports from political committees~~ *Committees* for
 16 municipal and school elective offices shall file reports five days prior to
 17 any election in which the name of the candidate which they support or
 18 oppose appears on the printed ballot and thirty days following the
 19 ~~general or run-off~~ *final election in a calendar year in which the candi-*
 20 *date's name appears on the ballot. These reports shall be current*
 21 *to five days prior to the filing deadline. A state statutory political*
 22 *committee and congressional district committees as authorized by*
 23 *the constitution of the state statutory political committee shall not*
 24 *be subject to the provisions of this subsection if the state statutory*
 25 *political committee files copies of campaign disclosure reports as re-*
 26 *quired by federal law with the commission at such times as the re-*
 27 *ports are required to be filed under federal law, provided that the*
 28 *federal reports contain all information required by this chapter.*

29 2. If any ~~political~~ committee, after having filed ~~one or more state-~~
 30 ~~ments~~ a statement of organization, or one or more disclosure reports
 31 dissolves or determines that it shall no longer receive contributions or
 32 make disbursements, the treasurer of the ~~political~~ committee shall noti-
 33 fy the ~~state commissioner~~ *commission* or the commissioner within thirty
 34 days following such dissolution by filing a dissolution report on
 35 forms prescribed by the ~~state commissioner~~ *commission*. Moneys re-
 36 funded in accordance with a dissolution statement shall ~~not~~ be consid-
 37 ered a disbursement or expense ~~and~~ *but* the names of persons receiving
 38 refunds ~~shall~~ *need* not be released or reported unless the contributors'
 39 names were required to be reported when the contribution was received.

40 3. Each report under this section shall disclose:

41 a. The amount of cash on hand at the beginning of the reporting pe-
 42 riod.

43 b. The name and mailing address of each person who has made one
 44 or more contributions of money to the ~~political~~ committee including
 45 the proceeds ~~or contributions~~ from any fund-raising events *except*
 46 *those reportable under paragraph g of this subsection*, when the ag-
 47 gregate amount in a calendar year exceeds the amount specified in the
 48 following schedule:

49 (1) For any candidate for school or township office	\$ 25
50 (2) For any candidate for city office	\$ 25
51 (3) For any candidate for county office	\$ 25
52 (4) For any candidate for the general assembly	\$ 50
53 (5) For any candidate for the Congress of the United States	\$100
54 (6) For any candidate for statewide office	\$100
55 (7) For any state statutory political committee	\$100
56 (8) For any county statutory political committee	\$ 50
57 (9) <i>For any ballot issue</i>	\$ 25

58 c. The total amount of contributions made to the ~~political~~ commit-
 59 tee during the reporting period and not reported under paragraph "b"
 60 of this subsection.

61 d. *The name and mailing address of each person who has made*
 62 *one or more in kind contributions to the committee when the aggre-*
 63 *gate market value of the in kind contribution in a calendar year ex-*
 64 *ceeds the amount specified in subsection three (3), paragraph b, of*
 65 *this section. In kind contributions shall be designated on a separate*
 66 *schedule from schedules showing contributions of money.*

67 e. The name and address of each ~~political~~ committee from which
 68 the reporting committee received or to which that committee trans-
 69 ferred funds, together with the amounts and date of such receipts or
 70 disbursements.

71 e f. Each loan to or from any person within the calendar year in an

72 aggregate amount in excess of those amounts enumerated in the sched-
 73 ular in paragraph "b" of this subsection, together with the name and
 74 mailing address of the lender and endorsers and the date and amount
 75 of such loans. A state or county statutory political committee shall re-
 76 port the name and mailing address of each person who has made one
 77 or more loans in an aggregate amount in excess of one hundred dollars.

