

Reprinted 4/26

FILED APR 11 1979

SENATE FILE 489

BY COMMITTEE ON APPROPRIATIONS
approved 4/11 (p 1211)

Passed Senate, Date 4-22-79 (p 1321) Passed House, Date _____
Vote: Ayes 46 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to administration and benefits of certain
2 public retirement systems.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section ninety-seven A point six (97A.6),
2 subsection fourteen (14), paragraph d, Code 1979, is amended
3 to read as follows:

4 d. A Only a retired member ~~whe-became~~ eligible for benefits
5 under the provisions of subsection 1 ~~but who did-not-serve~~
6 served twenty-two years and ~~did-not attain~~ also attained the
7 age of fifty-five years prior to the member's termination
8 of employment ~~shall-not-be~~ is eligible for the annual
9 readjustment of pensions provided ~~for~~ by this subsection.

10 Sec. 2. Section ninety-seven A point fourteen (97A.14),
11 Code 1979, is amended to read as follows:

12 97A.14 HOSPITALIZATION AND MEDICAL ATTENTION. The board
13 of trustees shall provide hospital, nursing, and medical
14 attention for the members in service when injured while in
15 the performance of their duties and for the members receiving
16 a retirement allowance under section ninety-seven A point
17 six (97A.6), subsection six (6) of the Code for an injury
18 or disease incurred in or aggravated by the actual performance
19 of duty. The cost of hospital, nursing, and medical attention
20 shall be paid out of the expense fund. For the purpose of
21 this section, "medical attention" includes medical attention
22 by a physician as defined in section one hundred thirty-five
23 point one (135.1), subsection five (5) of the Code. However,
24 any amounts received by the injured person under the workers'
25 compensation law of the state, or from any other source for
26 such specific purposes, shall be deducted from the amount
27 paid by the board of trustees provisions of this section.

28 Sec. 3. Section ninety-seven B point forty-three (97B.43),
29 unnumbered paragraph three (3), Code 1979, is amended to read
30 as follows:

31 Each individual who as of July 1, 1978, was an active,
32 vested, or retired member and who (1) made application for
33 and received a refund of contributions made under the abolished
34 system or (2) has on deposit with the retirement fund his
35 or her contributions made under the abolished system shall

1 be entitled to credit for years of prior service in the
2 determination of retirement allowance payments by filing a
3 written election with the department on or after July 1, 1978,
4 and by re depositing any withdrawn contributions under the
5 abolished system together with interest as stated in this
6 paragraph. Any individual who as of July 1, 1978, is a retired
7 member and who made application for and received a refund
8 of contributions made under the abolished system, may, by
9 filing a written election with the department on or after
10 July 1, 1978, have the department retain fifty percent of
11 the monthly increase in retiree benefits that will accrue
12 to the individual because of prior service. If the monthly
13 increase in retirement benefits is less than ten dollars,
14 the department shall retain five dollars of the scheduled
15 increase, and if the monthly increase is less than five
16 dollars, the provisions of this paragraph shall not apply.
17 The department shall continue to retain such funds until the
18 withdrawn contributions, together with interest accrued to
19 the month in which the written election is filed, have been
20 repaid. Due notice of this provision shall be sent to all
21 retired members as of July 1, 1978. However, this paragraph
22 shall not apply to any person who received a refund of any
23 membership service contributions unless the person repaid
24 the membership service contributions pursuant to section eight
25 (8) of this Act; provided, however, that a refund of
26 contributions remitted for the calendar quarter ending
27 September 30, 1953 which was based entirely upon employment
28 which terminated prior to July 4, 1953 shall not be considered
29 as a refund of membership service contributions. The interest
30 to be paid into the fund shall be compounded at the rates
31 credited to member accounts from the date of payment of the
32 refund of contributions under the abolished system to the
33 date the member re deposits the refunded amount. The provisions
34 of the first paragraph of this section relating to the
35 consideration given to credited amounts shall apply to the

1 redeposited amounts or to amounts left on deposit. Effective
2 July 1, 1978, the provisions of this paragraph shall apply
3 to each individual who as of July 1, 1978, was an active,
4 vested, or retired member, but who was not in service on July
5 4, 1953. The period for filing the written election with
6 the department and redepositing any withdrawn contributions
7 together with interest accrued shall commence July 1, 1978.
8 A member who is a retired member as of July 1, 1978 may file
9 written election with the department on or after July 1, 1978
10 to have the department retain fifty percent of the monthly
11 increase as provided in this paragraph.

12 Sec. 4. Section ninety-seven B point forty-nine (97B.49),
13 subsections five (5) and seven (7), Code 1979, are amended
14 to read as follows:

15 5. For each active member retiring between ~~January 1,~~
16 ~~1976 and June 30~~ July 1, 1978 and June 30, 1979, with four
17 or more complete years of service, a monthly benefit shall
18 be computed which is equal to one-twelfth of an amount equal
19 to ~~forty~~ forty-four percent of the five-year average covered
20 wage multiplied by a fraction of years of service. For each
21 active member retiring on or after July 1, ~~1978~~ 1979 the
22 monthly benefit computed under this subsection shall be equal
23 to one-twelfth of an amount equal to ~~forty-four~~ forty-six
24 percent of the five-year average covered wage multiplied by
25 a fraction of years of service. For the purposes of this
26 subsection, "fraction of years of service" means a number,
27 not to exceed one, equal to the sum of the years of membership
28 service and the number of years of prior service divided by
29 thirty years.

30 If benefits under this subsection commence on an early
31 retirement date, the amount of benefit shall be reduced in
32 accordance with section 97B.50.

33 7. Notwithstanding the provisions of this chapter, a
34 member who is or has been employed as a conservation peace
35 officer under the provisions of section 107.13 and who retires

1 between ~~January 1, 1976, and June 30~~ July 1, 1978 and June
2 30, 1979 and at the time of retirement is at least sixty years
3 of age and has completed at least twenty-five years of
4 membership service as a conservation peace officer, may elect
5 to receive, in lieu of the receipt of any benefits under
6 subsection 5 of this section, a monthly retirement allowance
7 equal to one-twelfth of ~~forty~~ forty-four percent of the
8 member's five-year average covered wage as a conservation
9 peace officer, with benefits payable during the member's
10 lifetime. For each such member retiring on or after July
11 1, ~~1978~~ 1979, the monthly benefit computed under this
12 subsection shall be equal to one-twelfth of an amount equal
13 to ~~forty-four~~ forty-six percent of the five-year average
14 covered wage as a conservation peace officer multiplied by
15 a fraction of years of service. There is appropriated from
16 the general fund of the state to the department of job service
17 from funds not otherwise appropriated an amount sufficient
18 to pay eight and forty-three hundredths percent of the covered
19 wages of each conservation peace officer, in addition to the
20 contribution paid by the employer under section 97B.11, to
21 finance increased benefits to conservation peace officers
22 under this subsection.

23 Sec. 5. Section ninety-seven B point forty-nine (97B.49),
24 subsection eight (8), paragraph a, Code 1979, is amended to
25 read as follows:

26 a. Notwithstanding the provisions of this chapter,
27 effective July 1, 1979 to be included in county budgets for
28 the fiscal year beginning July 1, 1979, a member who is or
29 has been employed as a county sheriff, as defined in section
30 39.17, or as a deputy sheriff appointed pursuant to chapter
31 341, and who retires ~~on or after~~ between January 1, 1978 and
32 June 30, 1979, and at the time of retirement is at least sixty
33 years of age and has completed at least twenty-five years
34 of membership service as a county sheriff or deputy sheriff,
35 may elect to receive, in lieu of the receipt of any benefits

1 under subsection 5 of this section, a monthly retirement
2 allowance equal to one-twelfth of forty-four percent of the
3 member's five-year average covered wage as a sheriff or deputy
4 sheriff, with benefits payable during the member's lifetime.

5 For each member eligible for a monthly retirement allow-
6 ance under this subsection who retires on or after July 1,
7 1979, the monthly benefit computed under this subsection shall
8 be equal to one-twelfth of forty-six percent of the member's
9 five-year average covered wage.

10 Sec. 6. Section ninety-seven B point forty-nine (97B.49),
11 subsection nine (9), Code 1979, is amended by adding the fol-
12 lowing new unnumbered paragraph:

13 Effective July 1, 1979, the increases granted to members
14 under this subsection shall be paid to contingent annuitants
15 and to beneficiaries.

