

REPORT AND RECOMMENDATIONS
OF
THE IOWA COMMISSION
ON
COMPENSATION, EXPENSES AND SALARIES FOR ELECTED STATE OFFICIALS

IOWA LEGISLATIVE SERVICE BUREAU

STATE HOUSE
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MARK S. SOLDAT

January 22, 1973

Members of the General Assembly
State of Iowa
The State House
Des Moines, Iowa 50300

Dear Member:

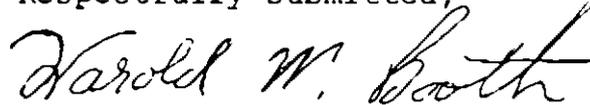
The report and recommendations of the Iowa Commission on Compensation, Expenses and Salaries for Elected State Officials are enclosed.

This report discharges the initial responsibility accepted by the Commission as set forth in the enabling legislation. The Commission was charged to review the compensation, expenses and salaries of elected state officials and constitutional judicial officials and to recommend to the Governor and members of the General Assembly, no later than February 1, 1973, such levels the Commission determined were warranted by that review and analysis.

We urge the early adoption of the recommendations contained in this report. The Commission recognizes that many of the recommended levels are substantially above current levels and, as a result, such levels may need to be attained in more than one step. While the Commission does not recommend multiple steps, if more than one step increase is determined by the Governor and General Assembly to be prudent, we urge that the recommendations be recognized as realistic and desirable goals to be attained at the earliest possible time.

In our opinion, implementation of this program will permit Iowa to continue to attract and retain dedicated and competent officials, judges and career personnel.

Respectfully submitted,



Harold W. Booth
Chairman

HWB/dg
enclosures

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January 22, 1973

The Honorable Robert D. Ray
Governor of the State of Iowa
The State House
Des Moines, Iowa 50300

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THE IOWA COMMISSION
ON
COMPENSATION, EXPENSES AND SALARIES FOR ELECTED STATE OFFICIALS

COMMISSION CHAIRMAN:

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President of First National Bank
Council Bluffs, Iowa

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Vice President, Employee
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Meredith Corporation
Des Moines, Iowa

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Officer
Rath Packing Co.
Waterloo, Iowa

REPORT OF THE IOWA COMMISSION ON COMPENSATION,
EXPENSES AND SALARIES FOR ELECTED STATE OFFICIALS

INTRODUCTION:

The Commission, in developing its recommendations, has been guided by several objectives:

- . To recommend salary levels which represent the content and duties, the importance, and the responsibility of each position. In this regard, the Commission has analyzed the office, rather than the officeholder and has intentionally excluded consideration of the performance of the occupants of each office.
- . To recommend salary levels which are adequate to retain and attract responsible, intelligent, hard working and highly qualified people to each position. Iowa is indeed fortunate to have maintained highly qualified people in state elected positions and judicial posts, in view of the inadequacies of compensation the Commission has found to exist in many of these positions. Rather than perpetuate a system of inadequate remuneration, the Commission has arrived at recommendations that will, in return for such service, sufficiently compensate able and skilled people and allow them to support themselves at a level reasonably comparable with people of similar stature in other walks of life.
- . To recognize and align the various positions in a relationship that reflects the offices in terms of duties, impact and responsibilities. Thus, the Commission has broken with past tradition of setting equal salary levels for Executive Council members and has acknowledged certain differences in duties, impact and responsibilities within these positions.
- . To recommend salary levels that recognize and alleviate the negative compression effect, which occurs when salaries of subordinates must be under the ceiling established by the salary level of an elected official. The amount of the Governor's salary acts to compress beneath it the entire compensation structure of State Government. The effect of this compression, and

similar compression effects by salaries of other elected officials, is the increasing inability to attract and retain qualified candidates in non-elected positions. This difficulty is marked among those jobs demanding technical, scientific and professional expertise.

- . To recommend salary levels which, in the Commission's judgment, are justified and right at this time and, because interim step increases may be deemed necessary by the General Assembly due to the large increases recommended for certain offices, to further suggest first year interim step increases where appropriate. The Federal Government wage-price guidelines have been stated to be temporary and, within the past two weeks, have been revised under guidelines referred to as Phase III. The correct application of Phase III guidelines to the Commission's various recommendations has not, at this writing, been determined. The Legislative Service Bureau has been requested to research this subject as it is an area in which the General Assembly will want advice.

STAFF, CONSULTANTS & METHODOLOGY:

The Commission recognizes and thanks the Legislative Service Bureau and in particular, Serge Garrison and Diane Bolender, for providing the Commission with needed background information, statutes, and reference materials.

To insure the reliability of its research and the validity of its conclusions, the Commission decided to retain professional consultants in the highly technical field of compensation evaluation and adjustment. After careful inquiry and investigation, the assignment was offered to Edward N. Hay and Associates of Philadelphia, Pennsylvania. The Hay organization conducts salary studies for approximately 20 percent of the 500 leading industrial firms in the nation. The Company has conducted studies of a similar nature for a number of states and their findings were of immediate use to the Commission.

The job evaluation technique used in this study is known as the Hay Guide Chart-Profile Method. Under this system, jobs are assessed according to three criteria - Know-How, Problem Solving and Accountability. These terms may be defined briefly as: Know-How, the sum total of all knowledge and skills needed for satisfactory job performance; Problem Solving, the amount of original, self-starting thought required by the job for analysis, evaluation, creation, reasoning and arriving at conclusions; and Accountability, the measured effect of the job on the organization's goals. The report to the Commission prepared by Hay Associates is available for review.

The study made use of job descriptions that were prepared based on interviews with the incumbents. In the case of Supreme Court Justices, District Court Judges and members of the General Assembly, groups of incumbents were interviewed. Job descriptions were prepared by the consultants and the incumbents in collaboration and signed off by the incumbent. The emphasis in these interviews and descriptions was on the requirements of the position as performed at an acceptable level, not on the individual incumbent's performance. Copies of the job descriptions are attached to this Report.

The considerable technical assistance outlined above was a major aid to the Commission's work. However, the final decision on each job's compensation level was reserved to a thorough discussion and a vote of the Commission members.

LEGISLATIVE BRANCH

The Commission recognizes the complex considerations involved in determining reasonable and adequate compensation for members of the General Assembly and its leadership. The traditional concept of a "citizen legislature" is in a transitional stage and is being challenged more each year by the volume and complexity of problems facing the General Assembly. The Commission recognizes the continuing need for highly motivated and competent citizens to serve. While compensation is not and should not be the prime reason for any public service, inadequate compensation can be a factor in discouraging able men and women from seeking election to the legislature and in many cases making it impossible for them to serve. Without reasonable and equitable compensation for service, the legislative process could eventually fall into the hands of those of independent means and/or those whose motives are suspect. Neither alternative is desirable in a participatory democracy.

The Commission's recommendations are based on the examined assumption that the legislative positions and the Lieutenant Governor are currently offices that require about 50% of full time employment. The days the legislature is in session normally represent only a portion of the hours a conscientious legislator spends on his job. Therefore, the Commission recommends (a) a base compensation which is intended to cover the work done while the General Assembly is in session and for his time, talent and energy devoted to his constituent responsibility while not in session, (b) an additional daily salary when the General Assembly is not in session and a legislator is on official state business, such as interim committee meetings, and (c) expense allowances when the General Assembly is in session and, when not in session, a legislator is on official state business.

The Commission's investigation definitely indicated that certain posts filled by members of the Legislature require considerable more in time, expertise and personal involvement than does regular membership in the General Assembly. These positions are the Speaker of the House and the Majority and Minority Leaders of the House and the Senate. Additional posts in the category of Committee Chairmanship will be reviewed by the Commission in the future and appropriate recommendations on additional compensation will be made in the Commission's next report.