78 § g. The total amount of proceeds ~~or contributions~~ from any fund-
 79 raising event. *Contributions and sales at fund-raising events which*
 80 *involve the sale of a product acquired at less than market value and*
 81 *sold for an amount of money in excess of the amount specified in*
 82 *paragraph b of this subsection shall be designated separately from*
 83 *in kind and monetary contributions and the report shall include the*
 84 *name and address of the donor, a description of the product, the*
 85 *market value of the product, the sales price of the product, and the*
 86 *name and address of the purchaser.*

87 § h. The name and mailing address of each person to whom dis-
 88 bursements have been made by the ~~political~~ committee from contribu-
 89 tions during the reporting period and the amount and date of each
 90 disbursement except that disbursements of less than five dollars may be
 91 shown as miscellaneous disbursements so long as the aggregate miscel-
 92 laneous disbursements to any one person during a calendar year do not
 93 exceed one hundred dollars.

94 § i. The amount and nature of debts and obligations owed in excess
 95 of those amounts stated in the schedule in paragraph "b" of this sec-
 96 tion by or to the ~~political~~ committee, ~~in such form as the state commis-~~
 97 ~~sioner may prescribe and a continuous reporting of its debts and~~
 98 ~~obligations following the election at such times as the state commis-~~
 99 ~~sioner may require until such debts and obligations are paid.~~

100 § j. Such other information as may be required by this chapter or
 101 rules adopted pursuant to this chapter.

102 § k. The aggregate amount received by a candidate or an officehold-
 103 er in any form of an honorarium in excess of those amounts enumerat-
 104 ed in the schedule in paragraph "b" of this subsection.

105 4. The reports required to be filed by this section shall be cumulative
 106 during the calendar year, but where there has been no change in an
 107 item reported in a previous report during the year, only the amount
 108 shall be carried forward. If no contributions have been accer'ed nor
 109 any disbursements made *or indebtedness incurred* during that report-
 110 ing period, the treasurer of the ~~political~~ committee shall also be re-
 111 quired to file a *disclosure statement which shows only the amount of*
 112 *cash on hand at the beginning of the reporting period. A candidate*
 113 *who does not receive or expend an amount of money in excess of one*
 114 *hundred dollars shall not be required to file disclosure statements.*

1 SEC. 11. Section fifty-six point six (56.6), Code 1975, is amended by
 2 adding the following new subsection:

3 NEW SUBSECTION. A committee shall not dissolve until all debts and
 4 obligations are paid or transferred and the remaining money in the ac-
 5 count is distributed according to the organization statement.

1 SEC. 12. Section fifty-six point eight (56.8), Code 1975, is amended
 2 to read as follows:

3 **56.8 Commissioner of elections Commission—duties.**

4 1. The ~~state commissioner~~ *commission* shall:

5 a. Develop forms for the filing of reports and statements required to
 6 be filed under this chapter.

7 b. Furnish the necessary forms to persons required to file reports and
 8 statements and to the commissioners.

9 c. Distribute the necessary forms to each commissioner to be fur-
10 nished to persons required to file reports and statements.

11 ~~d. Recommend rules to the commission to carry out the provisions of~~
12 ~~this chapter.~~

13 2. The commissioners shall furnish the necessary forms to persons re-
14 quired to file reports and statements in their office.

15 3. The ~~state commissioner~~ *commission* and the commissioner shall:

16 a. Make the reports and statements filed available for public inspec-
17 tion and copying, not later than the end of the day following the day
18 during which a report or statement was received. There may be a
19 charge ~~for the actual cost of~~ *which shall be established by rule as pro-*
20 *vided under chapter seventeen A (17A) of the Code for copying these*
21 *reports and statements. Upon receipt of payment, the commission*
22 *shall mail copies of reports to persons requesting them.* Information
23 copied from reports and statements shall not be ~~sold~~ used by any per-
24 son *other than statutory political committees* for the purpose of solici-
25 ting contributions or for any commercial purpose.

26 b. Preserve the reports and statements for a period of five years from
27 the date of receipt.

28 c. Prepare and publish such other reports as may be deemed appro-
29 priate.

