

1 SEC. 211. Chapter seventeen A (17A), as amended by Acts of the
 2 Sixty-fifth General Assembly, 1973 Session, chapter one hundred
 3 twenty-eight (128), and sections eighty-three A point twelve
 4 (83A.12), eighty-six point thirty (86.30), eighty-six point thirty-one
 5 (86.31), eighty-six point thirty-three (86.33), ninety-seven B point
 6 twenty-one (97B.21), ninety-seven B point thirty (97B.30), ninety-
 7 seven B point thirty-one (97B.31), one hundred point eighteen
 8 (100.18), one hundred point nineteen (100.19), one hundred point
 9 twenty-one (100.21), one hundred point twenty-two (100.22), one
 10 hundred point twenty-four (100.24), one hundred point twenty-five
 11 (100.25), one hundred ninety-two A point twenty-six (192A.26), two
 12 hundred thirty-eight point thirteen (238.13), two hundred thirty-
 13 eight point fourteen (238.14), two hundred thirty-eight point fifteen
 14 (238.15), two hundred seventy-five point thirty-four (275.34), three
 15 hundred twenty-five point twenty-two (325.22), three hundred
 16 twenty-five point twenty-three (325.23), three hundred twenty-five
 17 point twenty-four (325.24), four hundred twenty-eight point thirty-
 18 two (428.32), four hundred twenty-eight point thirty-three (428.33),
 19 four hundred fifty-five B point forty (455B.40), four hundred fifty-
 20 five B point forty-two (455B.42), four hundred ninety A point four-
 21 teen (490A.14), four hundred ninety A point fifteen (490A.15),
 22 four hundred ninety A point sixteen (490A.16), four hundred ninety
 23 A point seventeen (490A.17), four hundred ninety A point eighteen
 24 (490A.18), four hundred ninety A point nineteen (490A.19), and
 25 five hundred seven B point ten (507B.10), Code 1973, are repealed.

Approved May 29, 1974

CHAPTER 1091

MILEAGE RATE FOR USE OF PRIVATE VEHICLES

S. F. 1139

AN ACT raising the mileage rate paid to members of the general assembly and employees of the state or its political subdivisions.

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

1 SECTION 1. Section twenty-one point four (21.4), unnumbered
 2 paragraph one (1), Code 1973, is amended to read as follows:
 3 No state officer or employee shall use any state-owned motor vehicle
 4 for his own personal private use, nor shall he be compensated for driv-
 5 ing his own motor vehicle except if such is done on state business with
 6 the approval of the state vehicle dispatcher, and in such case he shall
 7 ~~not receive more than ten~~ fifteen cents per mile. A statutory provision
 8 stipulating necessary, mileage, travel, or actual expenses reimburse-
 9 ment to a state officer shall be construed to fall under this fifteen cents
 10 limitation unless specifically provided otherwise. Any peace officer as
 11 defined in section seven hundred forty-eight point three (748.3) of the
 12 Code who is required to use his private vehicle in the performance of
 13 his official duties shall receive reimbursement for mileage expense at

14 *the rate of fifteen cents per mile.* However, the state vehicle dispatcher
15 may delegate authority to officials of the state, and department heads,
16 for the use of private vehicles on state business up to six thousand
17 miles per year. When a state motor vehicle has been assigned to a state
18 officer or employee he shall not collect mileage for the use of his per-
19 sonal vehicle unless the state vehicle assigned to him is not usable.

1 SEC. 2. Section forty-nine point twenty (49.20), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred twenty-two
4 (122), is amended to read as follows:

5 **49.20 Compensation of members.** The members of election boards
6 shall receive two dollars per hour while engaged in the discharge of
7 their duties and ~~ten cents per mile shall be reimbursed~~ for actual and
8 necessary travel *expense*. Compensation shall be paid to members of
9 election boards only after the vote has been canvassed and it has been
10 determined in the course of such canvass that the election record cer-
11 tificate has been properly executed by the election board.

