LAWS

OF THE

1976 Regular Session

OF THE

Sixty-sixth General Assembly

OF THE

STATE OF IOWA

PASSED AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE TWELFTH DAY OF JANUARY, AND ENDED ON THE TWENTY-NINTH DAY OF MAY, A. D. 1976, IN THIS BICENTENNIAL YEAR OF THE UNITED STATES AND THE ONE HUNDRED THIRTIETH YEAR OF THE STATE.

APPROPRIATIONS

AND

GENERAL LAWS

CHAPTER 1001

OFFICIALS' SALARIES

H. F. 1583

AN ACT relating to compensation and benefits for state employees and nonelected state officials, by providing a cost-of-living salary adjustment for certain state employees, by establishing salary ranges for designated nonelected officials, by setting salaries for members of the judicial branch and the public employment relations board, by prohibiting full-time state employees from receiving per diem in addition to regular compensation for service on committees, boards or commissions or similar state service, by providing for educational leave for state employees, by increasing employer and employee contributions to the Iowa public employees' retirement fund, and making appropriations.

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

- SECTION 1. There is created a "salary adjustment fund" to be used to
- segregate funds appropriated by the general assembly to be distributed to various
 state departments to fund certain salary increases for designated state employees.
- 4 The distribution of funds from the salary adjustment fund shall be subject to the
- 5 approval of the governor and the state comptroller.
- 1 Sec. 2. There is appropriated from the general fund of the state to supplement
- 2 other funds appropriated for salaries, support, maintenance, equipment and

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miscellaneous purposes by the general assembly to the state board of regents and the institutions enumerated in subsection three (3) of this section for the fiscal year beginning July 1, 1976, and ending June 30, 1977:

1. Funds as necessary to finance an average base salary increase of five percent of the base salaries of the faculty members paid during the fiscal year beginning July 1, 1975, and ending June 30, 1976, as they exist on April 30, 1976, rounded to the nearest dollar amount divisible by the number of payrolls paid annually to such persons to be allocated to faculty members at the discretion of the state board of regents.

2. Funds as necessary to finance a mandatory cost-of-living increase of five percent of salaries as they exist on April 30, 1976 rounded to the nearest dollar divisible by the number of payrolls paid annually for professional and scientific personnel and for all employees under the state board of regents merit system except board office employees. However, the mandatory cost-of-living increase given an employee shall equal one-half of that provided under the provisions of this subsection if the salary of the employee is in excess of the pay grade for the classification to which the employee is assigned.

3. The institutions for which supplemental funds are appropriated and the amounts necessary are:

11.011.01.1.	ROPRIATION
State university of Iowa	\$ 2,945,400
State sanatorium	97,800
Hospital school	96,000
Psychopathic hospital	167,900
	444,700
	2,482,600
	318,200
	378,100
University of northern Iowa	931,400
School for the deaf	100,900
Iowa braille and sight-saving school	54,700
	State university of Iowa State sanatorium Hospital school Psychopathic hospital Hygienic laboratory University hospitals Iowa state university of science and technology Experimental station Cooperative extension service University of northern Iowa School for the deaf

SEC. 3. The salary schedule of the merit system and the executive council exempt pay plan, provided for in section nineteen A point nine (19A.9), subsection two (2), of the Code, as they exist on April 30, 1976, shall be increased by five percent rounded to the nearest dollar amount divisible by twenty-six to provide for a cost-of-living adjustment. All salaries of persons who are exempt from chapter nineteen A (19A) of the Code and who are included in the state comptroller's central payroll system and state board of regents office employees shall receive a like increase under this section consistent with appropriations provided by the general assembly except members of the general assembly, board members and commission members, persons whose salaries are set by the general assembly, persons whose salaries are set by the governor pursuant to sections nine (9) through eleven (11) of this Act, persons whose salaries are set by the governor or by an appointing authority for which funds have been appropriated for a like cost-of-living increase, employees designated under section nineteen A point three (19A.3), subsection six (6), of the Code and employees under the state board of regents merit system.

SEC. 4. There is appropriated from the general fund of the state to the salary adjustment fund, created by this Act, the following amount for the fiscal year beginning July 1, 1976, and ending June 30, 1977, or so much thereof as may be necessary, to be distributed to each department to supplement funds appropriated to the department in order to implement the cost-of-living increase provided in section three (3) of this Act: \$6,900,000.



