

FILED JAN 30 1976

SENATE FILE 1072

By COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 2-3-76 (p. 232) Passed House, Date 5-12-76 (2626)

Vote: Ayes 50 Nays 0 Vote: Ayes 86 Nays 1

Approved 6-23-76

Repassed Senate as amended by House  
5-18-76 (2052)

<sup>43-0</sup>  
Motion to reconsider (2052)

## A BILL FOR

- 1 An Act making an appropriation to judicial courts and agencies.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

3

### FISCAL NOTE SENATE FILE 1072

Date Prepared May 10, 1976

Requested by Representative Norland

Prepared in regard to Amendment H-6573 to S.F. 1072.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

This bill provides for an increase in fees for filing petitions, appeals and writs of error. The state general fund now receives one dollar of the fee and would receive three dollars of the increased fee.

Collections for Fiscal '75 were: \$ 86,594.00

The anticipated increase in collections deposited to the General Fund estimated on the FY '75 collections would be: \$173,188.00

The anticipated increase in collections retained by the counties estimated on the FY '75 collections would be: \$ 86,594.00

Source: Treasurer of State

FILED  
MAY 11, 1976

GERRY D. RANKIN  
Legislative Fiscal Director

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1 Section 1. There is appropriated from the general fund  
2 of the state for the fiscal year beginning July 1, 1976, and  
3 ending June 30, 1977, to the judicial courts and agencies  
4 the following amounts, or so much thereof as may be necessary,  
5 to be used for the following purposes:

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1976-77  
Fiscal Year

1. SUPREME COURT

a. For salaries of judges of the supreme  
court and staff, support, maintenance and  
miscellaneous purposes including a state  
contribution to the judicial retirement  
system provided for in chapter six  
hundred five A (605A) of the Code in  
the amount of three percent of the  
salaries of the judges and an additional  
state contribution of forty-six thousand

(46,000) dollars..... \$ 681,623

b. Rules of procedure..... \$ 250

2. COURT ADMINISTRATOR

For salaries, support, maintenance and  
miscellaneous purposes.....

\$ 236,198

3. JUDICIAL QUALIFICATIONS COMMISSION

For support, maintenance and miscellaneous  
purposes of the judicial qualifications  
commission including commission members'  
per diem.....

\$ 7,730

4. CLERK OF THE SUPREME COURT

For salaries, support, maintenance and  
miscellaneous purposes.....

\$ 34,049

5. BOARD OF LAW EXAMINERS

For support, maintenance and  
miscellaneous purposes including per  
diem of board members.....

\$ 27,308

6. BOARD OF EXAMINERS OF SHORTHAND REPORTERS

1 For support and miscellaneous purposes  
2 including board members per diem..... \$ 990

3 7. DISTRICT COURT

4 For salaries of the district judges,  
5 district court associate judges and  
6 judicial magistrates, and a state  
7 contribution to the judicial retirement  
8 system provided for in chapter six  
9 hundred five A (605A) of the Code in  
10 the amount of three percent of such  
11 salaries and an additional contribution  
12 of one hundred fourteen thousand  
13 (114,000) dollars for the fiscal year  
14 ending June 30, 1977..... \$5,029,257

15 For expenses of judges in accordance  
16 with section six hundred five point  
17 two (605.2) of the Code including those  
18 designated by order of the chief justice  
19 to attend judicial conferences, seminars  
20 or training sessions..... \$ 236,400

21 8. CODE EDITOR

22 For salaries, support, maintenance and  
23 miscellaneous purposes..... \$ 57,592

24 Sec. 2. All federal grants to and the federal receipts  
25 of the agencies appropriated funds under this Act are  
26 appropriated for the purposes set forth in such federal grants  
27 or receipts.

28 EXPLANATION

29 The sum of \$681,623 is appropriated for the supreme court  
30 for salaries, support, maintenance and miscellaneous purposes,  
31 including \$46,000 for judicial retirement and \$15,068 for  
32 state match for the supreme court advisory council. The  
33 supreme court advisory council anticipates \$15,067 in federal  
34 funds. The sum of \$250 is appropriated for the Rules of  
35 Procedure.