	<u>Present Compensation</u>	<u>Recommended</u>
Lieutenant Governor & Speaker of the House	\$11,000 plus \$80 per day on official state business	\$12,000 plus \$60 per day on official state business
Majority-minority Leaders of Both Houses	\$6,500 plus \$40 per day on official state business	\$8,500 plus \$40 per day on official state business
Member of General Assembly	\$5,500 plus \$40 per day on official state business	\$7,500 plus \$40 per day on official state business

The Commission recommends that for the Lieutenant Governor and members of the General Assembly, the current allowance for expenses of \$15 per day while the Legislature is in session be increased to \$20 per day, five days per week, (\$10 per day for Polk County legislators) and that the policy of reimbursing actual expenses when the Legislature is not in session and a legislator is on official state business be continued.

Further, the Commission recommends that postage for official state business mail be administered by the General Assembly at a central metering station, rather than the current practice of each legislator individually posting his mail at his own expense.

JUDICIAL BRANCH

In the opinion of the Commission, the present salary level of Iowa's Supreme and District Court Judges is woefully inadequate under today's conditions. The Supreme Court Justices are presently paid \$25,000 per year and the District Court Judges are paid \$21,500. No additional compensation is awarded either the Chief Justice of the Supreme Court or the Chief Judge of each of the eight District Court Judicial Districts for the substantial administrative duties performed by them over and above their judicial duties.

At the present time there are only eight states paying less for Supreme Court Justices and only six states paying less for District Court Judges than Iowa.

Many public servants are in a position to augment their public salaries in various ways by private pursuits. Our judges are not. They are precluded by statute from engaging in the practice of law and are enjoined by the Canons of judicial ethics from engaging in other kinds of commercial activities. Thus, except for those few of independent wealth, their public salaries constitute their sole source of income.

A strong and effective judiciary is obviously crucial in our system of government. It seems equally obvious that to maintain such a judiciary, competent judges must be selected and retained in office. No one can seriously doubt that a reasonable level of judicial compensation is essential to this selection and retention process. Able and successful lawyers, from among whom all of us hope our future judges will come, are today being asked to make too great a financial sacrifice in accepting judicial service. As a result, most of our ablest lawyers will not accept appointment and many of our younger sitting judges are giving serious consideration to returning to private practice for financial reasons. A continuation of this condition over any extended period of time is bound to have a very adverse effect on the competence of our judicial system.

The Commission believes appropriate and adequate salaries for Iowa Judges at the present time to be as follows:

	<u>Present Salary</u>	<u>Recommended Salary</u>
Chief Justice, Supreme Court	\$25,000	\$35,000
Supreme Court Justice	\$25,000	\$33,000
Chief Judge, District Court	\$21,500	\$30,000
District Court Judge	\$21,500	\$29,000

The Commission recognizes that since these recommended salary levels are substantially above the present levels, there may be sound reasons of public policy why such levels will need to be reached in more than one step. If such be the case, the Commission would make the following additional recommendations:

1. That this year's interim adjustment out to be at least \$5,000 for all Judges with an additional \$1,000 for the Chief Justice and \$500 each for the eight District Court Chief Judges.

2. That the recommended levels ought to be immediately recognized as desirable goals to be reached at the earliest possible time.

3. That if any substantial amount of time elapses before the recommended levels are reached, appropriate cost-of-living adjustments should be added to those levels to keep them current.

The Commission also brings to your attention that, in the past, Municipal Court Judges were paid 80% of the salary of a District Court Judge. Under the judicial reform legislation enacted in 1972, Municipal Court Judges have become Associate Judges of the District Court and the 80% salary provision has been removed. The General Assembly may wish to consider the merits of reinstating the 80% provision or, as an alternative, consider a salary adjustment for the Associate Judges. This Commission's jurisdiction did not include non-constitutional judicial officers and therefore we do not have a recommendation to make on this point.

EXECUTIVE BRANCH

The Governor of the State of Iowa is the most significant position in state government and should be the highest compensated elected official. It is used as the primary reference point from which to calculate and recommend all other compensation. The Commission recommends the Governor accept the Commission's recommendation and not some lesser figure. If a lesser amount is set, the negative compression effect mentioned in the introduction would adversely affect salaries throughout the structure of State government. In our review of the Attorney General, Secretary of Agriculture, Auditor, Treasurer and Secretary of State, as in the other offices, the Commission analyzed and evaluated the office rather than the officeholder. Traditionally in Iowa, the Secretary of State, Secretary of Agriculture, Treasurer and Auditor have been paid equally. It has been noted by the Commission that many states, if not most, do not follow this procedure. In examining job content, duties, and impact, it became apparent that historical development has brought about changes in Iowa that necessitate a departure from this traditional method. A review of the job descriptions indicates this variance. The Commission has acknowledged these differences.

In addition, the salary of these offices serves as the upper limit on all compensation within a department. The outcome in each case is similar to the compression factor of the Governor's salary. The result is a deepening inability of the State to compete with salaries offered by non-State employers. This is brought most sharply into focus in the Attorney General's department. The Attorney General currently receives \$22,500. He has a Solicitor General who receives \$100 per year less and several Assistant Attorneys General who receive only \$200 less annually. Clearly, this situation closes the door on additional compensation to maintain a competent staff.

The Commission's recommendations for salaries for the elected executive officials are as follows:

	<u>Present Salary</u>	<u>Recommended Salary</u>
Governor	\$35,000	\$40,000
Attorney General	\$22,500	\$30,000
Secretary of Agriculture	\$18,500	\$22,500
Auditor of State	\$18,500	\$22,500
Treasurer of State	\$18,500	\$22,500
Secretary of State	\$18,500	\$18,500

Executive Branch
Page 2

As in the Judicial Branch, the Commission recognizes that the recommended salary of the Attorney General is substantially above the present level, and therefore the Governor and the General Assembly may deem it prudent to attain the recommended level in more than one step. If such is the case, the commission recommends that the \$30,000 salary be recognized as a realistic and desirable level and that this year's interim adjustment ought to be at least \$5,000.

POSITION DESCRIPTIONS

The Chief Executive also is responsible for taking final action on all laws enacted by the General Assembly. He may approve, by signing, a bill passed by both houses or disapprove, by veto, or he may allow a bill to become law without his signature. The Governor has the power of item veto with regard to appropriation bills. A two-thirds vote in each house is required to override a veto.

The Governor may call an extra session of the assembly when he feel the necessity of such action; may order adjournment of the legislature if the members cannot reach agreement when to adjourn; and must report to the legislature the financial condition of the State and his recommendation for any appropriate action concerning the financial status.

The Governor appoints all principal officers of the State not elected by the people, and certain officers connected with the State Government, by and with the consent of the Senate. When any office, from any cause, becomes vacant, and no mode is provided by the constitution and laws for filling such vacancy, he has power to fill such vacancy.

The Governor has the task of granting or denying executive clemency in the form of restoration of voting rights, commutation of sentences, pardons, and remission of fines and forfeitures.

The specific duties also include being commander-in-chief of the military forces of State, Chairman of the Executive Council, issuing notary public commissions, issuing land patents, and granting or denying extradition whenever there is a request for a fugitive from justice.

Of critical concern to the State is the planning and leadership function of this position. Anticipating and effectively communicating to the public and the legislature the problems of the future and recommending appropriate action has a profound effect on the life of each inhabitant of Iowa.

The Governor operates within the guidelines established by the State Constitution and laws and judicial interpretations. The position also contains certain elements which result in it being held accountable for specific accomplishments or functions over which it has no control or constitutional power. The Governor has many obligations as the Chief Executive to the people of Iowa in addition to the specific statutory duties. These include meeting different groups or individuals, to discuss their problems which in some way have effect upon the government; conferring with Iowa's national delegation to coordinate national situations which might affect Iowa; answering voluminous correspondence from the Electorate; and endeavoring to meet visitors who wish to come and visit the State Capitol and the Governor's Office. In summary, the Governor is the Chief Administrator of the State Government and despite limited constitutional and statutory powers in many areas, is held responsible by the citizenry for the effective and efficient administration of the various departments and agencies.

Additionally, it is necessary for incumbent to individually represent his State to other states seeking common goals and to the Federal Government. In this instance, this position must ensure that its input and influence is not only successful on behalf of Iowa but that a true contribution is continually made to national goals.