1 SEC. 3. Section fifty point forty-seven (50.47), Code 1973, is
2 amended to read as follows:

3 **50.47 Messengers for election tally lists.** Messengers sent for the
4 tally lists of elections shall be paid from the state or county treasury,
5 ~~as the case may be, ten cents a mile going and returning for necessary~~
6 *travel expense.*

1 SEC. 4. Section sixty-eight point fourteen (68.14), Code 1973, is
2 amended to read as follows:

3 **68.14 Compensation—fees—payment.** The presiding officer and
4 members of the senate, while sitting as a court of impeachment, and
5 the managers elected by the house of representatives, shall receive the
6 sum of six dollars each per day, and ~~mileage at the rate of five cents~~
7 ~~per mile shall be reimbursed for mileage expense~~ in going from and
8 returning to their places of residence by the ordinary traveled routes;
9 the secretary, sergeant at arms, and all subordinate officers, clerks,
10 and reporters, shall receive such amount as shall be determined upon
11 by a majority vote of the members of such court. The same fees shall
12 be allowed to witnesses, to officers, and to other persons serving process
13 or orders, as are allowed for like services in criminal cases, but no fees
14 can be demanded in advance. The state treasurer shall, upon the pres-
15 entation of certificates signed by the presiding officer and secretary
16 of the senate, pay all of the foregoing compensations and the expenses
17 of the senate incurred under the provisions of this chapter.

1 SEC. 5. Section seventy-nine point two (79.2), Code 1973, is
2 amended to read as follows:

3 **79.2 Appraisers of property.** The compensation of appraisers ap-
4 pointed by authority of law to appraise property for any purpose shall
5 be fifty cents per hour for each appraiser for the time necessarily spent
6 in effecting the appraisal and ~~five cents a mile the mileage expense~~
7 for the distance traveled in going to and returning from the place of
8 appraisal, which shall, unless otherwise provided, be paid out of
9 the property appraised or by the owner thereof.

1 SEC. 6. Section seventy-nine point nine (79.9), Code 1973, is
2 amended to read as follows:

3 **79.9 Charge for use of automobile.** When a public officer or em-
4 ployee, other than a state officer or employee, is entitled to be paid for
5 expenses in performing a public duty, ~~no~~ a charge shall be made,
6 allowed, ~~or~~ and paid for the use of an automobile ~~in excess of ten~~
7 ~~fifteen~~ cents per mile ~~of~~ for actual and necessary travel ~~except as~~
8 ~~otherwise provided.~~ A statutory provision stipulating necessary, mile-
9 age, travel, or actual reimbursement to a public officer or employee
10 shall be construed to fall within this fifteen cents limitation unless
11 specifically provided otherwise. Any peace officer as defined in section
12 seven hundred forty-eight point three (748.3) of the Code who is
13 required to use his private vehicle in the performance of his official
14 duties shall receive reimbursement for mileage expense at the rate of
15 fifteen cents per mile.

1 SEC. 7. Section one hundred point thirty-four (100.34), Code 1973,
2 is amended to read as follows:

3 **100.34 Fee for fires reported.** Every official reporting a fire to the
4 state fire marshal as required by section 100.3 shall be paid the sum of
5 one dollar for each fire so reported to the satisfaction of the state fire
6 marshal and mileage at the rate of ten cents per mile expenses for each
7 mile traveled to and from the place of fire when the vehicle used is not
8 owned by a governmental unit. Said allowances shall be paid by the
9 state fire marshal out of any funds appropriated for the use of the
10 office of said state fire marshal, provided that such fees shall not be
11 paid to any full-time salaried public official who is paid for full time at
12 such duties.

1 SEC. 8. Section one hundred fifty-nine point twenty-five (159.25),
2 unnumbered paragraph three (3), Code 1973, is amended to read as
3 follows:

4 Appointive members of the board shall receive actual necessary
5 expenses and mileage at the rate of seven cents per mile expenses
6 incurred while engaged in the business of the agriculture marketing
7 board.

1 SEC. 9. Section one hundred seventy-nine point two (179.2),* un-
2 numbered paragraph three (3), Code 1973, is amended to read as fol-
3 lows:

4 The board of directors of the Iowa state dairy association shall on or
5 before the fifteenth day of May of each odd-numbered year nominate
6 for the office of commissioners three persons from each congressional
7 district within the state, as constituted January 1, 1941, all of whom
8 shall be actual milk or cream producers, which list shall on or before
9 the first day of June following, be certified to the secretary of agri-
10 culture of the state by the president and secretary of the Iowa state
11 dairy association and the said secretary of agriculture shall, on or
12 before the second Tuesday in June of each odd-numbered calendar
13 year, appoint one of said nominees so certified from each of said dis-
14 tricts as a member of Iowa dairy industry commission who shall
15 serve for a period of two years from July 1 following his appointment
16 and until his successor is duly appointed and qualified. Any vacancy
17 occurring in said Iowa dairy industry commission shall be filled by the