- SEC. 5. There is appropriated from the road use tax fund to the state department of transportation, for the fiscal year beginning July 1, 1976, and ending June 30, 1977, the following amount or so much thereof as necessary to pay to employees of the state department of transportation who are eligible to be paid from the road use tax fund and who are eligible to receive the cost-of-living increase provided for in section three (3) of this Act: \$222,000.
 - SEC. 6. There is appropriated from the primary road fund to the state department of transportation, for the fiscal year beginning July 1, 1976, and ending June 30, 1977, the following amount or so much thereof as necessary to pay to the employees of the state department of transportation who are eligible to be paid from prorated primary road funds as provided in section three hundred seven point twenty-eight (307.28) of the Code and who are eligible to receive the cost-of-living increase provided for in section three (3) of this Act: \$2,246,000.
 - SEC. 7. Funds appropriated by section four (4) of this Act shall relate to salaries supported from general fund appropriations and shall not be construed to replace revolving, federal, trust or special funds where applicable.
 - SEC. 8. To departmental revolving, trust or special funds, except the primary road fund or the road use tax fund, for which the general assembly has established an operating budget, a supplemental authorization is provided unless otherwise provided, in an amount necessary to fund the salary adjustments provided in section three (3) of this Act.
 - SEC. 9. The governor may establish a salary for appointed nonelected persons in the executive branch of government holding a position enumerated in section ten (10) of this Act within the range provided for the position by section ten (10) of this Act by considering among other things, whether the person receiving the salary is temporary or permanent, or acting full or part time, the experience of the individual in the position, changes in the duties of the position, the incumbent's performance of assigned duties, the availability of qualified candidates for the position, and subordinates' salaries.

The governor in establishing salaries as provided in sections nine (9) and ten (10) of this Act shall take into consideration other employee benefits which may be provided for an individual including but not limited to housing.

The director of the commission for the blind and the secretary of the state fair board may be furnished housing in addition to their salaries.

SEC. 10. The following annual salary ranges shall be in effect for the fiscal year beginning July 1, 1976 and ending June 30, 1977 for the positions specified and for each fiscal year after the fiscal year ending June 30, 1977 the salary range shall be the same as the range specified for the fiscal year beginning July 1, 1976 unless otherwise specified by the general assembly. The governor shall specify the salary to be paid to the person indicated at a rate within the salary ranges indicated from funds appropriated by the general assembly for such purposes:

Range for 1976-77 1. COMMISSION ON AGING. 2. IOWA STATE ARTS COUNCIL. 3. DEPARTMENT OF BANKING. Salary of the superintendent of banking\$ 20,000 to \$28,750 4. IOWA BEER AND LIQUOR CONTROL DEPARTMENT. 5. COMMISSION FOR THE BLIND.

20	6. IOWA CIVIL RIGHTS COMMISSION.	
21	Salary of the executive secretary\$	18,000 to \$23,650
22	7. IOWA STATE COMMERCE COMMISSION.	
23	a. Salary of the chairman of the Iowa state commerce	
24	commission\$	22,500 to \$28,700
25	b. Salary of the members of the Iowa state commerce	
26	commission\$	22,500 to \$27,700
27	c. Salary of the executive secretary\$	14,000 to \$17,800
28	8. OFFICE OF STATE COMPTROLLER.	
29	Salary of the state comptroller\$	25,000 to \$32,900
30	9. STATE CONSERVATION COMMISSION.	
31	Salary of the director\$	23,400 to \$27,600
32	10. IOWA CRIME COMMISSION.	
33	Salary of the executive director\$	17,800 to \$21,950
34	11. IOWA DEVELOPMENT COMMISSION.	
35	Salary of the director\$	23,400 to \$28,750
36	12. DRUG ABUSE AUTHORITY.	
37	Salary of the director\$	16,000 to \$21,350
38	13. EDUCATIONAL RADIO AND TELEVISION FACILITY BOARD.	
39	Salary of the director\$	20,000 to \$27,600
40	14. COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED.	11000
41	Salary of the executive secretary\$	14,000 to \$19,000
42	15. EMPLOYMENT SECURITY COMMISSION.	10.000 / 000.000
43	Salary of each commissioner\$	18,000 to \$23,000
44	16. ENERGY POLICY COUNCIL.	10.000 / 025.200
45	Salary of the director\$	18,000 to \$25,300
46	17. DEPARTMENT OF ENVIRONMENTAL QUALITY.	20.000 +- #27.600
47	Salary of the executive director\$	20,000 to \$27,600
48	18. STATE FAIR BOARD.	16 200 4- 010 650
49	Salary of the secretary\$	16,200 to \$19,650
50	19. DEPARTMENT OF GENERAL SERVICES.	22 400 to \$27 600
51 52	Salary of the director\$	23,400 to \$27,600
53	20. OFFICE OF STATE GEOLOGIST. Salary of the state geologist\$	22 000 to \$20 100
53 54	21. STATE DEPARTMENT OF HEALTH.	22,000 to \$29,100
55	Salary of the commissioner of health	23,400 to \$28,750
56	22. HIGHER EDUCATION FACILITIES COMMISSION.	23,400 10 \$26,730
57	Salary of the executive director\$	18,500 to \$20,200
58	23. STATE HISTORICAL DEPARTMENT.	16,300 to \$20,200
59	a. Salary of the director of historical	
60	society\$	16,000 to \$25,000
61	b. Salary of the director of museum and	10,000 το ψ25,000
62	archives\$	16,000 to \$20,000
63	c. Salary of the director of historical	10,000 to \$20,000
64	preservation\$	14,400 to \$20,000
65	24. OFFICE OF THE INDUSTRIAL COMMISSIONER.	14,400 το ψ20,000
66	Salary of the industrial commissioner\$	18,000 to \$25,300
67	25. INSURANCE DEPARTMENT OF IOWA.	10,000 10 425,500
68	Salary of the commissioner of insurance	23,400 to \$28,350
69	26. BUREAU OF LABOR.	
70	Salary of the labor commissioner\$	18,900 to \$25,300
71	27. IOWA LAW ENFORCEMENT ACADEMY.	,
72	Salary of the director\$	18,000 to \$24,800
73	28. STATE LIBRARY COMMISSION.	
74	Salary of the state librarian\$	17,000 to \$21,350