1 The sum \$236,198 is appropriated to the court administrator  
2 for salaries, support, maintenance and miscellaneous purposes.  
3 Also provided in this appropriation is \$9,000 to match federal  
4 funds for the judicial education program and \$54,015 state  
5 match for the federal screening program.

6 The sum of \$7,730 is appropriated to the Judicial  
7 Qualification Commission for support and maintenance.

8 The sum of \$34,049 is appropriated for salaries, support  
9 and maintenance of the office of the clerk of the supreme  
10 court.

11 The sum of \$27,308 is appropriated to the board of law  
12 examiners for support, maintenance and board member per diem.

13 The sum of \$990 is appropriated to the board of examiners  
14 of shorthand reporters. Fees collected shall cover the  
15 expenditures of the board and fees shall be deposited in the  
16 general fund of the state.

17 The sum of \$5,029,257 is appropriated for salaries for  
18 85 District Court Judges, 25 Associate Judges, 20 full-time  
19 Magistrates and 169 part-time Magistrates. The sum of \$236,400  
20 is appropriated for District Court travel.

21 The sum of \$57,592 is appropriated to the code editor for  
22 salaries, support, and maintenance of the four positions on  
23 the authorized table of organization.

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LSB B9  
sg/rh/31

S-5807

1 Amend the House amendment, S-5797, to Senate File  
2 1072 as follows:

3 1. Page 1, line 37, by striking the words  
4 "subsection one (1),".

5 2. Page 1, by striking lines 39 through 49 and  
6 inserting in lieu thereof the following:  
7 "606.15 FEES. Except in probate matters, the  
8 clerk of the district court shall charge and collect  
9 the following fees, all of which shall be paid into  
10 the county treasury for the use of the county except  
11 as indicated:

12 1. For filing any petition, appeal, or writ of  
13 error and docketing the same, ~~four~~ seven dollars.  
14 ~~Three~~ Four dollars of such fee shall remain in the  
15 county treasury for the use of the county, and ~~one~~  
16 ~~dollar~~ three dollars of such fee shall be paid into  
17 the state treasury and deposited in the general fund  
18 of the state. In counties having a population of  
19 one hundred thousand or over, an additional one dollar  
20 shall be charged and collected, to be known as the  
21 journal publication fee and to be used for the purposes  
22 provided for in section 618.13.

23 2. For every attachment, ~~two~~ five dollars.

24 3. For every cause tried by jury, ~~five~~ ten dollars.

25 4. For every cause tried by the court, ~~two~~ five  
26 dollars and ~~fifty~~-cents.

27 5. For every equity case, ~~three~~ five dollars.

28 6. For each injunction or other extraordinary  
29 process or order, ~~five~~ seven dollars and fifty cents.

30 7. For all causes continued on application of  
31 a party by affidavit, ~~two~~ five dollars.

32 8. For all other continuances, ~~one-dollar~~ two dollars  
33 and fifty cents.

34 9. For entering any final judgment or decree,  
35 ~~one-dollar-and-fifty-cents~~ five dollars.

36 10. For taxing costs, ~~one-dollar~~ five dollars.

37 11. For issuing execution or other process after  
38 judgment or decree, ~~two~~ five dollars.

39 12. For filing and properly entering and endorsing  
40 each mechanic's lien, ~~three~~ five dollars, and in case  
41 a suit is brought thereon, the same to be taxed as  
42 other costs in the action.

43 13. For certificate and seal, two dollars and  
44 fifty cents.

45 14. For filing and docketing transcript of judgment  
46 from another county, ~~one-dollar~~ two dollars and fifty  
47 cents.

48 15. For entering any rule or order, ~~one-dollar~~  
49 two dollars and fifty cents.