*This section was repealed and a substitute enacted by chapter 1153, §2 hereof

18 said secretary of agriculture from nominations made by the board of
 19 directors of the Iowa state dairy association in the manner heretofore
 20 provided. The appointive members of the commission shall receive the
 21 sum of five dollars per day for each day spent in actual attendance on
 22 meetings of the commission not exceeding one hundred dollars per
 23 annum, together with actual *and* necessary expenses ~~and mileage at~~
 24 ~~the rate of five cents per mile.~~

1 SEC. 10. Section two hundred seventeen point four (217.4), Code
 2 1973, is amended to read as follows:

3 217.4 **Meetings of council.** The council shall meet at least four
 4 times a year. Special meetings shall be called by the chairman or upon
 5 written request of any three members thereof. The chairman shall
 6 preside at all meetings or in his absence the vice-chairman shall pre-
 7 side. The members of the council shall be paid a per diem or forty
 8 dollars per day while in session, ~~ten cents a mile for travel,~~ and their
 9 reasonable and necessary expenses while attending such meetings.
 10 The amount of per diem any one member may receive in any fiscal year
 11 beginning with the date of employment shall not exceed eight hundred
 12 dollars.

1 SEC. 11. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter one hundred eighty-two (182), section one (1), amending sec-
 3 tion two hundred twenty-eight point nine (228.9), subsection two (2),
 4 Code 1973, is amended to read as follows:

5 2. To the examining physician, compensation as fixed by a majority
 6 of the judges of the district court in the judicial district in which the
 7 hearing is held and in addition mileage ~~of ten cents per mile each way~~
 8 ~~expenses.~~

1 SEC. 12. Section two hundred forty-nine point twelve (249.12),*
 2 Code 1973, is amended to read as follows:

3 249.12 **Witnesses.** For the purpose of any such investigation, the
 4 state director and the county board shall have the power to compel, by
 5 subpoena, the attendance and testimony of witnesses and the produc-
 6 tion of books and papers. All witnesses shall be examined on oath, and
 7 the state director or his authorized employee or any member of the
 8 county board may administer said oath. The costs incurred in connec-
 9 tion with any such hearing or examination shall be paid by the state
 10 director or county board, whichever issues the subpoenas; and the
 11 witnesses shall be entitled to claim a two-dollar fee and mileage expense
 12 ~~at a rate of five cents per mile,~~ except that responsible relatives as
 13 defined in sections 252.2, 252.5 and 600.6 shall not be entitled to claim
 14 witness fees and mileage expense.

1 SEC. 13. Section three hundred twenty-one point one hundred
 2 forty-one (321.141), Code 1973, is amended to read as follows:

3 321.141 **Fees and mileage.** The sheriff shall be entitled to receive
 4 as costs the sum of two dollars for serving the writ or warrant of
 5 seizure and ~~five cents mileage expense~~ for each mile actually traveled
 6 by him in collecting the fee and penalties, which shall be collected from
 7 the owner of such delinquent motor vehicle, and shall be retained by
 8 him in full for his services. He shall also collect from said owner the
 9 sum of fifty cents per day for care of the motor vehicle while in his

*Repealed by 65 GA, ch 186, §1

10 possession which sum shall be accounted for by the sheriff as fees are
11 accounted for, as provided in chapter 342.

1 SEC. 14. Section three hundred thirty-one point twenty-two
2 (331.22), unnumbered paragraph three (3), Code 1973, as amended by
3 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter two
4 hundred twenty-four (224), section two (2), is amended to read as
5 follows:

6 In counties of forty thousand population or less, the board of super-
7 visors may on their own motion elect to receive their compensation on
8 a per diem basis. If they so elect, the members of the board of super-
9 visors shall each receive forty dollars per day for each day actually in
10 session or employed on committee service or as a ditch or drainage
11 board considering drainage matters. No such member shall receive
12 per diem pay in excess of five thousand five hundred dollars in any one
13 calendar year. In addition, he shall receive ~~ten cents~~ *mileage expense*
14 for every mile traveled in going to and from sessions and in going to
15 and from the place of performing committee service, however, such
16 mileage payment shall not exceed the aggregate of ~~one thousand fifteen~~
17 *hundred* dollars per supervisor per year.