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75	29. IOWA MERIT EMPLOYMENT COMMISSION.	
76	Salary of the director\$	23,400 to \$26,000
77	30. IOWA NATURAL RESOURCES COUNCIL.	
78	Salary of the director\$	17,000 to \$21,850
79	31. PAROLE BOARD.	
80	Salary of each member\$	9,000 to \$10,700
81	32. OFFICE FOR PLANNING AND PROGRAMMING.	
82	Salary of the director\$	23,400 to \$26,500
83	33. DEPARTMENT OF PUBLIC DEFENSE.	
84	Salary of the director of civil defense\$	15,500 to \$19,950
85	34. DEPARTMENT OF PUBLIC INSTRUCTION.	
86	Salary of the superintendent of public instruction\$	28,000 to \$33,500
87	35. DEPARTMENT OF PUBLIC SAFETY.	
88	Salary of the commissioner of public safety\$	23,400 to \$28,900
89	36. REAL ESTATE COMMISSION.	
90	Salary of the director\$	15,000 to \$17,800
91	37. BOARD OF REGENTS.	
92	Salary of executive secretary\$	23,400 to \$32,000
93	38. DEPARTMENT OF REVENUE.	
94	Salary of the director of revenue\$	22,000 to \$31,100
95	39. DEPARTMENT OF SOCIAL SERVICES.	
96	Salary of the commissioner of social services\$	24,000 to \$35,650
97	40. DEPARTMENT OF SOIL CONSERVATION.	
98	Salary of the director\$	18,200 to \$23,000
99	41. DEPARTMENT OF TRANSPORTATION.	
100	a. Salary of the director of transportation\$	28,750 to \$40,000
101	b. Salary of each member of the transportation	
102	regulation board\$	17,800 to \$25,300
103	c. Salary of each member of the transportation	
104	commission\$	9,000 to \$10,100

SEC. 11. Notwithstanding any laws of this state, the provisions of sections nine (9) and ten (10) of this Act shall govern for the fiscal year 1976-1977 and for each fiscal year after the fiscal year ending June 30, 1977 unless otherwise specified by the general assembly. The salary rates established by the governor under sections nine (9) and ten (10) of this Act for the persons indicated shall be the total salary paid to the persons for whom established. Any salary rates or adjustments to salaries provided for by sections one (1) through eight (8) of this Act shall not apply to the positions specified in sections nine (9) and ten (10) of this Act, however funds appropriated for salaries, salary increases or adjustments to salaries by this or any other Act of the general assembly may be expended to fund salaries established pursuant to sections nine (9) and ten (10) of this Act if funds appropriated to the agencies represented by or employing the persons holding the positions specified in sections nine (9) and ten (10) of this Act are insufficient to pay salaries provided for in sections nine (9) and ten (10) of this Act.