The occupant of this position is also the official head of his respective political party and is required to accomplish all the obligations, endorsements and activities normally commensurate with that position. This commitment combined with the required speaking engagements, the social schedule and hosting of dignitaries, the necessary union and labor contacts, responding to the President or the U.S. Congress upon request, screening personally all appointments and the day to day operating of a State Government, offer a partial picture of this office's significance.

The Chief Executive Officer of the State of Iowa should possess a high degree of skill in management, communications, and human relations, as well as the necessary physical and intellectual stamina required to function with the daily difficulties and complexities of this position. No person is eligible for the governorship who has not been a citizen of the United States and resident of this state two years next preceding the election, and attained the age of 30 years at the time of said election.

PRINCIPAL ACCOUNTABILITIES:

1. Supports, defends, and enforces the Constitution of the State of Iowa to protect the welfare of the people and the resources of the State.
2. Directs the State Government to provide the citizens with an efficient and cost-effective governmental body.
3. Projects and plans for the future of the State to provide for the best interest of the people of Iowa.
4. Contributes the knowledge and influence of the office to the welfare of other states and the nation.
5. Makes such appointments as required to assure that only the best qualified are appointed.
6. Issues and justifies such recommendations to the Legislature as necessary to the present and future well-being of the people.
7. Commands the military forces of Iowa to ensure the protection of the rights and property of all inhabitants.

- (b) The Supreme Court Clerk's Office has an annual budget of approximately \$40,000. This budget covers 4 people - a Supreme Court Clerk, and 3 Clerk-Secretaries.

NATURE AND SCOPE:

The Supreme Court is established by the Iowa Constitution as the State's highest judicial body in one of the three independent branches of state government. The Supreme Court is made up of nine Justices, each of which is a separate elective office.

The Chief Justice is a Supreme Court Justice, with all of the duties thereof, elected by the members of the Court to the post of Chief Justice. In this position, he acts as administrative head of the State Judiciary and as spokesman for the Judiciary to the Executive and Legislative Branches and the Electorate. He sits on, and presides over, both of the five-man divisions of the Court.

The Supreme Court, through the Chief Justice, exercises supervision and administrative control over all trial courts in the State.

The Chief Justice directs the flow of Supreme Court paper work and schedules and directs hearings on motions. He attends budget hearings and explains and defends the proposed budget.

As Chief Justice, his statutory authority includes ordering the recall of retired judges and the transfer of District Court Judges as required by the workload of the courts. He appoints District Court Judges in the event of death or incapacity of the elected Judge. He serves as, or appoints, the Chairman of the Judicial Council which acts as an advisory body developing and recommending judicial rules, regulations and directions for the approval of the Supreme Court.

The Chief Justice appoints District Chief Judges with the approval of the Supreme Court as a whole. He selects the Acting Chief Justice to act in his absence. He selects the special Court to decide State election contests and acts as presiding officer of the Court for federal elections contests. He sets the bond for election contests.

Among some of his lesser statutory accountabilities, he appoints the Examining Board for Court Reporters. He appoints appraisers to determine flood damages to dams and spillways. He prepares written instructions for Compensation Committees with regard to the law of eminent domain. He orders conferences of judges as required.

The Iowa Constitution requires that Judges of the Supreme Court be members of the Iowa Bar. An acceptable performance of the stated judicial powers and responsibilities requires that each member of the court have professional mastery of legal disciplines, acquired both by professional education and extensive practical experience. An understanding of human relationships is of critical importance for the administration of justice.

The public, lawyers and the judiciary look to the Supreme Court for leadership in ensuring the integrity and development of the rule of law as the indispensable element of our form of government. The law is dynamic and must keep abreast of changing social and economic conditions. To that end, members of the court study a great volume of material, including professional journals, legal periodicals and the opinions of other courts. To the same end, they devote time to projects designed to improve the administration of justice. Members of the court are accordingly active in the work of such organizations as the American Judicature Society, the Institute of Judicial Administration, and the Iowa and American Bar Associations.

PRINCIPAL ACCOUNTABILITIES:

1. Review and rule on all appeals to establish a rule of law that binds other courts and agencies of the State in future litigation.
2. Create and develop the State's common law to protect the people and resources of the State.
3. Issue extraordinary writs, when necessary, to accelerate or facilitate the legal process when a lower court has failed to act, or is about to act beyond its jurisdiction.
4. Invalidate acts of the Executive and Legislative Branches, when necessary, to uphold the State or Federal Constitutions.
5. Exercise, on behalf of the Supreme Court, supervision and administration control over the trial courts of the State to ensure efficient and equitable administration of justice.
6. Represent the Judicial Branch to the Executive and Legislative Branches and to the Electorate in budget hearings and other matters.
7. Discharge his statutory accountabilities to ensure efficient and equitable administration of justice, determination of election contests, eminent domain cases and other matters.

8. Supervise, and when necessary, discipline members of the legal profession to uphold the standards of professional ethics and responsibilities established by the Court.
9. Review, analyze and rule on legal matters and procedures to uphold and improve the administration of justice within the State.

Directly Reporting: Each Justice has a Law Clerk and Secretary reporting directly to him. The remainder of the aforementioned supporting staff is directly responsible to the court.

Case Load: There are 650 filings each year; the Court hears and renders opinions in approximately 360 cases each year.

NATURE AND SCOPE:

The Iowa Supreme Court is established by the Iowa Constitution as the State's highest judicial body in one of the three independent branches of state government.

The Iowa Supreme Court consists of the Chief Justice and eight Associate Justices, each of which is a separate elective office. The nine members constitute the state's supreme judicial tribunal, and the decisions of the Court, when sitting en banc, are made by majority vote of all nine members. The Iowa Supreme Court also sits in rotating panels of five, with the Chief Justice sitting with all divisions.

The decision of a case by a section of the court shall be by at least four of the five justices on the panel. If four justices do not agree, the case may be re-set for an en banc hearing or may be considered and decided by the court en banc on the briefs. The tentative written opinion agreed upon by four justices of a section shall be circulated among non-section justices prior to filing, and any one of those justices may question the decision of the section. When the five-man panel is unanimous in the tentative written opinion, any two of the non-section justices may question the decision of the section. In either event, an appeal originally considered by a section of the court may be re-set for an en banc hearing or may be considered and decided by the court en banc on the briefs at the request of two members of the nine member court.

The Supreme Court has plenary appellate authority over the several courts of the state, exercises supervisory and administrative control over all inferior Judicial tribunals throughout the State, and has ultimate review of the quasi-judicial acts of various administrative agencies and tribunals. There are (as of July 1, 1973) 76 District Court Judges, 25 Associate District Judges and 195 Magistrates. Among the administrative agencies are the Industrial Commissioner, the Civil Rights Commission and the Employment Security Commission. Where its jurisdiction is duly invoked, the Supreme Court has the power to invalidate acts of the executive and legislative branches of state government if found to be in contravention of the State or Federal Constitutions.

The Supreme Court supervises the professional practice of law in this state. It prescribes the qualifications of lawyers to be admitted to the practice of law, and admission to practice in this state is additionally prerequisite to practice before the United States Supreme Court and lower federal courts. It supervises and disciplines, including disbarment, members of the legal

profession according to standards of professional responsibility established by this court.

The Supreme Court decides cases and controversies either as a matter of original jurisdiction or appellate jurisdiction. The Supreme Court has original jurisdiction to issue extraordinary writs such as mandamus, injunction and habeas corpus, cases where a speedy remedy is necessary because a lower court has failed to act or is about to act in excess of its jurisdiction. Additionally, pursuant to statute, it originally hears and determines certain election disputes where a prompt, final decision is essential to expedite the election process. Its major work, however, is appellate, reviewing decisions of lower courts and other tribunals.

The Supreme Court's main appellate function of judicial review includes creation and development of the state's common law and the construction, application, and enforcement of the Statutes and the Constitution of this state. It likewise construes and enforces the Constitution of the United States, but its decisions in that situation are subject to review by the United States Supreme Court.