1 SEC. 15. Section three hundred thirty-seven point eleven (337.11),
2 subsection ten (10), Code 1973, is amended to read as follows:

3 10. Mileage in all cases required by law, going and returning, ~~ten~~
4 ~~cents per mile~~, provided that this subsection shall not apply where
5 provision is made for expenses, and in no case shall the law be con-
6 strued to allow both mileage and expenses for the same services and
7 for the same trip. In case the sheriff transports by auto, one or more
8 persons to any state institution or any other destination required by
9 law, or in case one or more legal papers are served on the same trip,
10 he shall be entitled to but one mileage at the rate prescribed herein,
11 the mileage cost thereof to be prorated to the respective persons trans-
12 ported and also in the case of separate papers served. Provided, how-
13 ever, that in the serving of original notices in civil cases the sheriff
14 shall be allowed mileage ~~at the rate of ten cents per mile expenses~~ in
15 each action wherein such original notices are served, and, he may
16 refuse to serve original notices in civil cases until the statutory fees
17 and mileage for service have been paid.

1 SEC. 16. Section six hundred seven point five (607.5),* Code 1973,
2 is amended to read as follows:

3 **607.5 Fees of jurors.** Petit jurors shall receive the following fees:
4 For each day's service or attendance in courts of record, including
5 jurors summoned on special venire, five dollars, and *mileage expenses*
6 for each mile traveled from his residence to the place of trial for each
7 day's service and attendance, ~~ten cents~~.

8 Grand jurors shall receive for each day's service or attendance,
9 seven dollars, and *mileage expenses* for each mile traveled each day
10 from his residence to the place of attendance and in the performance of
11 their duties, ~~seven cents~~, provided, however, that grand jurors shall be
12 entitled to mileage for travel from the place of their residence to the
13 county seat for the purpose of being impaneled. No grand juror shall

*Repealed by 65 GA, ch 1261, §1

14 receive mileage for travel in the performance of his duties when he
15 travels in a vehicle for which another juror is receiving mileage.

1 SEC. 17. Section six hundred twenty-two point sixty-nine (622.69),
2 Code 1973, is amended to read as follows:

3 622.69 **Witness fees.** Witnesses shall receive three dollars for each
4 day's attendance and ~~ten cents per mile~~ *mileage expenses* for each mile
5 actually traveled.

1 SEC. 18. Section two point ten (2.10), subsection one (1), Code
2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
3 Session, chapter one hundred nineteen (119), section one (1), is
4 further amended to read as follows:

5 1. Every member of the general assembly except the speaker of the
6 house and majority and minority floor leaders of the senate and house
7 shall receive an annual salary of eight thousand dollars for each year
8 while serving as a member of the general assembly. The majority and
9 minority floor leaders of the senate and house shall receive an annual
10 salary of nine thousand five hundred dollars for each year while serv-
11 ing in such capacity. In addition, each such member shall receive the
12 sum of twenty dollars per day for expenses of office, except travel, for
13 each day the general assembly is in session commencing with the first
14 day of a legislative session and ending with the day of final adjourn-
15 ment of each legislative session as indicated by the journals of the
16 house and senate. However, members from Polk county shall receive
17 ten dollars per day. Travel expenses shall be paid at the rate established
18 by section seventy-nine point nine (79.9) of the Code ~~for employees of~~
19 ~~the state~~ for actual travel in going to and returning from the seat of
20 government by the nearest traveled route for not more than one time
21 per week during a legislative session. *However, any increase from*
22 *time to time in the mileage rate established by section seventy-nine*
23 *point nine (79.9) of the Code shall not become effective for members*
24 *of the general assembly until the convening of the next general assem-*
25 *bly following the session in which the increase is adopted; and this*
26 *provision shall prevail over any inconsistent provision of any present*
27 *or future statute.*

Approved May 10, 1974

CHAPTER 1092

MERIT SYSTEM EXEMPTIONS

S. F. 295

AN ACT relating to the department of social services and the merit system.

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

1 SECTION 1. Section nineteen A point three (19A.3), Code 1973, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. The administrative head of each of the divi-
4 sions of the department of social services.

Approved April 4, 1974