16 Sec. 7. Section ninety-seven B point fifty (97B.50),
17 subsection one (1), Code 1979, is amended to read as follows:

18 1. A Except as otherwise provided in this section, a
19 member, shall upon retirement on-his-early prior to the normal
20 retirement date be, is entitled to receive a monthly retirement
21 allowance determined in the same manner as provided for normal
22 retirement in subsections 1, 4 and 5 of section 97B.49 reduced
23 by five-tenths of one percent per month for each month that
24 the member's early retirement date precedes the normal
25 retirement date.

26 Sec. 8. Chapter ninety-seven B (97B), Code 1979, is amended
27 by adding the following new section:

28 NEW SECTION. An active, vested, or retired member who
29 at any time between July 4, 1953 and July 1, 1973 was a member
30 of the system, but who did not meet the requirements to be
31 a vested member for that period of membership service, and
32 who received a refund of contributions for that period of
33 membership service, may elect in writing to the department
34 to make contributions to the system for that period of
35 membership service for which a refund of contributions was

1 made. The contributions repaid by the member for such ser-
2 vice shall be equal to the accumulated contributions, as
3 defined in section ninety-seven B point forty-one (97B.41),
4 subsection thirteen (13), of the Code, received by the member
5 for that period of membership service plus interest on the
6 accumulated contributions for the period from the date of
7 receipt by the member to the date of repayment equal to two
8 percent plus the interest dividend rate applicable for each
9 year compounded annually.

10 The provisions of this section are only available to a
11 member if that member's total years of membership and prior
12 service, with the addition of service for that period of
13 membership service for which contributions are repaid, equals
14 or exceeds fifteen years.

15 Sec. 9. Section four hundred ten point eighteen (410.18),
16 Code 1979, is amended to read as follows:

17 410.18 HOSPITAL EXPENSE. Cities shall provide hospital,
18 nursing, and medical attention for the members of the police
19 and fire departments of such cities, when injured while in
20 the performance of their duties as members of such department,
21 and for members being paid a pension by the city under section
22 four hundred ten point eight (410.8) of the Code for a dis-
23 ability contracted while the member was engaged in the per-
24 formance of duties, and the cost of such hospital, nursing,
25 and medical attention shall be paid out of the appropriation
26 for the department to which such injured person belongs;
27 provided that any amounts received by such injured person
28 under the workers' compensation law of the state, or from
29 any other source for such specific purposes, shall be deducted
30 from the amount paid by such city under the provisions of
31 this section. For the purpose of this section, "medical
32 attention" includes medical attention by a physician as defined
33 in section one hundred thirty-five point one (135.1),
34 subsection five (5) of the Code.

35 Sec. 10. Section four hundred eleven point six (411.6),

1 subsection twelve (12), paragraph d, Code 1979, is amended
2 to read as follows:

3 d. A Only a retired member ~~who became~~ eligible for benefits
4 under the provisions of subsection 1 of this section ~~but~~ who
5 ~~did not serve~~ served twenty-two years and ~~did not attain~~ also
6 attained the age of fifty-five years prior to ~~his~~ the member's
7 termination of employment ~~shall not be~~ is eligible for the
8 annual readjustment of pensions provided ~~for~~ by this subsec-
9 tion.

10 Sec. 11. Section four hundred eleven point fifteen
11 (411.15), Code 1979, is amended to read as follows:

12 411.15 HOSPITALIZATION AND MEDICAL ATTENTION. Cities
13 shall provide hospital, nursing, and medical attention for
14 the members of the police and fire departments of such cities,
15 when injured while in the performance of their duties as
16 members of such department, and for members receiving a
17 retirement allowance under section four hundred eleven point
18 six (411.6), subsection six (6) of the Code for an injury
19 or disease incurred in or aggravated by the actual performance
20 of duty, and the cost of such hospital, nursing, and medical
21 attention shall be paid out of the appropriation for the
22 department to which such injured person belongs; provided
23 that any amounts received by such injured person under the
24 workers' compensation law of the state, or from any other
25 source for such specific purposes, shall be deducted from
26 the amount paid by such city under the provisions of this
27 section. For the purpose of this section, "medical attention"
28 includes medical attention by a physician as defined in section
29 one hundred thirty-five point one (135.1), subsection five
30 (5) of the Code.