SEC. 12. The governor shall report to the legislative council the salary rates established pursuant to the provisions of sections nine (9) through eleven (11) of this Act.

SEC. 13. The salary rates established in this section shall be in effect for the fiscal year beginning July 1, 1976 and ending June 30, 1977 and for each fiscal year after the fiscal year ending June 30, 1977 the rate shall be the same as the rate established by this section for the fiscal year beginning July 1, 1976 unless otherwise specified by the general assembly. Persons receiving the salary rates established by this section shall not receive any salary adjustments pursuant to sections one (1) through eight (8) of this Act and if this Act conflicts with any

other provisions of law, this Act shall govern for the fiscal year beginning July 1, 1976 and ending June 30, 1977 and for each fiscal year after the fiscal year ending June 30, 1977 unless otherwise specified by the general assembly. Salaries provided for in this section shall be paid from funds appropriated to the agency which the person represents or for which the person is employed, however if the funds of the agency which have been appropriated for salaries are insufficient to pay the salaries fixed by this section because of increases in such salaries, funds may be allocated from funds appropriated by the general assembly for salary adjustment purposes. In addition, if federal funds are available for any position provided for in this section, such federal funds may be expended if the combined federal and state funds do not exceed the rates provided for in this section.

The following annual salary rates shall be paid to the persons holding the positions indicated in the manner provided by this section:

21	1.	Chief justice of the supreme court	\$ 40,000
22	2.	Each justice of the supreme court	
23	3.	Chief justice of the appellate court	\$ 37,000
24	4.	Each justice of the appellate court	
25	5.	Each chief judge of a judicial district	\$ 34,072
26	6.	Each district court judge except the chief judge of a judicial di	strict
27			\$ 33,072
28	7.	Each district associate judge	\$ 25,500
29	8.	Each full-time judicial magistrate	\$ 25,500
30	9.	Each part-time judicial magistrate	\$ 6,750
31	10.	Code editor	\$ 20,000
32	11.	Court administrator	\$ 24,700
33	12.	Clerk of the supreme court	\$ 21,008
34	13.	Each legal assistant to the supreme court	\$ 13,130
35	14.	Chairperson of the public employment relations board	\$ 28,340
36	15.	Two members of the public employment relations board, each	1 \$ 26,260

SEC. 14. All federal grants to and the federal receipts of the agencies affected by the provisions of this Act which are received and may be expended for purposes of this Act, are appropriated for such purposes and as set forth in such federal grants or receipts.

SEC. 15. Section seventy-nine point one (79.1), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter ninety (90), section fourteen (14), is amended by adding the following new unnumbered paragraph:

New Unnumbered Paragraph. The head of any department, agency, or commission may grant an educational leave to employees for whom the head of the department, agency, or commission is responsible and funds appropriated by the general assembly may be used for such purposes. The head of such department, agency, or commission shall notify the legislative council of all educational leaves granted within fifteen days of the granting of the educational leave. If the head of a department, agency or commission fails to notify the legislative council of an educational leave the expenditure of funds appropriated by the general assembly for the educational leave shall not be allowed.

SEC. 16. Section seventy-nine point one (79.1), unnumbered paragraph one (1), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter ninety (90), section fourteen (14), is amended to read as follows:

Salaries specifically provided for in an appropriation Act of the general assembly shall be in lieu of existing statutory salaries, for the positions provided for in any such Act, and all salaries, including longevity where applicable by express provision in the Code, shall be paid according to the provisions of this Act Acts of the Sixty-sixth General Assembly, 1975 Session, chapter ninety (90), and shall be in full compensation of all services, except as otherwise expressly provided including

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any service on committees, boards, commissions or similar duty for Iowa government, except for members of the general assembly. All employees of the state including highway maintenance employees of the state department of transportation shall earn two weeks' vacation per year during the first year of employment and through the fourth year of employment, and three weeks' vacation per year during the fifth and through the eleventh year of employment, and four weeks' vacation per year during the twelfth year and all subsequent years of employment, with pay. One week vacation shall be equal to the number of hours in the employee's normal work week. Vacation allowances shall be accrued according to the provisions of this Act Acts of the Sixty-sixth General Assembly, 1975 Session, chapter ninety (90), as provided by the rules of the Iowa merit employment department. Said vacations shall be granted at the discretion and convenience of the head of the department, agency or commission, except that in no case may an employee be granted vacation in excess of the amount earned by him the employee. In the event that the employment of an employee of the state is terminated the provisions of this Act Acts of the Sixty-sixth General Assembly, 1975 Session, chapter ninety (90), relating to such termination shall apply.