The course of an appeal is governed by Rules of Civil Appellate Procedure promulgated by the Supreme Court. Virtually all cases are heard upon written brief, supplemented in most cases by formal oral argument of counsel. Each sitting Justice studies the briefs in advance of oral argument. After final submission of the case, members of the court participate in conference, at which time each Justice expresses his views and actively participates in reaching a decision. Thereafter, pursuant to individual assignment by rotation, a formal opinion is written by one of its members, which may be supplemented by separate concurring or dissenting opinion of any other member of the court. The decision and opinion may apply existing legal principles previously established by the court or it may announce a new rule of law. The rule of law applied in the case is final and is thereafter binding upon all other courts and agencies of the state in future litigation.

The Justice executes his duties with the assistance of the following subordinates:

Court Administrator, who with a staff of 12, performs the following functions:

1. General supervision of supporting personnel of Iowa Supreme Court.
2. Pre-hearing research.
3. Monitor the supreme court docket.
4. Budget and fiscal management.
5. Space and equipment management.
6. Monitor trial court activity and issue annual report of that activity.
7. Planning future needs of Iowa Judiciary.
8. Assist federal funding of Iowa Judiciary.

Clerk of the Supreme Court, who with a staff of 3, performs the following functions:

1. Noticing Agent for Iowa Supreme Court.
2. Records management.
3. Bar admissions.

The Iowa Constitution requires that Judges of the Supreme Court be members of the Iowa Bar. An acceptable performance of the stated judicial powers and responsibilities requires that each member of the court have professional mastery of legal disciplines, acquired both by professional education and extensive practical experience. An understanding of human relationships is of critical importance for the administration of justice.

The Office of Supreme Court Justice is a full time position and, like judges of the district, Justices are prohibited from the practice of law and are ineligible for any other office of the state while serving on the Court and for two years thereafter. Vacancies in the Supreme Court shall be filled by appointment by the Governor from a list of three nominees submitted by the State Judicial Nominating Commission. Following appointment, Supreme Court Justices serve eight year terms and stand for retention on a separate ballot in a judicial election.

The public, lawyers and the judiciary look to the Supreme Court for leadership in insuring the integrity and development of the rule of law as the indispensable element of our form of government. The law is dynamic and must keep abreast of changing social and economic conditions. To that end, members of the court study a great volume of material, including professional journals, legal periodicals and the opinions of other courts. To the same end, they devote time to projects designed to improve the administration of justice. Members of the court are accordingly active in the work of such organizations as the American Judicature Society, the Institute of Judicial Administration, and the Iowa and American Bar Associations.

PRINCIPAL ACCOUNTABILITIES:

1. Review and rule on all appeals to establish a rule of law that binds other courts and agencies of the State in future litigation.
2. Create and develop the State's common law to protect the people and resources of the State.
3. Issue extraordinary writs, when necessary, to accelerate or facilitate the legal process when a lower court has failed to act, or is about to act beyond its jurisdiction.
4. Invalidate acts of the Executive and Legislative Branches, when necessary, to uphold the State or Federal Constitutions.
5. Review and Determine certain election disputes to expedite the election process.

6. Supervise, and when necessary, discipline members of the legal profession to uphold the standards of professional ethics and responsibilities established by the Court.
7. Review, analyze and rule on legal matters and procedures to uphold and improve the administration of justice within the State.

STATE OF IOWA

Position Description

Date: December, 1972 Position: District Judge
 Approved by: A. Wynson Lawton Reports to: Chief District Judge
Court Administrator
 4/5/73

POSITION PURPOSE:

To resolve controversies of a legal or equitable nature between persons or parties.

DIMENSIONS:

Annual Budget: \$21,500--Annual Salary
 Case Load: 800 to 900 per year
 Staff: Court Reporter only
 Directly Reporting: Court Reporter only

The statewide average was 679 cases filed per judge in the Iowa District Court for 1971. (Table 6(a), Report relating to the Trial Courts of the State of Iowa prepared by the Judicial Department Statistician)

NATURE AND SCOPE:

This position reports to a Chief Judge of each of the State's 8 judicial districts. There are 76 District Court Judges in the State. Each judge has a Court Reporter responsible to him--there is no other staff. The Clerk of Court is partly responsible to him but ^{has} is an elective office, and many other statutory duties.

The District Court is Iowa's Court of General Jurisdiction and handles all types of cases, civil and criminal, that are cognizable in courts. Traditionally the court has handled all cases excepting simple misdemeanor criminal cases (30 days or \$100 penalty). Under a new Uniform Trial Court bill effective July 1, 1973, the District Court will not try simple misdemeanors or small civil claims, (claims under \$1,000). It will have supervision and removal power over magistrates courts which will operate under the District Court supervision. It will act as appellate court for these magistrate cases.

Default Cases -- In lawsuits where there is no contest, and in all motions, the incumbent must take evidence, analyze it, and apply the appropriate law to determine if the requested remedy or relief is legally justified. Typical default

cases consist of divorces and title actions. Motions range from request to discover evidence, to injunctions against some type of action.

Contested Cases -- The incumbent must schedule all of his cases for trial. The subject of cases varies from any type of criminal charge to civil cases with unlimited issues and requested remedies. Prior to trial, the incumbent must ^{conduct} ~~analyze~~ ^{necessary pre-trial hearings and pre-trial conferences, make preliminary} ~~analyze~~ all pre-trial documents and give the jury preliminary ^{instructions} ~~instructions~~. During the trial the incumbent insures proper demeanor in the courtroom, rules on whether or not certain evidence may be presented to the jury and must decide what law is to be applied and ~~to~~ so instruct the jury.

Where issues are reduced to questions of law rather than fact, the ~~The~~ incumbent has authority to order a decision without allowing the jury to deliberate ^{or he may} ~~or he may~~ grant a decision different from the jury's decision, or order a new trial. Especially in criminal cases, the incumbent is called upon to make decisions on evidence, based on highly complex principles of law.

Most civil cases are tried to the court without a jury. Where the case is tried before the incumbent without a jury, he must make and render findings of fact as well as law. *On appeal his findings of fact in law actions are binding on the Supreme Court if supported by substantial evidence.*

Research -- The position requires a thorough knowledge of legal rules of procedure, District and Supreme Court Decisions, common statutory and constitutional law, involving Federal Court Decisions. The incumbent must spend a considerable amount of time researching the law and keeping current on new legal principles.

Sentence -- The incumbent must establish a relationship with the Corrections Department so that prior to sentencing a convicted person, a complete investigation is made of the defendant to assist the sentencing. ^{The same type of} investigation is ^{usually} made by the ^{Social Services} ~~Welfare~~ Department in divorce cases where children are involved. In sentencing, the incumbent has statutory guidelines but has authority to exercise virtually unlimited discretion if circumstances warrant. Sentencing presents a major challenge to incumbent since it forces him to weigh the rights and lives of individuals against the rights of society. *The trial judge's discretion in pronouncing sentence is broad, and sentences are usually upset on appeal.*

The incumbent executes his duties with the assistance of the following subordinates:

Clerk of Court, who performs the official record keeping of court cases.

Court Reporter, who performs verbatim record of trial proceedings.

PRINCIPAL ACCOUNTABILITIES:

1. Insure that ~~an accused party is properly represented to protect their rights~~ *all parties have a fair trial in accordance with settled rules of procedure and applicable substantive law.*
2. Sentence guilty parties properly to protect the rights of society; *assure that justice is accomplished as appropriate in each case.*
3. Insure that only legally proper evidence is brought before a jury to protect the rights of the ~~accused~~ *parties in each case.*
4. Determine what law is appropriate for each case or motion to guarantee that all decisions are rendered properly under the applicable law.
5. Insure that the jury's decision is in accordance with the evidence and applicable law to protect the rights of all parties involved.
6. Schedule all cases to resolve controversies at the earliest possible date.
7. This is a position unlike any other in our government structure. By his conduct of the office, the judge must provide such a standard of impartiality, detachment and legal expertise so as to establish and maintain the respect and voluntary acceptance of the court system as a fair and just arbiter of citizens' disputes, in accordance with law. This properly calls for extraordinary strength of character, resistance ~~ant~~ *ance* to temptation, and dedication to duty.

All drafts of contracts, forms and other legal documents which may be required for the use of the State are prepared by the attorney general. All departmental rules are reviewed and approved by the attorney general before going into effect.