31 Sec. 12. Section four hundred eleven point twenty-one
32 (411.21), subsection seven (7), Code 1979, is amended by
33 adding the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. The board may return accumulated
35 contributions from the annuity savings fund to an active or

1 vested member prior to the dates listed in the schedule es-
2 tablished in this subsection, except that the board shall
3 not liquidate securities at a loss for the sole purpose of
4 returning the accumulated contributions to the members at
5 an earlier date.

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EXPLANATION

7 Sections 1 and 10 clarify that members of the peace offi-
8 cers' retirement system and the local police and fire retire-
9 ment systems must serve until they have reached 55 years of
10 age and have served at least twenty-two years in order to
11 be eligible for the pension escalation.

12 Sections 2, 9, and 11 provide that hospital, nursing, and
13 medical care are to be paid for members of the peace officers'
14 retirement system and the local police and fire retirement
15 systems and pensions.

16 Section 4 increases from 44 percent to 46 percent the
17 percent of the five-year average salary a member retiring
18 after July 1, 1979 will receive at 65 years of age after
19 thirty years of service. It also provides the same benefit
20 increases for persons retiring as conservation peace officers.

21 Section 5 increases the percent used in computing benefits
22 of sheriffs and deputy sheriffs who retire after July 1, 1979
23 to 46 percent.

24 Section 6 provides that the benefit increases granted to
25 members who retired before 1976 will also be granted to con-
26 tingent annuitants and beneficiaries effective July 1, 1979.

27 Section 7 clarifies the reduced penalty for early retirement
28 for some members passed last year.

29 Sections 3 and 8 allow members of the Iowa public employees'
30 retirement system who had formerly been members of IPERS but
31 were not vested and had been forced to receive their contribu-
32 tions upon termination of employment to repay those contribu-
33 tions plus interest and dividends earned and receive credit
34 for those years of service if the total years of service is
35 fifteen or more years.

1 Section 12 allows members of the fire and police retirement
2 systems to receive their annuities in advance of the schedule
3 in the Code except that securities cannot be sold at a loss.

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S-3569

1 Amend Senate File 489 as follows:

2 1. Page 1, by inserting before line 1 the following
3 sections:

4 "Section 1. Section ninety-seven A point one
5 (97A.1), subsection nineteen (19), Code 1979, is
6 amended by striking the subsection.

7 Sec. ____ . Section ninety-seven A point six (97A.6),
8 subsection fourteen (14), paragraph a, unnumbered
9 paragraph one (1), Code 1979, is amended by striking
10 the unnumbered paragraph and inserting in lieu thereof
11 the following:

12 As of the first of July of each year for members
13 who retire on or after July 1, 1979, the monthly
14 pensions authorized in this section payable to retired
15 members and to beneficiaries, except children of a
16 deceased member, shall be adjusted as provided in
17 this paragraph. An amount equal to the following
18 percentages of the difference between the monthly
19 earnable compensation received by an active member
20 of the department, of the same rank and position on
21 the salary scale as was held by the retired or deceased
22 member at the time of the member's retirement or
23 death, for July of the preceding year and the monthly
24 earnable compensation payable to an active member
25 of the department of the same rank and position for
26 July of the year just beginning shall be added to
27 the monthly pension of each retired member and each
28 beneficiary as follows:

29 (1) Twenty-five percent for members eligible for
30 a service retirement allowance or their beneficiaries.

31 (2) Twenty percent for members with five or more
32 years of membership service who are eligible for an
33 ordinary disability retirement allowance or their
34 beneficiaries.

35 (3) Twelve and one-half percent for members with
36 less than five years of membership service who are
37 eligible for an ordinary disability retirement
38 allowance or their beneficiaries.

39 (4) Thirty-three and one-third percent for members
40 eligible for an accidental disability allowance or
41 their beneficiaries.

42 The adjusted monthly pension shall not be less
43 than the amount which was paid at the time of the
44 member's retirement or death."

45 2. Page 1, by striking line 2 and inserting in
46 lieu thereof the following: "subsection fourteen (14),
47 paragraphs b and d, Code 1979, are amended".

48 3. Page 1, by inserting after line 3 the following:

49 "b. All monthly pensions adjusted as provided
50 in this subsection shall be payable beginning on July

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PAGE 2

1 ~~1~~ first of the year in which the adjustment is made
2 and shall continue in effect until the next following
3 July ~~1~~ first at which time the monthly pensions shall
4 again be ~~recomputed-and-all-monthly-pensions~~ adjusted
5 in accordance with the ~~recomputations~~ paragraph a
6 of this subsection."