50 16. For issuing writ or order, not including

- 1 subpoenas, two five dollars.
- 2 17. For issuing commission to take depositions,  
3 two dollars and fifty cents.
- 4 18. For entering sheriff's sale of real estate,  
5 two five dollars.
- 6 19. For entering judgment by confession, two five  
7 dollars.
- 8 20. For entering satisfaction of any judgment,  
9 one-dollar five dollars.
- 10 21. For all copies of records, or papers filed  
11 in his office, transcripts, and making complete record,  
12 ~~fifty-cents-for-each-one-hundred-words~~ one dollar  
13 per page.
- 14 22. For taking and approving a bond and sureties  
15 thereon, two five dollars.
- 16 23. For receiving and filing a declaration of  
17 intention and issuing a duplicate thereof, two five  
18 dollars. For making, filing, and docketing the  
19 petition of an alien for admission as a citizen of  
20 the United States and for the final hearing thereon,  
21 ~~four~~ five dollars; and for entering the final order  
22 and the issuance of the certificate of citizenship  
23 thereunder, if granted, ~~four~~ five dollars.
- 24 24. In addition to the fees required in the  
25 preceding subsection, the petitioner shall, upon the  
26 filing of his petition to become a citizen of the  
27 United States, deposit with the clerk money sufficient  
28 to cover the expense of subpoenaing and paying the  
29 legal fees of witnesses for whom he may request a  
30 subpoena, and upon the final discharge of such  
31 witnesses they shall receive, if they demand the same  
32 from the clerk, the customary and usual witness fees  
33 from the moneys aforesaid, and the residue, if any,  
34 except such as may be necessary to pay the cost of  
35 serving subpoenas, shall be returned by the clerk  
36 to the petitioner.
- 37 25. For certificates and seal to applications  
38 to procure pensions, bounties, or back pay for soldiers  
39 or other persons entitled thereto, ~~no-charge~~ five  
40 dollars.
- 41 26. For making out transcripts in criminal cases  
42 appealed to the supreme court, ~~for-each-one-hundred~~  
43 ~~words,-fifty-cents~~ one dollar per page.
- 44 27. In criminal cases, the same fees for same  
45 services as in suits between private parties. When  
46 judgment is rendered against the defendant, the fees  
47 shall be collected from such defendant.
- 48 28. For issuing marriage licenses, five dollars  
49 each, and for issuing an application for an order  
50 of the district court authorizing the issuance of

- 1 a license to marry prior to the expiration of three  
2 days from the date of filing the application for the  
3 license, five seven dollars and fifty cents each.
- 4 29. For certifying change in title of real estate,  
5 two five dollars.
- 6 30. In addition to all other fees, for making  
7 a complete record in cases where the same is required  
8 by law or directed by an order of the court, for every  
9 ~~one-hundred-words,-twenty~~ each page, fifty cents."

S-5797

Amend Senate File 1072 as follows:

1. Page 1, line 10, by inserting after the word "court" the words "as determined by the Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two (2), unless an Act setting such salaries is approved by the 1976 Session of the Sixty-sixth General Assembly,".

2. Page 1, line 18, by striking the figures "681,623" and inserting in lieu thereof the figures "685,973".

3. Page 1, line 22, by striking the figures "236,198" and inserting in lieu thereof the figures "240,298".

4. Page 1, line 30, by striking the figures "34,049" and inserting in lieu thereof the figures "34,909".

5. Page 2, line 6, after the word "magistrates," insert the words "as determined by the Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two (2), unless an Act setting such salaries is approved by the 1976 Session of the Sixty-sixth General Assembly,".

6. Page 2, line 14, by striking the figures "5,029,257" and inserting in lieu thereof the figures "5,204,257".

7. Page 2, line 23, by striking the figures "57,592" and inserting in lieu thereof the figures "59,492".

8. Page 2, by inserting after line 23 the following:

"9. APPELLATE COURT  
For salaries, support, maintenance  
and miscellaneous purposes . . . . . \$ 350,000".

9. Page 2, by inserting after line 27 the following new section:

"Sec. . . . Section six hundred six point fifteen (606.15), subsection one (1), Code 1975, is amended to read as follows:

1. For filing any petition, appeal, or writ of error and docketing the same, ~~four~~ seven dollars. ~~Three~~ Four dollars of such fee shall remain in the county treasury for the use of the county, and ~~one-dollar~~ three dollars of such fee shall be paid into the state treasury and deposited in the general fund of the state. In counties having a population of one hundred thousand or over, an additional one dollar shall be charged and collected, to be known as the journal publication fee and to be used for the purposes provided for in section 618.13."