SEC. 17. Section ninety-seven B point eleven (97B.11), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter fifty (50), section three (3), is amended to read as follows:

97B.11 Contributions by employer and employee. Each employer shall deduct from the wages of each member of the system a contribution in the amount of three and one-half six-tenths percent of the covered wages paid by the employer until the first of the month after the member's seventieth birthday or his the member's termination or retirement from employment, whichever is earlier. The contributions of the employer shall be in the amount of three and one-half percent of the covered wages of the member for service through December 31, 1975, and in the amount of four and seventy-five five and twenty-five hundredths percent of the covered wages of the member for service commencing January July 1, 1976 1977.

SEC. 18. The provisions of section seventeen (17) of this Act shall become effective July 1, 1977.

SEC. 19. Chapter ninety-seven B (97B), Code 1975, is amended by adding the following new sections:

NEW SECTION. After review of the general assembly under the provisions of Acts of the Sixty-sixth General Assembly, 1975 Session, chapter fifty (50), section twenty-four (24), it is the intent of the general assembly that the percent of the final five-year average covered wage used in determining monthly benefits be increased by the Sixty-seventh General Assembly, 1977 Session, in accordance with the increase in employer and employee contribution rates under section seventeen (17) of this Act and maintaining the actuarial soundness of the system.

NEW SECTION. It is the intent of the general assembly that any amounts required to fund employer contributions to the system under section ninety-seven B point eleven (97B.11) of the Code for members who are employees of political subdivisions of the state will not be appropriated by the general assembly, but will be included in the budgets of the political subdivisions and paid from funds available to the political subdivisions.

SEC. 20. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter fifty (50), section eighteen (18), subsection six (6), amending section ninety-seven B point forty-nine (97B.49) of the Code, is amended to read as follows:

6. Beginning On January 1, 1976, for each member who retired before January 1, 1976, the amount of regular monthly retirement allowance attributable to membership service and prior service that was payable to the member for December, 1975 is increased by ten percent for the first calendar year or portion of a calendar year the member was retired, and by an additional five percent for

9 each calendar year after the first calendar year the member was retired through 10 the calendar year beginning January 1, 1975. The total increase shall not exceed 11 one hundred percent. There is appropriated from the general fund of the state to 12 the employment security commission from funds not otherwise appropriated an 13 amount sufficient to fund the provisions of this subsection.

The benefit increases granted to members retired under the system on January 1, 1976 shall be granted only on January 1, 1976 and shall not be further increased for any year in which the member was retired after the calendar year beginning January 1, 1975.

SEC. 21. The provisions of section twenty (20) of this Act shall be retroactive to January 1, 1976.

Approved June 20, 1976

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CHAPTER 1002

JUDICIAL COURTS AND AGENCIES

S. F. 1072

AN ACT making an appropriation to judicial courts and agencies, and providing for an increase in filing fees to aid in offsetting the costs of operating the courts and agencies.

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

1	SECTION 1. There is appropriated from the general fund of the stat	e for the
2	fiscal year beginning July 1, 1976, and ending June 30, 1977, to the judici	ial courts
3	and agencies the following amounts, or so much thereof as may be nece	essary, to
4	be used for the following purposes:	
5		1976-77
6	<u>Fi</u>	scal Year
7	1. SUPREME COURT	
8	a. For salaries of judges of the supreme court as determined by	
9	the Acts of the Sixty-sixth General Assembly, 1975 Session, chapter	
10	two (2), unless an Act setting such salaries is approved by the 1976	
11	Session of the Sixty-sixth General Assembly, and staff, support,	
12	maintenance and miscellaneous purposes including a state contribution	
13	to the judicial retirement system provided for in chapter six hundred	
14	five A (605A) of the Code in the amount of three percent of the	
15	salaries of the judges and an additional state contribution of forty-six	
16	thousand (46,000) dollars\$	685,973
17	b. Rules of procedure\$	250
18	2. COURT ADMINISTRATOR	
19	For salaries, support, maintenance and miscellaneous purposes\$	240,298
20	3. JUDICIAL QUALIFICATIONS COMMISSION	
21	For support, maintenance and miscellaneous purposes of the judicial	
22	qualifications commission including commission members' per diem\$	7,730
23	4. CLERK OF THE SUPREME COURT	
24	For salaries, support, maintenance and miscellaneous purposes\$	34,909
25	5. BOARD OF LAW EXAMINERS	
26	For support, maintenance and miscellaneous purposes including per	
27	diem of board members\$	27,308