1 SEC. 13. Section fifty-six point nine (56.9), subsection four (4), Code
2 1975, is amended to read as follows:

3 4. The commission shall employ *a full-time executive secretary*
4 *who shall be the chief administrative officer and* such personnel as
5 are necessary to carry out the duties of the commission; ~~consistent with~~
6 ~~the provisions of chapter 19A and subject to the policies of the commis-~~
7 ~~sion. Notwithstanding the provisions of section nineteen A point~~
8 ~~three (19A.3), subsection three (3), of the Code, all of its employees,~~
9 ~~except the executive secretary, shall be employed subject to the pro-~~
10 ~~visions of chapter nineteen A (19A) of the Code.~~

1 SEC. 14. Section fifty-six point ten (56.10), Code 1975, is amended
2 to read as follows:

3 **56.10 Duties of commission.** The commission shall:

4 1. ~~Approve the forms developed by the state commissioner pursuant~~
5 ~~to section 56.8, subsection 1, paragraph "a".~~

6 ~~2.* s/ R.D.R. [Review the contents of all disclosure reports and or-~~
7 ~~ganization statements filed under the provisions of this chapter and~~
8 ~~promptly advise each committee of errors found.] s/ R.D.R. The~~
9 ~~commission may, upon its own motion, initiate action and conduct a~~
10 ~~hearing as provided in section 56.11, subsections 1 and 2. The cam-~~
11 ~~paign finance disclosure commission may require the state and county~~
12 ~~commissioners~~ *commissioner* to file summary reports with them peri-
13 odically.

14 ~~3~~ 2. Prepare and publish a manual setting forth examples of ap-
15 proved uniform systems of accounts for use by persons required to file
16 statements and reports by this chapter.

17 4 3. Assure that the statements and reports which have been filed in
18 accordance with this chapter are available for public inspection and
19 copying during the regular office hours of the ~~state commission~~ and
20 county commissioners ~~of election~~.

21 5 4. Adopt rules pursuant to chapter 17A to carry out the provisions
22 of this chapter.

23 6 5. Determine, in case of dispute, at what time a person has be-
24 come a candidate.

*See item veto at end of this Act

1 SEC. 15. Section fifty-six point thirteen (56.13), Code 1975, is
2 amended to read as follows:

3 **56.13 Action of committee imputed to candidate.** Action by
4 any person or political committee on behalf of a candidate, if known
5 and approved by the candidate, shall be deemed action by the candi-
6 date. It shall be presumed that a candidate approved such action if he
7 had knowledge thereof and failed to file a statement of disavowal with
8 the appropriate commissioner of elections or commission and take cor-
9 rective action within seventy-two hours thereof.

10 *Any person who makes expenditures or incurs indebtedness, other*
11 *than incidental expenses incurred in performing volunteer work, in*
12 *support or opposition of a candidate for public office shall notify*
13 *the appropriate committee and provide necessary information for*
14 *disclosure reports.*

15 However, this section shall not be construed to require duplicate re-
16 porting of anything reported under this chapter, by a political commit-
17 tee, or of action by any person which does not constitute a
18 contribution.

1 SEC. 16. Chapter fifty-six (56), Code 1975, is amended by adding
2 the following new sections:

3 NEW SECTION. The expenditure of funds from an unknown or un-
4 identifiable source received by a candidate or committee is prohibited.
5 Such funds received by a candidate or committee shall escheat to the
6 state. Any candidate or committee receiving such contributions shall
7 remit such contributions to the state comptroller for deposit in the gen-
8 eral fund of the state. Persons requested to make a contribution at a
9 fund raising event shall be advised that it is illegal to make a contribu-
10 tion in excess of ten dollars unless the person making the contribution
11 also provides his or her name and address.

12 NEW SECTION. Each candidate for public office shall organize one,
13 and only one, candidate's committee if the candidate anticipates re-
14 ceiving contributions, making expenditures, or incurring indebtedness
15 in excess of one hundred dollars in a calendar year.