10. Amend the title, line 1, by inserting after

PAGE 2

the word "agencies" the words ", and providing for an increase in filing fees to aid in offsetting the costs of operating the courts and agencies".

S-5797 FILED  
MAY 13, 1976

RECEIVED FROM THE HOUSE  
*Senate concurred 5/18 (2031)*

SENATE FILE 1072

S-5804

- 1 Amend the House Amendment, S-5797, to Senate File  
2 1072 as passed by the Senate as follows:  
3 1. Page 1, strike line 34 through page 2.

S-5804 FILED - *Withdrawn 5/18 (2030)*  
MAY 17, 1976

BY RICHARD R. RAMSEY

SENATE FILE 1072

S-5819

- 1 Amend the House amendment, S-5797, to Senate  
2 File 1072 as passed by the Senate as follows:  
3 1. Page 1, line 40, by striking the word  
4 "seven" and inserting in lieu thereof the word "five".  
5 2. Page 1, line 41, by striking the words  
6 "three Four" and inserting in lieu thereof the word  
7 "Three".  
8 3. Page 1, line 43, by striking the word "three"  
9 and inserting in lieu thereof the word "two".

S-5819 FILED & ~~ADOPTED~~ *Lost 5/18 (2030)*  
MAY 18, 1976

BY RICHARD R. RAMSEY

1 Amend Senate File 1072 as passed by the Senate  
2 as follows:

3 1. Page 2, by inserting after line 27 the  
4 following:

5 "Sec. \_\_\_\_\_. Funds appropriated to the district  
6 court pursuant to sections one (1) and two (2) of  
7 this Act shall not be used to pay any salary of a  
8 district judge, district associate judge or magistrate,  
9 after December 30 of the year in which the district  
10 judge, district associate judge or magistrate is  
11 required to stand for retention in office if such  
12 district judge, district associate judge or magistrate  
13 is not retained in office.

14 Sec. \_\_\_\_\_. Section six hundred two point fifty-  
15 six (602.56), Code 1975, is amended by striking the  
16 section and inserting in lieu thereof the following:  
17 602.56 RETENTION OF JUDICIAL MAGISTRATES. Judicial  
18 magistrates appointed under authority of sections  
19 six hundred two point fifty (602.50), six hundred  
20 two point fifty-one (602.51) and six hundred two point  
21 fifty-nine (602.59) of the Code shall stand for  
22 retention in office within the county of their  
23 residence at the judicial election in 1976 and every  
24 two years thereafter. Judicial magistrates shall  
25 be placed on the ballot and shall be subject to the  
26 same provisions for retention as are applicable to  
27 district associate judges, except that the terms of  
28 office of magistrates shall be as provided in sections  
29 six hundred two point fifty (602.50), six hundred  
30 two point fifty-one (602.51) and six hundred two point  
31 fifty-nine (602.59) of the Code, respectively, but  
32 subject to the condition that a magistrate who is  
33 not retained in office shall continue to serve and  
34 shall be entitled to hold office only until January  
35 first next following the election. A judicial officer  
36 who is not retained in office shall not thereafter  
37 be eligible for appointment to any judicial office  
38 in this state.

39 Sec. \_\_\_\_\_. Section six hundred five point twenty-  
40 seven (605.27), subsection one (1), Code 1975, is  
41 amended to read as follows:

42 1. Retire a district judge ~~or~~, a district associate  
43 judge or any magistrate of the district court or a  
44 judge of the supreme court for permanent physical  
45 or mental disability which substantially interferes  
46 with the performance of his judicial duties."

47 2. By renumbering sections.