7 4. Page 6, by inserting after line 34 the following
8 sections:

9 "Sec. ____ . Section four hundred eleven point one
10 (411.1), subsection twenty-one (21), Code 1979, is
11 amended by striking the subsection.

12 Sec. ____ . Section four hundred eleven point six
13 (411.6), subsection twelve (12), paragraph a,
14 unnumbered paragraph one (1), Code 1979, is amended
15 by striking the unnumbered paragraph and inserting
16 in lieu thereof the following:

17 As of the first of July of each year for members
18 who retire on or after July 1, 1979, the monthly
19 pensions authorized in this section payable to retired
20 members and to beneficiaries, except children of a
21 deceased member, shall be adjusted as provided in
22 this paragraph. An amount equal to the following
23 percentages of the difference between the monthly
24 earnable compensation received by an active member
25 of the department, of the same rank and position on
26 the salary scale as was held by the retired or deceased
27 member at the time of the member's retirement or
28 death, for July of the preceding year and the monthly
29 earnable compensation payable to an active member
30 of the department of the same rank and position for
31 July of the year just beginning shall be added to
32 the monthly pension of each retired member and each
33 beneficiary as follows:

34 (1) Twenty-five percent for members eligible for
35 a service retirement allowance or their beneficiaries.

36 (2) Twenty percent for members with five or more
37 years of membership service who are eligible for an
38 ordinary disability retirement allowance or their
39 beneficiaries.

40 (3) Twelve and one-half percent for members with
41 less than five years of membership service who are
42 eligible for an ordinary disability retirement
43 allowance or their beneficiaries.

44 (4) Thirty-three and one-third percent for members
45 eligible for an accidental disability allowance or
46 their beneficiaries.

47 The adjusted monthly pension shall not be less
48 than the amount which was paid at the time of the
49 member's retirement or death."

50 5. Page 7, by striking line 1 and inserting in

S-3569
PAGE 3

1 lieu thereof the following: "subsection twelve (12),
2 paragraphs b and d, Code 1979, are amended".
3 6. Page 7, by inserting after line 2 the following:
4 "b. All monthly pensions adjusted as provided
5 in this subsection shall be payable beginning on July
6 1 first of the year in which the adjustment is made
7 and shall continue in effect until the next following
8 July 1 first at which time the monthly pensions shall
9 again be ~~recomputed and all monthly pensions shall~~
10 be adjusted in accordance with ~~the recomputations~~
11 paragraph a of this subsection."
12 7. By numbering and renumbering sections as
13 necessary.

S-3569 FILED *Adopted 4/23/79 (1321)* BY ROBERT M. CARR
APRIL 20, 1979

SENATE FILE 489

S-3571

1 Amend Senate File 489 as follows:
2 1. Page 8, by inserting after line 5 the following
3 sections:
4 "Sec. ____ . Acts of the Sixty-seventh General
5 Assembly, 1978 Session, chapter one thousand sixty
6 (1060), section five (5), is amended to read as
7 follows:
8 SEC. 5. Section ninety-seven A point five (97A.5),
9 subsection one (1), Code 1977, is amended to read
10 as follows:
11 1. BOARD OF TRUSTEES. The general administration
12 and the responsibility for the proper operation of
13 the system and for making effective the provisions
14 of this chapter are hereby vested in a board of
15 trustees to administer the system. Such board of
16 trustees shall be constituted as follows: The
17 commissioner of public safety, who shall be
18 chairperson of said board, the state treasurer, and
19 an actively engaged member of the system, to be
20 chosen by secret ballot by the members thereof for
21 a term of two years.
22 This section is effective July 1, 1981.
23 Sec. ____ . Acts of the Sixty-seventh General
24 Assembly, 1978 Session, chapter one thousand sixty
25 (1060), section sixty-eight (68), is amended to read
26 as follows:
27 SEC. 68. The sections of this Act amending sections
28 of chapters ninety-seven A (97A) and four hundred
29 eleven (411) of the Code are effective July 1, 1979,
30 except as otherwise provided in this Act."
31 2. By numbering and renumbering sections as
32 necessary.