When requested to do so, the attorney general gives his written opinion upon all questions of law submitted to him by the general assembly, or either house thereof or by any member of either house thereof or by an elective or appointive state official. At the close of each biennium the attorney general submits a report to the governor setting forth the condition of his office, opinions rendered and other business transacted which is of public interest.

The attorney general is an ex-officio member of the Iowa Law Enforcement Academy, the Iowa Crime Commission, and is ex-officio chairman of the State Board of Law Examiners. In the latter capacity he is in charge of preparing, giving and reading the State bar examinations and generally passing upon the qualifications of applicants for admission to practice law in the state of Iowa.

In addition the attorney general is chairman of the three member hearing board established by law for the purpose of conducting departmental hearings relating to controversies concerning the issuance, suspension or revocation of liquor licenses and beer permits.

As presently constituted, the office of the attorney general is structured along the following lines. The solicitor general is the first assistant and chief deputy to the attorney general. This office is responsible for final review and approval of departmental rules, prepares the biennial budget and biennial report to the governor. The solicitor general, in the attorney general's absence, is acting attorney general and responsible for the conduct of the State's legal affairs. All opinions are reviewed and passed on by the solicitor general or by the attorney general and in some cases by both. In addition to representing the State in court in certain cases, this office assists the attorney general in coordinating the efforts of the 44 other full time attorneys on the attorney general's staff and outside counsel to most efficiently and effectively carry out the State's legal policies, objectives and procedures. To this end the attorney general has established a number of divisions or offices each under the direction of an assistant attorney general.

Special Assistant Attorney General - Highway Commission:

Supervises the five other attorneys and one investigator who handles the legal work of the highway commission. Officed in Ames at the commission's headquarters, this group is responsible for all eminent domain litigation from referral through

final disposition. In addition to counseling and advising the commission and staff in their day to day activities, these attorneys prepare, review and assist in the negotiation of construction and other contracts and represent the commission in other litigations.

Special Assistant Attorney General - Department of Revenue: Supervises the activities of two other assistant attorneys general assigned to and officed at the Department of Revenue. In addition to furnishing day to day legal guidance and advice to the director and other officials in the Department of Revenue, this group prepares formal opinions of the attorney general on revenue matters and represents the director and department in court and administrative proceedings such as those held before the Iowa Board of Tax Review.

Special Assistant Attorney General - Department of Social Services: With one other assistant attorney general, the incumbent of this office is responsible for the legal affairs of the Department of Social Services. It furnishes day to day legal counsel, writes opinions on matters involving social services and represents the commissioner and department in court suits and before administrative agencies.

Special Assistant Attorney General - Tort Claims: Supervises the three other attorneys assigned to this division which is responsible for defending all tort suits brought against the State under the Tort Claims Act. Reviews and makes recommendations with respect to claims against the State Appeal Board. This division also is assigned cities and towns, assists with legislative liaison, initially reviews rules and regulations and performs various other special assignments.

Assistant Attorney General - Consumer Protection: Supervises the activities of the two other assistant attorneys general and one investigator who are responsible for administering and enforcing the consumer fraud law. In addition to handling thousands of citizen complaints each year, this division gives many talks on consumer protection to interested groups, issues press releases warning of questionable practices and prosecutes lawsuits to prevent and halt illegal sales and business practices.

Assistant Attorney General - Environmental Protection: With the three other attorneys assigned to this division, furnishes legal representation and advice to the Conservation Commission, the Natural Resources Council, the Air and Water Pollution Control Commissions and related agencies. It initiates and conducts litigation involving environmental and conservation matters, furnishes legal assistance and advice to assigned agencies and prepares opinions in its area of special competence.

Assistant Attorney General - Criminal Appeals: Aided by five other assistant attorneys general, this office is responsible for representing the State in all criminal appeals to the State supreme court and in the federal courts. The Criminal Appeals Division also writes opinions on criminal law matters and furnishes legal counsel and advice to certain state agencies such as the Liquor Control Commission.

Assistant Attorney General - Area Prosecutor: Supervises five other assistant attorneys general in prosecuting major crimes at the trial level. Drawing 75% of its funding from the federal government, this unit of the attorney general's office was formed in 1971 to supplement the State's present part-time county attorney system with a small group of full time experienced prosecutors. Subject to availability of staff, Area Prosecutors are assigned to assist or take over from county attorneys in the prosecution of selected felonies and indictable misdemeanors. The Area Prosecutors take part in various training sessions for State Bureau of Criminal Investigation agents and county attorneys. In addition the unit publishes a Criminal Law Bulletin, which is disseminated to all county attorneys and judges. They also provide phone-in answering service for the county attorneys, area prosecutors, and judges covering any legal issues that they might become involved in during the trial of criminal lawsuits. Additionally they are preparing a County Attorney's Handbook and a Police Journal for all law enforcement officers.

Assistant Attorney General - Anti-Trust and Organized Crime: Consisting of five attorneys and five investigators this unit, like the Area Prosecutors, was founded in 1971 and is 75% federally funded. It conducts investigations and initiates prosecutions in matters of antitrust, official misconduct and more or less sophisticated white collar criminal activity.

Assistant Attorneys General - State Departments: In addition to the foregoing, there are five assistant attorneys general representing the myriad of other state departments in their day to day legal affairs and in litigation. For example, one attorney, aided by an investigator, represents the Civil Rights Commission, another the Departments of Public Safety and Labor, a third the Board of Regents, the Department of Public Instruction, and the Insurance and Banking Departments, etc.

PRINCIPAL ACCOUNTABILITIES:

1. Ensure that the State structure operates its various departments within the laws of multi-jurisdiction (international, federal, inter-state, intra-state and within the state).

2. Provide legal guidance and leadership in both ordinary and special activities to ensure maximum protection of the legal rights of the State of Iowa, especially by anticipating problems and opportunities.
3. Direct the defense of the State against any suits or claims (including federal) by handling the litigation with own personnel or in some cases by outside counsel.
4. Prosecute and defend all causes in the supreme court in which the State is a party or interested.
5. Prosecute and defend in any other court or tribunal, all actions and proceedings, civil or criminal, in which the State may be a party or interested, when, in his judgment, the interest of the State requires such action, or when requested to do so by the governor, executive council, or general assembly.
6. Prosecute and defend all actions and proceedings brought by or against any State officer in his official capacity.
7. Prepares opinions and acts as attorney for all State officers and all boards and commissions created by law on any matters involving legal services.
8. Safeguard the State interests by preparing all legal forms, contracts, leases and other formal agreements.
9. Contribute to the State's favorable image by effectively representing the State to its various publics including professional organizations.
10. Provide legal services to all departments.
11. Prepare reports for the Governor on the condition of his office, opinions rendered and business transacted of public interest.
12. Organize and administer the office by recruiting, selecting, training and developing staff to carry out the legal activities that protect and prevent violations of its legal rights.
13. Account to the Treasurer of State for all funds received by him.
14. Supervise county attorneys in all matters pertaining to the duties of their offices, and from time to time require of them reports as to the condition of public business entrusted to their charge.

STATE OF IOWA

Position Description

Date: December, 1972 Position: Auditor of State
Approved by: Lloyd R. Smith  Incumbent: Lloyd R. Smith
Reports to: Electorate

POSITION PURPOSE:

The Auditor of State shall annually, and oftener if deemed necessary, make a full settlement between the State and all State offices and departments and all persons receiving or expending State funds.