H-5841 FILED BY MILLER of Buchanan  
MARCH 17, 1976 JORDAN of Linn

*Revised not germane 5/12 (2625)*

1 Amend the Hansen, et al amendment H-5234 to page  
2 2 of Senate File 1072 as follows:

3 1. Page 2, by inserting after line 18 the fol-  
4 lowing new section:

5 "Sec. \_\_\_\_ . Section six hundred two point fifty-  
6 nine (602.59), subsection four (4), Code 1975, is  
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. A substitution shall not be made  
9 pursuant to this section until all of the following  
10 have been complied with:

11 (1) At least thirty days prior to the date of  
12 an order of substitution provided for in subsection  
13 one (1) of this section, the chief judge shall cause  
14 notice of the proposal to order substitution to be  
15 published twice in a newspaper published in the county  
16 seat of the affected county, which notice shall state  
17 the date and time of a public hearing before the  
18 district judges of the judicial election district  
19 at the courthouse of the affected county. A written  
20 notice of said hearing shall be served in the manner  
21 of an original notice on each of the magistrates  
22 presently serving in that county at least twenty days  
23 prior to the date of the hearing.

24 (2) At the hearing public comment shall be heard,  
25 whether in support of and opposed to the proposed  
26 order, and any magistrate currently in office shall  
27 have the right to testify and to question witnesses.  
28 The judges shall hear and consider all matters relating  
29 to the proposal, including but not limited to, the  
30 past record of the existing magistrate court, any  
31 complaints of citizens regarding the efficiency of  
32 the existing court or the proposed court after a  
33 substitution, and the estimated additional expense  
34 or savings to the public resulting from the proposed  
35 change.

36 (3) Any person aggrieved by an order of substi-  
37 tution may appeal to the supreme court in the manner  
38 prescribed for appeal of final judgments in civil  
39 cases. Any existing magistrate or taxpayer and citizen  
40 of the affected county shall constitute an aggrieved  
41 party with a right of appeal."

42 2. By renumbering sections and correcting in-  
43 ternal references as necessary.

H-6213 FILED - *Out of order* BY MIDDLESWART of Warren  
APRIL 7, 1976 *with withdrawal*

*of 5234 5/12 (2624)*

H-5775

1 Amend the Hansen et al. amendment, H-5234, to  
2 Senate File 1072 as follows:

3 1. Page 1, line 6, by striking the word "section"  
4 and inserting in lieu thereof the word "sections".

5 2. Page 2, by inserting after line 18 the  
6 following:

7 "Sec. \_\_\_\_\_. Section six hundred two point eighteen  
8 (602.18), unnumbered paragraph fourteen (14), Code  
9 1975, is amended to read as follows:

10 Election district 5A shall consist of ~~the counties~~  
11 ~~of Polk county.~~ Election district 5B shall consist  
12 of the counties of Guthrie, Dallas, Polk, Jasper,  
13 Madison, Warren, and Marion. Election district 5B  
14 5C shall consist of the counties of Adair, Adams,  
15 Union, Clarke, Lucas, Taylor, Ringgold, Decatur, and  
16 Wayne.

17 Sec. \_\_\_\_\_. All judicial nominating commissioners  
18 in election district 5A as it existed on June 30,  
19 1976, who are in office on that date shall continue  
20 to serve until the expiration of the term of their  
21 appointments or elections, but those commissioners  
22 who reside in Polk County shall become commissioners  
23 of judicial election district 5A as created by this  
24 Act, and those commissioners who reside in Guthrie,  
25 Dallas, Jasper, Madison, Warren and Marion counties  
26 shall become commissioners of judicial election  
27 district 5B as created by this Act. Effective July  
28 1, 1976, judicial election district 5B shall be known  
29 as judicial election district 5C, but this change  
30 in name shall not affect its judicial nominating  
31 commissioners or their terms.

32 In judicial election districts 5A and 5B as they  
33 exist after the effective date of this Act, the  
34 governor shall appoint in July, 1976, in the manner  
35 provided in section forty-six point three (46.3) of  
36 the Code, electors of district 5A and electors of  
37 district 5B to their respective judicial nominating  
38 commissions for terms commencing August 1, 1976, but  
39 only if and to the extent necessary to provide for  
40 five appointive members of the judicial nominating  
41 commission in each of those judicial election  
42 districts. Such appointments shall be for staggered  
43 terms, to the extent practicable, ending January 31,  
44 1980, and January 31, 1982, respectively. In the  
45 month of January when each of those terms expires  
46 and every six years thereafter the governor shall  
47 appoint district judicial nominating commissioners  
48 for six-year terms in the manner provided in section  
49 forty-six point three (46.3) of the Code.

