

CHAPTER 235

JUDGES RETIREMENT SYSTEM

H. F. 279

AN ACT to provide a pension and annuity retirement system for judges of the district court and the supreme court; to provide for the administration of such system; to provide for contributions by such judges and for contributions from the state to raise funds for such system; and to repeal conflicting laws.

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

1 SECTION 1. A retirement system is hereby created and established
2 to be known as the "Judicial Retirement System", hereinafter called
3 the "System".

1 SEC. 2. The state comptroller shall be vested with authority to
2 administer the system and may promulgate rules therefor not incon-
3 sistent with the provisions of this Act.

1 SEC. 3. This Act shall not apply to any judge of the district or
2 supreme court until he gives notice in writing, while serving as such
3 a judge, to the state comptroller and treasurer of state, of his purpose
4 to come within its purview. Such notice shall be given within one
5 year after the effective date hereof or within one year after any date
6 on which he takes oath of office as such judge.

1 SEC. 4. Each judge coming within the purview of this Act shall,
2 on or before retirement, pay to the state comptroller for deposit with
3 the state treasurer to the credit of a fund to be known as the "Judicial
4 Retirement Fund" a sum equal to three (3) percent of his basic sal-
5 ary for services as such judge for the total period of service as a
6 judge of a district or supreme court before the date of said notice,
7 and after the date of the notice there shall be deducted and withheld
8 from the basic salary of each judge coming within the purview of
9 this Act a sum equal to three (3) percent of such basic salary. Pro-
10 vided that the maximum amount which any judge shall be required
11 to contribute for past service shall not exceed for district judges
12 \$3,000.00 and for supreme court judge \$4,000.00. The amounts so
13 deducted and withheld from the basic salary of each said judge shall
14 be paid to the state comptroller for deposit with the treasurer of
15 state to the credit of the judicial retirement fund, and said fund is
16 hereby appropriated for the payment of annuities, refunds, and allow-
17 ances herein provided. The judges of the district and supreme court
18 coming within the provisions of this Act shall be deemed to consent
19 and agree to the deductions from basic salary as provided herein, and
20 payment less such deductions shall be a full and complete discharge
21 and acquittance of all claims and demands whatsoever for all regular
22 services rendered by such judges during the period covered by such
23 payment, except the right to the benefits to which they shall be en-
24 titled under the provisions of this Act. The state shall contribute a
25 sum not exceeding three (3) percent of the basic salary of all judges
26 for the years 1949 and 1950 and thereafter such sums as may be
27 necessary over the amount contributed by the judges to finance the
28 system.

1 SEC. 5. No person shall be entitled to receive an annuity under
2 this Act unless he shall have contributed, as herein provided, to the
3 judicial retirement fund for the entire period of his service as a judge
4 of either or both the district and supreme courts.

1 SEC. 6. Any person who shall have become separated from service
2 as a judge of the district or supreme court and who has had an aggre-
3 gate of at least six years of service as a judge of either or both the
4 district and supreme courts and shall have attained the age of sixty-
5 seven (67) years, and who shall have otherwise qualified as provided
6 in this Act, shall be entitled to an annuity as hereinafter provided.

1 SEC. 7. The annuity of a judge under this system shall be an
2 amount equal to two (2) percent of his average annual basic salary
3 as a judge of either or both the district and supreme courts, multiplied
4 by his years of service as a judge of either or both the district and
5 supreme courts, but no such annuity shall exceed an amount equal
6 to forty per centum (40%) of the salary that he is receiving at the
7 time he becomes separated from such service.

1 SEC. 8. The amounts deducted and withheld from the basic salary
2 of each judge of the district or supreme court for the credit of the
3 judicial retirement fund and all amounts paid into such fund by each
4 judge shall be credited to the individual account of such judge. In
5 the event a judge of the district or supreme court becomes separated
6 from service as such judge before he completes an aggregate of six
7 years of service as a judge of either or both the district and supreme
8 courts, the total amount of his contribution to the fund shall be re-
9 turned to said judge or his legal representatives, and in the event
10 a judge who has completed an aggregate of six years or more of serv-
11 ice as a judge of either or both the district and supreme courts, dies
12 before retirement, the total amount of his contribution to the fund
13 shall be paid in one sum to his legal representatives, and in the event
14 an annuitant under this section dies, without having received in an-
15 nuities an amount equal to the total amount remaining to his credit
16 at the time of his separation from service, the amount remaining to
17 his credit shall be paid in one sum to his legal representatives.

1 SEC. 9. Annuities granted under the terms of this Act shall be due
2 and payable in monthly installments on the last business day of each
3 month following the month or other period for which the annuity
4 shall have accrued and shall continue during the life of the annuitant
5 and payment of all annuities, refunds, and allowances granted here-
6 under shall be made by checks or warrants drawn and issued by the
7 state comptroller. Applications for annuities shall be in such form
8 as the state comptroller may prescribe.

1 SEC. 10. No annuity shall be paid to any person entitled to receive
2 an annuity hereunder while he is serving as a state officer or employee.

1 SEC. 11. So much of the judicial retirement fund as may not be
2 necessary to be kept on hand for the making of disbursements under
3 this Act shall be invested by the state treasurer in securities of the
4 United States government and the earnings therefrom shall be
5 credited to said fund.

1 SEC. 12. All laws in conflict with the provisions of this Act are,
2 to the extent of such conflict, repealed.

1 SEC. 13. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Coggon Monitor, a
3 newspaper published at Coggon, Iowa, and in the Register, a news-
4 paper published at Rake, Iowa.

Approved April 18, 1949.

Pursuant to authority vested in the undersigned, Secretary of State, the Register, Rake, Iowa, being non-existent, the following paper, The Rake Register, Thompson, Iowa, is designated to publish the foregoing act.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in The Rake Register, May 12, 1949, and in the Coggon Monitor, May 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 236

DISTRICT COURT JUDGES

S. F. 281

AN ACT to amend section six hundred five point one (605.1), Code 1946, relating to salaries of judges of the district court.

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

1 SECTION 1. Section six hundred five point one (605.1), Code, 1946,
2 is amended by striking from lines two (2) and three (3), the words,
3 "six thousand dollars per year" and substituting in lieu thereof the
4 following: "seven thousand dollars per year, provided that the com-
5 pensation of judges during the terms existing at the time of the
6 passage of this act shall be at the rate of six thousand dollars per
7 year until the end of said existing terms."

Approved April 20, 1949.

CHAPTER 237

DISTRICT COURT JUDGES' ALLOWANCES

H. F. 34

AN ACT to amend section six hundred five point two (605.2), Code 1946, relating to daily expense allowances for judges of the district court.

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

1 SECTION 1. Section six hundred five point two (605.2), Code 1946
2 is hereby amended by striking from line seven (7) the word "four"
3 and inserting in lieu thereof the word "six".

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication