

FILED FEB 28 1977

SENATE FILE 162

By BUDGET STATE GOVERNMENT  
SUBCOMMITTEE  
*approved 2/28(495)*

Passed Senate, Date 3-1-77 (p. 492) Passed House, Date 3-15-77 (p. 836)

Vote: Ayes 43 Nays 0 Vote: Ayes 79 Nays 1

Approved \_\_\_\_\_

June 29, 1977

*Re-passed Senate per House amendment or amended  
3-18-77 (688)*

44-0

### A BILL FOR

1 An Act making an appropriation to the judicial department.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*Conference Committee appointed*

*Senators: Wellits, chair, Dapert, Nolting, Dr. Koster, Taylor 3/30 (p. 840)  
Representatives: Wyszokoff, chair, Jasser, Kaugler, Walden, Wulff 3/31 (p. 1150)*

*Passed Per Conference Committee Report*

*Senate 5-17-77 (p. 1643)*

*House 5-19-77 (p. 2418)*

44-0

77-14

SENATE FILE 162

H-3231

Amend Senate File 162 as follows:

1. Page 2, by inserting after line 20 the following:

"Sec. 3. Notwithstanding section six hundred two point eighteen (602.18) of the Code, the number of district judges shall not exceed eighty-nine during the period commencing with the effective date of this section and ending at such time as the general assembly shall specify a different maximum number of district judges.

Sec. 4. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Sumner Gazette, a newspaper published in Sumner, Iowa, and in the Sioux Center News, a newspaper published in Sioux Center, Iowa.

Sec. 5. Sections one (1) and two (2) of this Act shall take effect July 1, 1977."

1 Section 1. There is appropriated from the general fund  
2 of the state for the fiscal year beginning July 1, 1977 and  
3 ending June 30, 1978 to the following named judicial department  
4 agencies, the following amounts, or so much thereof as is  
5 necessary, to be used for the purposes designated:

1977-1978  
Fiscal Year

8 1. COURTS

9 For salaries of supreme court  
10 justices, appellate court judges,  
11 district court judges, district  
12 associate judges, judicial magis-  
13 trates, and staff, support, main-  
14 tenance, equipment and miscella-  
15 neous purposes including a state  
16 contribution to the judicial re-  
17 tirement system provided for in  
18 chapter six hundred five A (605A)  
19 of the Code in the amount of three  
20 percent of such salaries and an  
21 additional contribution of one  
22 hundred ninety-five thousand  
23 seven hundred (195,700) dollars ..... \$ 6,874,899

24 2. BOARDS APPOINTED BY THE  
25 SUPREME COURT

26 For salaries, support, main-  
27 tenance and miscellaneous pur-  
28 poses of the board of law ex-  
29 aminers and board of examiners  
30 of shorthand reporters and ju-  
31 dicial qualifications commission ..... \$ 37,370

32 3. ADMINISTRATION

33 For salaries, support, main-  
34 tenance, equipment and miscella-  
35 neous purposes of the court ad-

1 ministrator, and clerk of the  
2 supreme court including expenses  
3 and costs of judicial conferences,  
4 seminars, or training sessions as  
5 provided in sections six hundred  
6 five point two (605.2) and six  
7 hundred eighty-four point twenty  
8 (684.20) of the Code ..... \$ 400,274

9 Sec. 2. Section six hundred five point two (605.2), Code 1977,  
10 is amended to read as follows:

11 605.2 EXPENSES. Where a judge of the district court, court  
12 of appeals or supreme court is required, in the discharge of  
13 his official duties, to leave the county of his the judge's  
14 residence or leave the city of his the judge's residence  
15 to perform such duties, he the judge shall be paid such  
16 actual and necessary expenses for living quarters and living  
17 expenses not to exceed the sum of twenty twenty-two dollars  
18 per day and transportation expenses as shall be incurred. Ex-  
19 penses for judges of the court of appeals are limited as pro-  
20 vided in section 684.45.

21 EXPLANATION

22 COURTS. This appropriation of \$6,874,899 is to continue  
23 existing programs at the current level and includes \$371,482  
24 for the court of appeals, \$5,785,167 for district courts,  
25 and \$718,250 for the supreme courts.

26 BOARDS. This appropriation of \$37,370 is to continue ex-  
27 isting programs and includes \$28,634 for the supreme court  
28 law examiners, \$996 for the board of examiners for shorthand  
29 reporters, and \$7,740 for judicial qualifications commission.

30 ADMINISTRATIVE DIVISION. This appropriation of \$400,274  
31 is to maintain current programs and includes \$77,436 for the  
32 supreme court clerk and \$322,838 for the judicial court ad-  
33 ministrator.

34 The bill also increases judges' expenses from \$20 per day  
35 to \$22 per day.

LSB 1163S  
sg/jw/5

House Amendment to Senate File 162

S-3180

- 1 Amend Senate File 162 as follows:  
2 1. Page 2, by inserting after line 20 the  
3 following:  
4 "Sec. 3. Notwithstanding section six hundred two  
5 point eighteen (602.18) of the Code, the number of  
6 district judges shall not exceed eighty-nine during  
7 the period commencing with the effective date of this  
8 section and ending at such time as the general assembly  
9 shall specify a different maximum number of district  
10 judges.  
11 Sec. 4. This Act, being deemed of immediate impor-  
12 tance, shall take effect and be in force from and  
13 after its publication in the Sumner Gazette, a  
14 newspaper published in Sumner, Iowa, and in the Sioux  
15 Center News, a newspaper published in Sioux Center,  
16 Iowa.  
17 Sec. 5. Sections one (1) and two (2) of this Act  
18 shall take effect July 1, 1977."

S-3180 FILED  
MARCH 17, 1977

RECEIVED FROM THE HOUSE  
*Senate amended and concurred 3/18 (688)*

SENATE FILE 162

S-3185

- 1 Amend the House Amendment, S-3180, to Senate  
2 File 162 as follows:  
3 1. Page 1, by striking lines 2 through 18,  
4 and inserting in lieu thereof the following:  
5 "1. Page 1, line 23, by striking the figure  
6 "6,874,899" and inserting in lieu thereof the figure  
7 "6,981,639"."

S-3185 FILED & ADOPTED (688) BY EARL M. WILLITS  
MARCH 18, 1977

SENATE AMENDMENT TO  
HOUSE AMENDMENT TO  
SENATE FILE 162

H-3350

- 1 Amend the House amendment, S-3180, to Senate  
2 File 162 as follows:  
3 1. Page 1, by striking lines 2 through 18,  
4 and inserting in lieu thereof the following:  
5 "1. Page 1, line 23, by striking the figure  
6 "6,874,899" and inserting in lieu thereof the figure  
7 "6,981,639"."

H-3350 FILED  
RECEIVED FROM SENATE  
MARCH 22, 1977

*House refused to concur 3/24 (p. 1023)  
Senate insisted 3/30 (p. 346)*

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 162

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 162, a bill for an Act making an appropriation to the judicial department, respectfully make the following report:

1. That the Senate recede from the Senate amendment S-3185 to the House amendment S-3180.

2. That the House recede from its amendment H-3231.

3. That Senate File 162 be amended as follows:

1. Page 1, line 23, by striking the figure "6,874,399" and inserting in lieu thereof the figure "6,981,639".

2. Page 2, by inserting after line 20 the following:

"Sec. 3. Notwithstanding section six hundred two point eighteen (602.18) of the Code, the number of district judges shall not be increased by more than three in order that the number of district judges shall not exceed ninety-two during the period commencing with the effective date of this section and ending at such time as the general assembly shall otherwise specify.

" Sec. 4. Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by subsection nine (9) of section one (1) of the Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand two (1002) for use of the appellate court judges remaining on June 30, 1977 shall not revert to the general fund of the state but shall carry forward for use during fiscal year 1977-1978 and shall revert in the same manner as if appropriated for such fiscal year.