50 In judicial election districts 5A and 5B as they

1 exist after the effective date of this Act, the  
 2 resident members of the bar shall elect, in the manner  
 3 provided in chapter forty-six (46) of the Code,  
 4 eligible electors of their respective districts to  
 5 their respective judicial nominating commissions for  
 6 terms commencing August 1, 1976, but only if and to  
 7 the extent necessary to provide for five elective  
 8 members of the judicial nominating commission in each  
 9 of those judicial election districts. Such elections  
 10 shall be for staggered terms, to the extent  
 11 practicable, ending January 31, 1980, and January  
 12 31, 1982, respectively, but the determination of which  
 13 newly elected members serve which terms shall be  
 14 determined by lot by the newly elected commissioners.  
 15 In the month of January when each of those terms  
 16 expires and every six years thereafter such members  
 17 of the bar of each such district shall elect district  
 18 nominating commissioners for six-year terms in the  
 19 manner provided in section forty-six point four (46.4)  
 20 of the Code."

21 3. Page 2, by striking line 19 and inserting in  
 22 lieu thereof the following:

23 "3. By renumbering sections as necessary."

H-5775 FILED BY MIDDLESWART of Warren  
 MARCH 15, 1976 DIELEMAN of Marion

*Out of order  
 with withdrawal  
 of 5234 5/12*  
 WEST of Marshall  
 KOOGLER of Mahaska  
 HULLINGER of Decatur  
 BORTELL of Madison  
 VARLEY of Adair  
 HUTCHINS of Guthrie  
 ANDERSON of Jasper

Amend Senate File 1072 as follows:

1 1. Page 2, line 14, by striking the figures  
 2 "5,029,257" and inserting in lieu thereof the  
 3 figures "5,204,257".

4 2. Page 2, by inserting after line 23 the  
 5 following:

6 "9. APPELLATE COURT  
 7 For salaries, support, maintenance  
 8 and miscellaneous purposes. . . . . \$ 350,000".  
 9

H-6607 FILED - *Adopted 5/12* BY GRIFFEE of Chickasaw  
 MAY 11, 1976 *(2624)*

H-5234

1 Amend Senate File 1072 as follows:

2 1. Page 2, line 14, by striking the figure  
3 "5,029,257" and inserting in lieu thereof the figure  
4 "5,156,517".

5 2. Page 2, after line 23, insert the following  
6 section:

7 "Sec. 2. Section six hundred two point eighteen  
8 (602.18), subsection two (2), Code 1975, is amended  
9 by striking the subsection and inserting in lieu  
10 thereof the following:

11 2. The number of judgeships to which each of the  
12 judicial election districts shall be entitled shall  
13 be determined from time to time according to the  
14 following formula:

15 a. In an election district wherein the largest  
16 county contains two hundred thousand or more  
17 population, there shall be one judgeship per seven  
18 hundred twenty-five combined civil and criminal filings  
19 or major fraction thereof; provided, the seat of  
20 government shall be entitled to one additional  
21 judgeship.

22 b. In an election district wherein the largest  
23 county contains eighty-five thousand or more  
24 population, but less than two hundred thousand, there  
25 shall be one judgeship per six hundred twenty-five  
26 combined civil and criminal filings or major fraction  
27 thereof.

28 c. In an election district wherein the largest  
29 county contains forty-five thousand or more population,  
30 but less than eighty-five thousand, there shall be  
31 one judgeship per five hundred twenty-five combined  
32 civil and criminal filings or major fraction thereof.

33 d. In an election district wherein the largest  
34 county contains less than forty-five thousand  
35 population, there shall be one judgeship per four  
36 hundred seventy-five combined civil and criminal  
37 filings or major fraction thereof.

38 e. Notwithstanding paragraphs a, b, c, or d of  
39 this subsection, each election district shall be  
40 entitled to not less than one judgeship for each forty  
41 thousand population or major fraction thereof contained  
42 in the election district. The court administrator  
43 shall determine both the number of judgeships for  
44 each election district based upon this paragraph,  
45 and the number of judgeships for each election district  
46 based upon paragraph a, b, c, or d of this subsection.  
47 If the number for any election district determined  
48 under this paragraph exceeds the number determined  
49 under paragraph a, b, c, or d, that election district  
50 shall be entitled to the number of judgeships

- 1 determined under this paragraph.
- 2 f. The filings included in the determinations
- 3 to be made under this subsection shall not include
- 4 small claims or nonindictable misdemeanors filed after
- 5 June 30, 1973, nor shall they include either civil
- 6 actions for money judgment where the amount in
- 7 controversy does not exceed three thousand dollars
- 8 or indictable misdemeanors, which were assigned to
- 9 district associate judges and judicial magistrates
- 10 as shown on their administrative reports, but they
- 11 shall include appeals from decisions of judicial
- 12 magistrates, district associate judges, and district
- 13 judges sitting as judicial magistrates. The figures
- 14 on filings shall be the average for the latest
- 15 available previous three-year period and when current
- 16 census figures on population are not available, figures
- 17 shall be taken from the state department of health
- 18 computations."
- 19 3. Renumber the remaining section.
- 20 4. Title page, line 1, after the word
- 21 "appropriation" insert the words "and relating".

H-5234 FILED - *Withdrawn 5/12* BY HANSEN of O'Brien  
 FEBRUARY 17, 1976 (*p. 26 23*) MENKE of O'Brien  
 HARPER of Davis  
 PONCY of Wapello  
 BAKER of Buena Vista  
 SPENCER of Clay

## SENATE FILE 1072

H-6609

- 1 Amend Senate File 1072 as follows:
- 2 1. Page 1, line 18, by striking the figures
- 3 "681,623" and inserting in lieu thereof the
- 4 figures "685,973".
- 5 2. Page 1, line 22, by striking the figures
- 6 "236,198" and inserting in lieu thereof the
- 7 figures "240,298".
- 8 3. Page 1, line 30, by striking the figures
- 9 "34,049" and inserting in lieu thereof the
- 10 figures "34,909".
- 11 4. Page 2, line 23, by striking the figures
- 12 "57,592" and inserting in lieu thereof the
- 13 figures "59,492".

H-6609 FILED - *Adopted 5/12* BY GRIFFEE of Chickasaw  
 MAY 11, 1976 (*p. 26 23*)

H-6573

1 Amend Senate File 1072 as passed by the Senate  
2 as follows:  
3 1. Page 2, by inserting after line 27 the fol-  
4 lowing new section:  
5 "Sec. \_\_\_\_ . Section six hundred six point fifteen  
6 (606.15), subsection one (1), Code 1975, is amended  
7 to read as follows:  
8 1. For filing any petition, appeal, or writ of  
9 error and docketing the same, ~~four~~ seven dollars.  
10 ~~Three~~ Four dollars of such fee shall remain in the  
11 county treasury for the use of the county, and ~~one~~  
12 ~~dollar~~ three dollars of such fee shall be paid into  
13 the state treasury and deposited in the general fund  
14 of the state. In counties having a population of  
15 one hundred thousand or over, an additional one dollar  
16 shall be charged and collected, to be known as the  
17 journal publication fee and to be used for the purposes  
18 provided for in section 618.13."  
19 2. Amend the title, line 1, by inserting after  
20 the word "agencies" the words ", and providing for  
21 an increase in filing fees to aid in offsetting the  
22 costs of operating the courts and agencies".