16 NEW SECTION. It shall be unlawful for any insurance company, sav-
17 ings and loan association, bank, and corporation organized pursuant to
18 the laws of this state or any other state, territory, or foreign country,
19 whether for profit or not, or any officer, agent, representative thereof
20 acting for such insurance company, savings and loan association, bank,
21 or corporation, to contribute any money, property, labor, or thing of
22 value, directly or indirectly, to any committee, or for the purpose of
23 influencing the vote of any elector.

24 It shall be unlawful for any member of any committee, or employee
25 or representative thereof, or candidate for any office or the representa-
26 tive of such candidate, to solicit, request, or knowingly receive from
27 any insurance company, savings and loan association, bank, and corpo-
28 ration organized pursuant to the laws of this state or any other state,
29 territory, or foreign country, whether for profit or not, or any officer,
30 agent, or representative thereof, any money, property, or thing of val-
31 ue belonging to such insurance company, savings and loan association,
32 bank, or corporation for campaign expenses, or for the purpose of in-
33 fluencing the vote of any elector. Nothing in this section shall be con-
34 strued to restrain or abridge the freedom of the press or prohibit the
35 consideration and discussion therein of candidacies, nominations, pub-
36 lic officers, or public questions.

37 Any person convicted of a violation of any of the provisions of this
38 section shall be subject to imprisonment in the county jail for not more
39 than one year and by a fine not to exceed one thousand dollars.

40 NEW SECTION. At least thirty days prior to each filing date, the
41 commission and the commissioner shall mail the proper forms to each
42 committee which is required to file a report with them. The commis-
43 sion shall mail the appropriate forms to the statutory political commit-
44 tees.

1 SEC. 17. Sections four hundred ninety-one point sixty-nine (491.69),
2 four hundred ninety-one point seventy (491.70), four hundred ninety-
3 one point seventy-one (491.71), and four hundred ninety-six A point
4 one hundred forty-five (496A.145), Code 1975, are repealed.

1 SEC. 18. Section five hundred twenty-four point two hundred seven
2 (524.207), Code 1975, is amended to read as follows:

3 **524.207 Expenses of the department of banking.** All expenses
4 required in the discharge of the duties and responsibilities imposed
5 upon the superintendent and the state banking board by the laws of
6 this state shall be paid from fees ~~provided by such laws funds appro-~~
7 ~~propriated from the general fund of the state. All such fees shall be pay-~~
8 ~~able to the superintendent.~~ The superintendent shall pay all such fees
9 and other money received by ~~him~~ *the superintendent* to the treasurer
10 of state within the time required by section 12.10. The treasurer of
11 state shall ~~hold deposit~~ such funds in an account in the name of the
12 superintendent for the payment of the expenses of the department of
13 banking ~~the general fund of the state. Said fund~~ *Funds appropriated*
14 *to the department of banking* shall be subject at all times to the war-
15 rant of the state comptroller, drawn upon written requisition of the
16 superintendent or ~~his~~ a designated representative, for the payment of
17 all salaries and other expenses necessary to carry out the duties of the
18 department of banking. ~~The superintendent may keep on hand with~~
19 ~~the treasurer of state funds in excess of the current needs of his office~~
20 ~~to the extent approved by the state banking board. No transfers shall~~
21 ~~be made from the general fund of the state or any other fund for the~~
22 ~~payment of the expenses of the department of banking and no part of~~
23 ~~the funds held by the treasurer of state for the account of the superin-~~
24 ~~tendent shall be transferred to the general fund of the state or any oth-~~
25 ~~er fund, except that such funds may be invested by the treasurer of~~
26 ~~state and the income derived from such investments may be credited to~~
27 ~~the general fund of the state.~~

28 The superintendent shall account for receipts and disbursements ac-
29 cording to the separate duties imposed upon ~~him~~ *the superintendent*
30 by any provisions of the laws of this state and each separate duty shall
31 be *fiscally self-sustaining*.