DIMENSIONS:

Annual Receipts Audited:

State Government:	\$1,344 MMM
Counties (99):	\$1,075 MMM
Cities and Towns:	\$ 474 MM
School Districts (454)	\$ 664 MM

Staff:	130
Administrative and Supervisory:	8
Auditors:	99
Clerical:	22

Annual Department Expenses: \$1,280 MM

Number of Audits per year: 1,200

NATURE AND SCOPE:

The Auditor of State is a constitutional official (Article IV, Sec. 22, Constitution of Iowa) who is required by law to make full settlement at least once each year between the state and all state offices and departments and all political subdivisions of the state receiving or expending state funds. He is also required to make a complete audit of the books, records and accounts of every department of state. These departments include the Governor's office, Attorney General's

office, Office of Secretary of State, Department of Agriculture, Commerce Commission, Conservation Commission, Department of Revenue, Highway Commission, State University of Iowa, University of Northern Iowa, Iowa State University, Department of Social Services and all other departments, boards and commissions of State. This audit includes: 1) a report of the actual condition of the department; 2) an opinion as to whether all funds have been expended for the purpose for which appropriated, whether the department is efficiently conducted, and if the maximum results for the money expended are obtained; 3) a report of all illegal or unbusinesslike practices; 4) any recommendations for greater simplicity, accuracy, efficiency or economy in the operation of the department; 5) comparisons of prices paid and terms obtained by the various departments for goods and services of like character and reasons for differences if any; 6) any other information which in his judgment may be of value.

In addition to these annual audits, the Auditor of State is required by law to audit the accounts, records and documents of the State Treasury daily, and to make quarterly preliminary audits of the State Educational Institutions and of the State Fair Board.

Another primary responsibility of the Auditor of State is to make an annual audit of the 99 counties. These audits are made without notice and the auditors make a complete audit of all county offices. The Auditor of State also has the responsibility for the audits of cities and towns, school districts, and county hospitals. All audits must be filed with the Auditor of State. All audit reports of governmental bodies are a matter of public record and are available for inspection in the office of the Auditor of State and the office of the body audited.

The regulation and examination of state chartered savings and loan associations and industrial loan companies are the responsibility of the Auditor of State in addition to the governmental bodies over which he has supervision.

Annual and biennial reports which reflect in summary the findings of the annual audits are required by law. These reports include operations of county government, municipal finances, the activities of the Auditor of State, and summaries of financial statements and other pertinent information regarding savings and loan associations.

The Auditor manages his department through a Deputy Auditor, an Administrative Assistant, an Office Manager who supervises the work of the 21 clerical employees in the General Office, and five Supervisors in charge of the following Divisions:

State Audit Division, with 38 Auditors, audits departments and agencies of the State Government.

County Division, with 35 Auditors, audits the accounts of the 99 counties.

Municipal and Schools Division, with 22 Auditors, audits the accounts of cities and towns, school districts and county hospitals.

SAVINGS AND LOAN DIVISION

~~INDUSTRIAL LOAN DIVISION~~, with 2 Auditors, audits the accounts of State chartered savings and loan associations.

Industrial Loan Division, with 2 Auditors, audits the accounts of State chartered industrial loan companies.

The Auditor of State is also responsible for auditing and analyzing annual investment reports of all political subdivisions in the State except townships.

The Auditor of State is a member of the State Executive Council, the State Board of Appeal, the Geological Survey, and the Bonus Board.

PRINCIPAL ACCOUNTABILITIES:

1. Directs annual settlement between State and all State offices and departments, and all persons receiving or expending State funds and annually make a complete audit of the books and accounts of every department of State.
2. Audit accounts, records, and documents of the Treasury Department daily.
3. Make preliminary audit of the educational institutions and the State Fair Board at least quarterly, with final audit of such State agencies at the close of each fiscal year.
4. Contribute to overall functioning of the State through various board memberships.

STATE OF IOWA
Position Description

Date: December, 1972 Position: Treasurer of State
Approved by: Maurice E. Baringer Incumbent: Maurice E. Baringer
Reports to: Electorate

POSITION PURPOSE:

To act as custodian of the State's cash, trust fund investments, and other securities and collateral and to pay authorized warrants.

DIMENSIONS:

Subordinate personnel:	20
Department payroll:	\$179,710
Department operating budget:	\$219,631 (actual 71-72) \$231,149 (est. 72-73)
Average number of warrants processed daily:	15 M
Average cash volume daily:	\$11.5 MM approx.
Invested funds:	\$787 MM

NATURE AND SCOPE:

This elective constitutional office reports to the Governor and citizens of the State, as do the Auditor, the Secretary of State, the Lieutenant Governor and the Attorney General. Reporting to the incumbent are the Deputy Treasurer of State and two Assistant Treasurers.

This position oversees the processing in and out and the safekeeping of all State or State-related funds, cash and invested. He pays warrants issued by the Comptroller upon presentation (15,000 daily). This position has membership (along with the Governor, Secretary of State, Secretary of Agriculture, and State Auditor) on the Executive Council. The Council exercises final powers in the disposition (lease or otherwise) of State owned trust fund lands (mineral and forest) and administers disaster relief, approves designation of state depositories, and the compromising of certain claims. The Treasurer invests permanent trust funds, cash, and other funds certified for that purpose by various departments or State retirement groups.

The Treasurer is a member of the State Appeal Board, State Bonus Board (veterans bonus) and Rate Setting Board (sets rates of return on all time certificates involving public funds for local government units).

He is custodian and trustee of the Peace Officers' Retirement Fund and of the Iowa Public Employees Retirement System.

Incumbent develops, mans, and directs the Department of the Treasury to the end of ensuring integrity of the system, balancing of all State accounts (daily, and coordination of a bank-like cashiering, accounting, and safekeeping function.) Adjusting the operation to various volumes of cash and warrants, development of more computerized procedures, maintaining personal expertise in the functional investment and accounting fields are areas of concern.

This position determines the level of balances maintained in active bank accounts serving state institutions and payrolls. The balances in these cases reflect directly on the amount of cash available for investment. Whenever new collection accounts are required to serve deputy registrars of motor vehicles, state parks, junior colleges or other state agencies, the Treasurer designates the banks to be used, with approval of all depositories made by a vote of the Executive Council. This position has been given complete accountability for administering the abandoned property act and generally ensures that rightful owners, the State or otherwise, are located and awarded their property (usually dividends, untouched bank accounts, etc.)

PRINCIPAL ACCOUNTABILITIES:

1. Ensures the safekeeping of all cash, securities, or collateral held by the State of Iowa.
2. Develops, organizes, mans, and directs the cashiering, accounting, and cash and warrant processing of all monies for the State.
3. Determine the balance, number and places of State funds deposits to ensure greatest flexibility and security. All depositories are, however, approved by vote of the Executive Council.
4. Invests State and various special funds to obtain maximum secure return.
5. Coordinates activities with all departments and agencies to ensure the integrity of the system and maximum utilization of funds for investment.

STATE OF IOWA

Position Description

Date: December, 1972 Position: Secretary of State
Approved by *Melvin D. Synhorst* Incumbent: Melvin D. Synhorst
Secretary of State Reports to: Electorate

POSITION PURPOSE:

To maintain an accurate and authentic record of all actions of Iowa State Government and its history, and to perform assigned constitutional and statutory duties to provide an efficient and legally based governmental operation.

DIMENSIONS:

Staff:	27
Operating Budget:	\$240 M (1971 - 72)
Corporations on Record:	40 M
Revenue:	\$800 M
Uniform Commercial Code Filings:	150 M

NATURE AND SCOPE:

This elective constitutional position reports to the Governor and the citizens of the State, along with the other elective positions of Lieutenant Governor, Treasurer of State, Auditor of State, Attorney General and Secretary of Agriculture. Reporting to this position are the Deputy Secretary of State and through him the Director of the Corporations Division, the Director of Elections, the Director of the Uniform Commercial Code Division, and the heads of the Land Office and Notaries Public Divisions.

The State Land Office maintains a record of original patents issued by the State and a history of the acquisition or disposition of land by the State.

The Corporation Division issues certificates of incorporation to Iowa corporations for pecuniary profit, corporations not for pecuniary profit, and cooperative associations. Foreign corporations which transact business in Iowa are required to obtain certificates of authority from the Secretary of State. Trade-marks, labels, and forms of advertising, may be filed in the office of Secretary of State for protective registration.

The Uniform Commercial Code Division files all financing statements presented for filing, evidencing indebtedness secured by personal property mortgage, lien or conditional sales, and answers all requests for information on file.

The Notaries Public Division issues all notary public commissions, and maintains all records pertaining thereto.