H-6573 FILED - *Adopted 5/12* BY NORLAND of Worth  
MAY 7, 1976 (*2625*) HANSEN of O'Brien  
BAKER of Buena Vista  
MENKE of O'Brien  
SPENCER of Clay  
HARPER of Davis  
PONCY of Wapello  
WEST of Marshall  
HUTCHINS of Guthrie  
NIELSEN of Polk  
BRANSTAD of Winnebago

H-5407

1 Amend Senate File 1072 as follows:  
2 1. Page 1, line 10, by inserting after the word  
3 "court" the words "as determined by the Acts of the  
4 Sixty-sixth General Assembly, 1975 Session, chapter  
5 two (2), unless an Act setting such salaries is  
6 approved by the 1976 Session of the Sixty-sixth General  
7 Assembly,".  
8 2. Page 2, line 6, after the word "magistrates,"  
9 insert the words "as determined by the Acts of the  
10 Sixty-sixth General Assembly, 1975 Session, chapter  
11 two (2), unless an Act setting such salaries is  
12 approved by the 1976 Session of the Sixty-sixth General  
13 Assembly,".

H-5407 FILED - *Adopted 5/12* BY DUNTON of Keokuk  
MARCH 2, 1976 (*p 2623*)

SENATE FILE 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:

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976, and ending June 30, 1977, to the judicial courts and agencies the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1976-77  
Fiscal Year

1. SUPREME COURT

a. For salaries of judges of the supreme court as determined by the Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two (2), unless an Act setting such salaries is approved by the 1976 Session of the Sixty-sixth General Assembly, and staff, support, maintenance and miscellaneous purposes including a state contribution to the judicial retirement system provided for in chapter six hundred five A (605A) of the Code in the amount of three percent of the salaries of the judges and an additional state contribution of forty-six thousand (\$46,000) dollars..... \$ 685,973

b. Rules of procedure..... \$ 250

2. COURT ADMINISTRATOR  
For salaries, support, maintenance and miscellaneous purposes..... \$ 240,298

3. JUDICIAL QUALIFICATIONS COMMISSION  
For support, maintenance and miscellaneous purposes of the judicial qualifications commission including commission members' per diem..... \$ 7,730

4. CLERK OF THE SUPREME COURT  
For salaries, support, maintenance and miscellaneous purposes..... \$ 34,909

5. BOARD OF LAW EXAMINERS  
For support, maintenance and miscellaneous purposes including per diem of board members..... \$ 27,308

6. BOARD OF EXAMINERS OF SHORT-HAND REPORTERS  
For support and miscellaneous purposes including board members per diem..... \$ 990

7. DISTRICT COURT  
For salaries of the district judges, district court associate judges and judicial magistrates, as determined by the Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two (2), unless an Act setting such salaries is approved by the 1976 Session of the Sixty-sixth General Assembly, and a state contribution to the judicial retirement system pro-

vided for in chapter six hundred five A (605A) of the Code in the amount of three percent of such salaries and an additional contribution of one hundred fourteen thousand (114,000) dollars for the fiscal year ending June 30, 1977..... \$5,204,257

For expenses of judges in accordance with section six hundred five point two (605.2) of the Code including those designated by order of the chief justice to attend judicial conferences, seminars or training sessions..... \$ 236,400

8. CODE EDITOR

For salaries, support, maintenance and miscellaneous purposes..... \$ 59,492

9. APPELLATE COURT

For salaries, support, maintenance and miscellaneous purposes.....\$ 350,000

Sec. 2. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 3. Section six hundred six point fifteen (606.15), subsection one (1), Code 1975, is amended to read as follows:

1. For filing any petition, appeal, or writ of error and docketing the same, ~~four~~ seven dollars. ~~Three~~ Four dollars of such fee shall remain in the county treasury for the use of the county, and ~~one-dollar~~ three dollars of such fee shall be paid into the state treasury and deposited in the general fund of the state. In counties having a population of one hundred thousand or over, an additional one dollar shall be charged and collected, to be known as the journal publication

fee and to be used for the purposes provided for in section 618.13.

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

\_\_\_\_\_  
DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1072, Sixty-sixth General Assembly.

\_\_\_\_\_  
STEVEN C. CROSS  
Secretary of the Senate

Approved JUN 23, 1976

\_\_\_\_\_  
ROBERT D. RAY  
Governor