1 SEC. 19. Section five hundred twenty-four point two hundred nine-
2 teen (524.219), Code 1975, is amended to read as follows:

3 **524.219 Fees for examinations.** A state bank, and any private
4 bank subject to examination, supervision, and regulation by the super-
5 intendent, shall pay to the superintendent a fee, established by the
6 state banking board, based on the ~~assets of the state bank or private~~
7 ~~bank,~~ the time required for the examination and the *administrative*
8 *costs and expenses* incurred in the discharge of the duties imposed
9 upon the superintendent by this chapter. *The fee shall include, but*
10 *not be limited to costs and expenses for salaries, expenses and travel*
11 *for employees, office facilities, supplies, and equipment.* Such fee
12 shall apply equally to all state banks and private banks subject to ex-
13 amination, and may not be changed more frequently than annually
14 and when changed, shall be effective on January first of the year fol-
15 lowing the year in which the change was approved.

16 The fee for examination of any affiliate of a state bank as provided
 17 for in section 524.1105, and the examinations provided for in section
 18 524.217, subsection 2, shall be established by the state banking board,
 19 based on the time required for the examination and the *administra-*
 20 *tive costs and* expenses incurred in the discharge of the duties imposed
 21 upon the superintendent by this chapter. *The fee shall include, but*
 22 *not be limited to costs and expenses for salaries, expenses and travel*
 23 *for employees, office facilities, supplies, and equipment.*

24 Upon completion of each examination required or allowed by this
 25 chapter, the examiner in charge of such examination shall render a bill
 26 for such fee, in duplicate, and shall deliver one copy thereof to the
 27 state bank or private bank and one copy to the superintendent. Failure
 28 to pay the amount of such fee to the superintendent within ten days
 29 after the date of the close of each such examination shall subject the
 30 state bank or private bank to an additional fee equal to five percent of
 31 the amount of such fee for each day the payment is delinquent.

1 SEC. 20. On July 1, 1975 the treasurer of state shall transfer to and
 2 deposit in the general fund of the state any unencumbered balance as
 3 of June 30, 1975 in the account in the name of the superintendent of
 4 banking which was established in section five hundred twenty-four
 5 point two hundred seven (524.207) of the Code.

1 SEC. 21. Notwithstanding the provisions of section eight point thirty-
 2 three (8.33) of the Code, all unencumbered or unobligated balances
 3 of appropriations made by this Act for the fiscal year beginning July
 4 1, 1975 remaining on June 30, 1976 shall revert to the general fund on
 5 August 31, 1976. In all other respects the provisions of section eight
 6 point thirty-three (8.33) of the Code shall apply to this Act.

1 SEC. 22. All federal grants to and the federal receipts of the agen-
 2 cies appropriated funds under this Act are appropriated for the purpos-
 3 es set forth in such federal grants or receipts.

1 SEC. 23. When any laws of this state are in conflict with this Act,
 2 the provisions of this Act shall govern for the time for which this Act is
 3 effective.

1 SEC. 24. Section ten (10) of this Act shall take effect November 21,
 2 1975.

*Approved July 15, 1975 except the item which is that portion** of
 paragraph one (1) of Sec. 14 bracketed and initialed by me herein which I
 hereby disapprove for the reasons set forth in my veto message delivered to
 the Secretary of State this same date, the original of which is attached here-
 to.

s/ ROBERT D. RAY, Governor

**So that there will be no question about my intent in item vetoing a por-
 tion of House File 431 delivered to you on July 15, 1975, I would like to ad-
 vise you of the following.

It was my intention in the action I took to object to and disapprove only
 the amendment within the portion of paragraph one (1) of section 14 brack-
 eted and initialed by me. For clarification I hereby insert in my statement
 of disapproval that appears at the bottom of House File 431 the word
 "underlined" after the word "portion" in the second line thereof.

s/ ROBERT D. RAY, Governor

This Act was passed by the G.A. prior to July 1, 1975; see §3.12 of the Code