S-3571 FILED & ADOPTED *(p. 1321)*
APRIL 23, 1979

BY ROBERT M. CARR
JOHN NYSTROM

SENATE FILE 489

S-3508

- 1 Amend Senate File 489 as follows:
- 2 1. Page 1, by striking lines 20 through 23 and
- 3 inserting in lieu thereof the words "shall be paid
- 4 out of the expense fund. However,".
- 5 2. Page 6, by striking lines 15 through 34.
- 6 3. Page 7, by striking lines 10 through 30.

S-3508 FILED *B-Adopted,* BY JOHN N. NYSTROM
APRIL 17, 1979 *A. H. Brown*
4/23/79 12:31

SENATE FILE 489

S-3511

- 1 Amend Senate File 489 as follows:
- 2 1. Page 1, by inserting after line 27 the following
- 3 section:
- 4 "Sec. _____. Section ninety-seven B point forty-
- 5 one (97B.41), subsection three (3), paragraph b,
- 6 subparagraph ten (10), Code 1979, is amended to read
- 7 as follows:
- 8 (10) Persons employed as city managers, or as
- 9 administrators performing the duties of city managers,
- 10 under a form of city government listed in chapter
- 11 372 or chapter four hundred twenty (420) of the Code
- 12 unless such employees shall make an application to
- 13 the department to be covered under the provisions
- 14 of this chapter."
- 15 2. Page 6, by inserting after line 14 the following
- 16 section:
- 17 "Sec. _____. Section three hundred eighty-four point
- 18 six (384.6), subsection one (1), Code 1979, is amended
- 19 to read as follows:
- 20 1. Accounting for pension and related employee
- 21 benefit funds as provided by the city finance
- 22 committee. A city may make contributions to a
- 23 retirement system other than the Iowa public employees'
- 24 retirement system for its city manager, or the
- 25 administrator performing the duties of city manager,
- 26 in an annual amount not to exceed the amount that
- 27 would have been contributed by the employer under
- 28 the provisions of section 97B.11. A city may certify
- 29 taxes to be levied for the trust and agency fund in
- 30 the amount necessary to meet such obligations."
- 31 3. By numbering and renumbering sections and
- 32 correcting internal references as necessary.

S-3511 FILED *Adopted 4/23* BY EDGAR H. HOLDEN
APRIL 17, 1979 *(p. 1331)*

*The Appropriations 4/26
Do Pass for 433.5 5/5 (p. 2129)*

SENATE FILE 489

BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE APRIL 23, 1979)

Passed Senate, Date 5-11-79 (p. 1742) Passed House, Date 5-13-79 (p. 2275)

Vote: Ayes 46 Nays 0 Vote: Ayes 95 Nays 0

Approved June 5, 1979

A BILL FOR

1 An Act relating to administration and benefits of certain
2 public retirement systems.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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_____ = New Language
by the Senate

* = Language Stricken
by the Senate

1 Section 1. Section ninety-seven A point one (97A.1),
2 subsection nineteen (19), Code 1979, is amended by striking
3 the subsection.

4 Sec. 2. Section ninety-seven A point six (97A.6),
5 subsection fourteen (14), paragraph a, unnumbered paragraph
6 one (1), Code 1979, is amended by striking the unnumbered
7 paragraph and inserting in lieu thereof the following:

8 As of the first of July of each year for members who retire
9 on or after July 1, 1979, the monthly pensions authorized
10 in this section payable to retired members and to
11 beneficiaries, except children of a deceased member, shall
12 be adjusted as provided in this paragraph. An amount equal
13 to the following percentages of the difference between the
14 monthly earnable compensation received by an active member
15 of the department, of the same rank and position on the salary
16 scale as was held by the retired or deceased member at the
17 time of the member's retirement or death, for July of the
18 preceding year and the monthly earnable compensation payable
19 to an active member of the department of the same rank and
20 position for July of the year just beginning shall be added
21 to the monthly pension of each retired member and each
22 beneficiary as follows:

23 (1) Twenty-five percent for members eligible for a service
24 retirement allowance or their beneficiaries.

25 (2) Twenty percent for members with five or more years
26 of membership service who are eligible for an ordinary
27 disability retirement allowance or their beneficiaries.

28 (3) Twelve and one-half percent for members with less
29 than five years of membership service who are eligible for
30 an ordinary disability retirement allowance or their
31 beneficiaries.

32 (4) Thirty-three and one-third percent for members eligible
33 for an accidental disability allowance or their beneficiaries.