The Elections Division under the direction of the Secretary of State prescribes election forms, establishes uniform election practices and procedures, and is generally responsible for the conduct of elections in the State. The Secretary of State is State Commissioner of elections and in this capacity receives election returns from county auditors and officially certifies the results of statewide elections.

The Secretary of State is Commissioner of Athletics for the State of Iowa.

Through his general office the Secretary of State serves as custodian of original and official documents of the State, including the constitution, the original statutes of Iowa, authenticated journals of the general assembly, administrative rules and regulations, election records, bonds of various elective and appointive officials, and a record of incorporated cities and towns.

The Secretary of State is Chairman of the Iowa Real Estate Commission; member of the State Executive Council, the Employment Agency License Commission, and the Revolutionary War Bicentennial Commission.

PRINCIPAL ACCOUNTABILITIES:

1. Serve as an elected constitutional officer of the State to provide that the operation of State Government is in the interest of the public.
2. Perform constitutional duties assigned to record, maintain, and certify acts and documents of State Government operation in an accurate and authentic form.
3. Direct specific activities and programs assigned by statute relating to the efficient and effective operation of State Government.
4. Direct the administrative functions of the Secretary of State's office and provide the leadership necessary to function in an effective manner.
5. Represent the State and his office before the public, the legislature and other interested groups to explain and interpret the past and present operation and role of State Government Services to its citizens.

Through its Division of Consumer Protection, including supervisors and inspectors, the department enforces laws governing hatcheries, agricultural seeds, commercial feeds, dairy plants, fertilizers, agricultural limestone, food products, hotels and restaurants, pesticides, paints and oils, gasoline and kerosene, weights, measures and scales, and the quality control of dairy products. The inspection function involves the inspection of hotels and restaurants in addition to food processing plants. This Division is accountable for calibrating LP gas meters on terminals and trucks.

The Department has a Marketing Board, whose function is to promote the sale of Iowa agricultural products. The budget for this purpose was increased by the 1965 legislature.

A Market News Division, in cooperation with the United States Department of Agriculture, reports daily prices, volume receipts, movement of livestock, poultry and agricultural products.

Also in cooperation with the federal department is a Statistical Service including the annual state farm census, the price, production and utilization of stocks, inventory and marketing data on crops and livestock.

The State Entomologist and staff devote particular attention to barberry pest control and to nurseries. The State Botanist gives technical advice on weeds and seeds.

The Weather Division, in cooperation with the federal department, forecasts frost, gives flood and storm warnings, weather and crop summaries and the progress of the corn crop.

On January 8, 1971, the U.S. Department of Agriculture certified the Iowa meat inspection program equal to the minimum requirements under the provisions of the Wholesome Meat Act. The department now has full responsibility for inspection of meat slaughtering and processing plants doing business wholly within the State, with one-half of Iowa's budget for the meat inspection coming from federal matching funds supplied by USDA's Consumer and Marketing Service.

A major environmental problem is disposal of dead livestock.

Approximately 50% of the work of this position is regulatory in nature, involving the balancing of conflicting needs and pressures.

Much of the incumbent's time is spent administering the department, meeting with legislators, agri-business, food industry, and farm organization representatives, and making public presentations before organizations and groups interested and concerned with agriculture and the food industry.

The greatest challenge the incumbent faces is keeping his department sufficiently in tune with the times so that it can be responsive to the changing needs of the State and its citizens, through innovative attitudes, equipment, and programs. Another concern of this position is to maximize agricultural productivity within acceptable environmental and ecological limits.

PRINCIPAL ACCOUNTABILITIES:

1. Contributes to attaining an abundance of high quality food and agricultural products through State agricultural policy implementation and enforcement.
2. Develops and expands markets for agricultural products by assisting producers and processors in improving quality, production, and marketing practices.
3. Protects the health of consumers through inspection and laboratory analysis.
4. Ensures the control and eradication of weeds, pests, and plant diseases.
5. Directs the effective administration of the department through the development of staff and program capabilities.

STATE OF IOWA

Position Description

Date: December, 1972 Position: State Legislator
(Senator/Representative)
Approved by: *Frank R. Anderson*
report on to constituents Reports to: Electorate

POSITION PURPOSE:

A state legislator is a member of either House of the General Assembly which is the policy-making branch of the State Government of Iowa. Policies of the state are represented by the state laws enacted by the General Assembly. A state legislator represents the people of a particular legislative district as well as all citizens of the State of Iowa.

DIMENSIONS:

State Budget:	Approximately \$665 MM per year
Population of State:	2.8 MM
Personnel:	One clerk

NATURE AND SCOPE:

Historically a member of the Iowa General Assembly has been expected to be a part-time legislator, which means that a legislator normally must balance his time between his own personal business or occupation and his position as a legislator. The complexion, procedures, and time available to the General Assembly has changed substantially in Iowa during the last four years, commencing with the year 1969 when the first annual session of the Iowa General Assembly was held. The problems facing the State of Iowa have grown more complex in modern-day society and the knowledge and time required by individual legislators has grown in the last five to ten years.

A state legislator must represent his constituents by bringing to the attention of the General Assembly the problems affecting citizens of his district which can be solved through the enactment of legislation or improved administration of existing laws. He must be able to anticipate problems. He should become knowledgeable in regard to specific problems of his legislative district and the problems of the state as a whole. He should become knowledgeable in many

areas, including the areas of governmental finance, state and local social programs, school problems, transportation problems, industrial problems, legal problems, health problems, conservation problems, environmental problems, and numerous other problem areas. Within these broad categories he will become aware of more specific problem areas. He should have a broad understanding of national, state, and local government structures. He makes decisions which will affect many persons and he will be expected to justify the manner in which he made his decision.

A legislator is expected to read hundreds of bill drafts, reports, and letters and respond to the contents of such documents. In addition, he is expected to meet with many groups and individuals in order to hear and learn about the position of such groups and individuals in regard to issues facing the General Assembly. Since he has no personal research staff, he must often do his own research.

A state legislator can normally expect to be in Des Moines, Iowa, during the first five months of an odd-numbered year and during the first three to four months of an even-numbered year. He will normally be away from his home district Monday through Friday.

In addition to the time which must be devoted to legislative sessions, a state legislator is expected to devote time in his home district to the problems of his constituents and the time involved varies considerably. Evenings and weekends may be spent speaking with constituents and answering questions in regard to the decisions to be made by the General Assembly. In addition, he can expect that his normal business working day will be interrupted because of contact with constituents.

When the General Assembly is not in session a state legislator can expect that he will be asked to address many citizen organizations and groups, particularly immediately following and preceding a session of the General Assembly. In addition, it will be necessary for him to devote many days prior to an election campaign for the office he is seeking.

A state legislator will be expected to attend interim legislative study committee meetings during times when the General Assembly is not in session. As a member of either a standing committee or an interim study committee he will be expected to become more knowledgeable in, and respond to, the problem areas assigned to his committee.

Legislators who occupy leadership positions such as majority and minority floor leaders, speaker of the house, committee chairmen, and ranking members of the committees are expected to share a greater burden and to be more knowledgeable and influential than are those persons who do not occupy such positions. Persons who occupy leadership positions must keep informed of problems coming up and act as liaison with one another, the Executive Branch and individual legislators.

The decisions they make will have greater impact on the entire State and will be more exposed to publicity and comment by newspapers, constituents, and other members of the legislature than the everyday decisions normally facing legislators. Those legislators who serve in the policy-making positions for the General Assembly will be required to devote a much greater portion of their time during the year, both when in Des Moines and when at ^{his} ~~their~~ own residence, to state business.

The staffing for legislators in Iowa is minimal when compared to the staffing pattern in other states. Legislators do not have individual offices and practically no individual staff, except in the case of leadership positions where the office space and staff is minimal at best. The ability to respond to the pressures of the job of being a state legislator is hampered by the lack of physical facilities and staff, and the time required of a legislator to respond to the pressures of lobbyists and constituents is increased through the same lack of staff and physical facilities.

A member of the House of Representatives must be 21 years of age, a citizen of the United States, and an inhabitant of the State of Iowa one year preceding his election. He shall have had actual residence of sixty days in his legislative district. He is elected for a two-year term.