SENATE 62  
MAY 17, 1977

PAGE 2  
REPORT OF THE CONFERENCE COMMITTEE

Furniture purchased with funds appropriated by this section shall be purchased from Iowa State Industries if furniture is available or can be supplied within a reasonable time.

Sec. 5. The legislative council shall cause an interim study on section six hundred two point eighteen (602.18) of the Code to be carried out by a subcommittee of the standing house and senate judiciary committees."

ON THE PART OF THE SENATE:

EARL M. WILLITS, CHAIRPERSON  
RAY TAYLOR  
MINNETTE F. DODERER  
LUCAS J. DE KOSTER  
FRED NOLTING

ON THE PART OF THE HOUSE:

RUSSELL WYCKOFF, CHAIRPERSON  
RICHARD WELDEN  
FRED KOGLER  
NORMAN G. JESSE  
HENRY WULFF

FILED  
MAY 16, 1977

*Senate adopted 5/17 (p. 1643)*

*House failed to adopt 5/18 (2384)  
Reconsidered and adopted 5/19 (2418)*

SENATE FILE 162

AN ACT

MAKING AN APPROPRIATION TO THE JUDICIAL DEPARTMENT.

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, 1977 and ending June 30, 1978 to the following named judicial department agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1977-1978  
Fiscal Year

1. COURTS

For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates, and staff, support, maintenance, equipment 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 such salaries and an additional contribution of one hundred ninety-five thousand seven hundred (195,700) dollars ..... \$ 6,981,839

2. BOARDS APPOINTED BY THE SUPREME COURT

For salaries, support, maintenance and miscellaneous purposes of the board of law examiners and board of examiners of shorthand reporters and ju-

dicial qualifications commission ..... \$ 37,370

3. ADMINISTRATION

For salaries, support, maintenance, equipment and miscellaneous purposes of the court administrator, and clerk of the supreme court including expenses and costs of judicial conferences, seminars, or training sessions as provided in sections six hundred five point two (605.2) and six hundred eighty-four point twenty (684.20) of the Code ..... \$ 400,274

Sec. 2. Section six hundred five point two (605.2), Code 1977, is amended to read as follows:

605.2 EXPENSES. Where a judge of the district court, court of appeals or supreme court is required, in the discharge of his official duties, to leave the county of his the judge's residence or leave the city of his the judge's residence to perform such duties, he the judge shall be paid such actual and necessary expenses for living quarters and living expenses not to exceed the sum of twenty twenty-two dollars per day and transportation expenses as shall be incurred. Expenses for judges of the court of appeals are limited as provided in section 684.45.

Sec. 3. Notwithstanding section six hundred two point eighteen (602.18) of the Code, the number of district judges shall not be increased by more than three in order that the number of district judges shall not exceed ninety-two during the period commencing with the effective date of this section and ending at such time as the general assembly shall otherwise specify.

Sec. 4. Notwithstanding section eight point thirty-three (8.33) of the Code, unnumbered or unobligated funds appropriated by subsection nine (9) of section one (1) of the Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand two (1002) for use of the appellate court

judges remaining on June 30, 1977 shall not revert to the general fund of the state but shall carry forward for use during fiscal year 1977-1978 and shall revert in the same manner as if appropriated for such fiscal year.

Furniture purchased with funds appropriated by this section shall be purchased from Iowa State Industries if furniture is available or can be supplied within a reasonable time.

Sec. 5. The legislative council shall cause an interim study on section six hundred two point eighteen (602.18) of the Code to be carried out by a subcommittee of the standing house and senate judiciary committees.

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ARTHUR A. NEU  
President of the Senate

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DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 162, Sixty-seventh General Assembly.

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STEVEN C. CROSS  
Secretary of the Senate

Approved June 29, 1977

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ROBERT D. RAY  
Governor