A State Senator must be 25 years of age, possess the qualifications of a State Representative as to residence and citizenship, and is normally elected for a term of four years.

The Lieutenant Governor holds frequent policy meetings with the Majority Leader and other members of the legislative leadership to review the calendar and plan what measures to bring before the Senate. He meets weekly with the Governor to discuss the status of the Governor's legislative program.

He appoints members of the Legislative Council and serves as ex-officer member of that body. He makes a number of appointments to executive agencies and commissions. He is also a member of the Executive Council which directs much of the day-to-day administrative business of the State.

The incumbent meets with the Governor, department heads and other State officials. He attends hearings and committee meetings on occasion. He analyzes State problems and activities to prepare himself to assume at any time the direction of the State efficiently and effectively in the incapacity of the Governor.

The incumbent travels extensively around the State, meets the public and makes speeches to lend the prestige of his office to worthwhile public and private programs, and to inform the public of the State's programs and activities. The incumbent may, at the Governor's direction, represent the Governor at national conferences and meetings to maintain the stature of the State nationally.

The incumbent's secretary provides the routine administrative and clerical services required to keep the daily operation of the office running smoothly and efficiently. Secretary also researches information and answers routine inquiries from the public to assist the Lieutenant Governor in keeping the public knowledgeable about State issues. The Aide researches information for the incumbent on pending or proposed legislation.

PRINCIPAL ACCOUNTABILITIES:

1. Ensures the efficient and proper conduct of sessions of the Senate.
2. Exercises leadership to attain passage of legislation in the best interests of the citizens of Iowa.
3. Informs the public of the State's programs and activities.
4. Assists the Governor in maintaining the stature of the State nationally.
5. Ensures continuous, effective direction of the State in the incapacity of the Governor.

STATE OF IOWA

Position Description

Date: December, 1972

Position: Speaker of the House

Approved by: Andy Varley

Current Incumbent: William H. Harbor

Incumbent - Elect: Andrew P. Varley

Reports to: Electorate

POSITION PURPOSE:

To preside over the House of Representatives to ensure the efficient and proper operation of the House in the passage of legislation in the best interests of the people of Iowa.

DIMENSIONS:

Annual State Budget:	\$600 ^{\$665} MM (Approximately)
State Population:	2.8 MM
Number of Representatives:	100
Staff:	155 + Employees during session

NATURE AND SCOPE:

The Speaker of the House is a Representative elected by the people of his District. He is elected to the post of a Speaker for a two year term by the members of the House. Thus, he is indirectly responsible to the entire electorate. Reporting to this position are an Executive Secretary and the Chief Clerk of the House.

The Speaker occupies a position of leadership in the House and in the State Government. He presides over the House of Representatives, recognizes speakers and, with the advice of the Chief Clerk, rules on points of parliamentary law and procedure. He assigns individual legislators to standing and interim committees and appoints the Chairman and ranking member of each committee. He assigns bills to the appropriate committee. As a member of the House he can vote on matters before the House and is entitled, if he so elects, to step down and speak to pending measures.

The incumbent holds daily policy meetings with the Majority Leader to review the calendar and plan what measures to bring before the House. He has similar meetings

several times a week with the full leadership of the legislature to plan legislative action and weekly meetings with the Governor to discuss the status of the Governor's legislative program.

He appoints members of the Legislative Council which acts in the interim between sessions to plan for the next session. He works actively with the Legislative Council and interim committees between sessions approximately two to three days a week in Des Moines. He works with the Director, Legislative Services Bureau in arranging for research and bill drafting services.

The Speaker directs the work of the Chief Clerk (who is appointed by the House Administration Committee). The Chief Clerk acts as parliamentarian, advising the Speaker on points of parliamentary law, is accountable for the official journal of the House and supervises a staff of 3 Secretaries and 16 enrolling, engrossing, and journal Clerks and a Payroll Clerk. *He directs the housekeeping functions of the House.*

The Speaker is fourth in line of succession to the Governorship; after the Lieutenant Governor and President pro tempore of the Senate.

PRINCIPAL ACCOUNTABILITIES:

1. Ensure the efficient and proper conduct of sessions of the House of Representatives.
2. Exercises leadership to attain passage of legislation in the best interests of the people of Iowa.

*Appoints members to Budget and Financial Control
Control Committee*

*Also appoints representatives to various
commissions, boards, and committees.*

BIBLIOGRAPHY

Copies of the following materials were distributed to Commission members during their study:

1. Bennion, Susan D., Research Analyst, Idaho Legislative Council; letter to Mr. Serge Garrison concerning the operation of the Legislative Compensation Commission.
2. Chapter 2, "State Officials Salaries"; Acts of the Sixty-fourth General Assembly, First Session; 1971.
3. Chapter 1012, "Salary Review Commission"; Acts of the Sixty-fourth General Assembly, Second Session; 1972.
4. Commonwealth of Massachusetts; Advisory Board on Compensation; Report of the Advisory Board on Compensation; No. 5067; 1971.
5. Commonwealth of Pennsylvania; Commonwealth Compensation Commission; Report of Commonwealth Compensation Commission; June, 1972.
6. "Compensation of Judges of State Appellate Courts and Trial Courts of General Jurisdiction"; Book of the States, 1972-1973; The Council of State Governments; 1972.
7. Hay Associates; Salaries for Elected State Officials of the State of Iowa; A Report to the Commission on Compensation, Expenses and Salaries for Elected State Officials; January, 1973.
8. "Iowa Ranks No. 6 in Comparison Study of State Legislatures"; Press Release; The Citizens Conference on State Legislatures; February, 1971.
9. Journal of the West Virginia Senate; "Resolution submitting Recommendations with respect to Compensation and Expense Allowances"; Citizens Legislative Compensation Commission; January 28, 1971.
10. Legislative Service Bureau; Selected Information Concerning the Heads of State Departments and and Agencies; compiled 1972.
11. Office of the Chief Clerk of the House of Representatives; Salary and Expense Breakdown; House Members, Sixty-fourth General Assembly; 1971.
12. Office of the Chief Clerk of the House of Representatives; Salary and Expense Breakdown; Senate Members, Sixty-fourth General Assembly; 1971.

Bibliography

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13. Pay Rates of the General Schedule (5 U.S.C. 5332); As Adjusted by Executive Order; December 1971.
14. "Salaries and Compensation of Legislators"; Book of the States, 1972-1973; The Council of State Governments; 1972.
15. Schneider, R. P., Chairman, State of Wisconsin, Legislative Compensation Council; letter to Mr. C. K. Wettengel and Mr. William Ahrens.
16. Sections of the Code of Iowa (1973) relating to the General Assembly, Secretary of State, Treasurer of State, Attorney General, Governor, Auditor of State, Judges and Courts.
17. "State Administrative Officials: Annual Salaries"; Book of the States, 1972-1973; The Council of State Governments; 1972.
18. State of Arizona; Commission on Salaries for Elected State Officials; The Commission on Salaries for Elected State Officials, Report and Recommendations; 1971.
19. State of Hawaii; Commission on Legislative Salary; Report of the 1971 Commission on Legislative Salary; 1971.
20. State of Maryland; General Assembly Compensation Commission; The Report of the General Assembly Compensation Commission accompanying the Resolution of that Commission Determining the Compensation and Allowances of Members of the General Assembly; January 28, 1971.
21. State of Michigan; State Officers Compensation Commission; Determinations of the State Officers Compensation Commission; 1972.
22. State of New Jersey; Commission on State Administrative and Professional Compensation; Report of the New Jersey Commission on State Administrative and Professional Compensation.
23. State of North Dakota; Legislative Compensation Commission; Report of the Legislative Compensation Commission to the Forty-second General Assembly; 1971.

Bibliography

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24. The Citizens Conference on State Legislatures; A Checklist for Legislative Compensation; 1969.
25. The Citizens Conference on State Legislatures; Report on Salaries, Expenses in 50 State Legislatures as 1973 Sessions Begin; Research Memorandum 16; 1972.
26. The Council of State Governments; "1972 Legislative Sessions"; Legislative Session Sheet; 1972.