34 The adjusted monthly pension shall not be less than the
35 amount which was paid at the time of the member's retirement

1 or death.

2 Sec. 3. Section ninety-seven A point six (97A.6),
3 subsection fourteen (14), paragraphs b and d, Code 1979, are
4 amended to read as follows:

5 b. All monthly pensions adjusted as provided in this
6 subsection shall be payable beginning on July 4 first of the
7 year in which the adjustment is made and shall continue in
8 effect until the next following July 4 first at which time
9 the monthly pensions shall again be recomputed and all monthly
10 pensions adjusted in accordance with the recomputations
11 paragraph a of this subsection.

12 d. A Only a retired member who became eligible for benefits
13 under the provisions of subsection 1 but who did not serve
14 served twenty-two years and did not attain also attained the
15 age of fifty-five years prior to the member's termination
16 of employment shall not be is eligible for the annual
17 readjustment of pensions provided for by this subsection.

18 Sec. 4. Section ninety-seven A point fourteen (97A.14),
19 Code 1979, is amended to read as follows:

20 97A.14 HOSPITALIZATION AND MEDICAL ATTENTION. The board
21 of trustees shall provide hospital, nursing, and medical
22 attention for the members in service when injured while in
23 the performance of their duties and for the members receiving
24 a retirement allowance under section ninety-seven A point
25 six (97A.6), subsection six (6) of the Code for an injury
26 or disease incurred in or aggravated by the actual performance
27 of duty. The cost of hospital, nursing, and medical attention
28 shall be paid out of the expense fund. For the purpose of
29 this section, "medical attention" includes medical attention
30 by a physician as defined in section one hundred thirty-five
31 point one (135.1), subsection five (5) of the Code. However,
32 any amounts received by the injured person under the workers'
33 compensation law of the state, or from any other source for
34 such specific purposes, shall be deducted from the amount
35 paid by the board of trustees provisions of this section.

1 Sec. 5. Section ninety-seven B point forty-one (97B.41),
2 subsection three (3), paragraph b, subparagraph ten (10),
3 Code 1979, is amended to read as follows:

4 (10) Persons employed as city managers, or as
5 administrators performing the duties of city managers, under
6 a form of city government listed in chapter 372 or chapter
7 four hundred twenty (420) of the Code unless such employees
8 shall make an application to the department to be covered
9 under the provisions of this chapter.

10 Sec. 6. Section ninety-seven B point forty-three (97B.43),
11 unnumbered paragraph three (3), Code 1979, is amended to read
12 as follows:

13 Each individual who as of July 1, 1978, was an active,
14 vested, or retired member and who (1) made application for
15 and received a refund of contributions made under the abolished
16 system or (2) has on deposit with the retirement fund his
17 or her contributions made under the abolished system shall
18 be entitled to credit for years of prior service in the
19 determination of retirement allowance payments by filing a
20 written election with the department on or after July 1, 1978,
21 and by redepositing any withdrawn contributions under the
22 abolished system together with interest as stated in this
23 paragraph. Any individual who as of July 1, 1978, is a retired
24 member and who made application for and received a refund
25 of contributions made under the abolished system, may, by
26 filing a written election with the department on or after
27 July 1, 1978, have the department retain fifty percent of
28 the monthly increase in retiree benefits that will accrue
29 to the individual because of prior service. If the monthly
30 increase in retirement benefits is less than ten dollars,
31 the department shall retain five dollars of the scheduled
32 increase, and if the monthly increase is less than five
33 dollars, the provisions of this paragraph shall not apply.
34 The department shall continue to retain such funds until the
35 withdrawn contributions, together with interest accrued to

1 the month in which the written election is filed, have been
 2 repaid. Due notice of this provision shall be sent to all
 3 retired members as of July 1, 1978. However, this paragraph
 4 shall not apply to any person who received a refund of any
 5 membership service contributions unless the person repaid
 6 the membership service contributions pursuant to section eleven
 7 (11) of this Act; provided, however, that a refund of
 8 contributions remitted for the calendar quarter ending
 9 September 30, 1953 which was based entirely upon employment
 10 which terminated prior to July 4, 1953 shall not be considered
 11 as a refund of membership service contributions. The interest
 12 to be paid into the fund shall be compounded at the rates
 13 credited to member accounts from the date of payment of the
 14 refund of contributions under the abolished system to the
 15 date the member redeposits the refunded amount. The provisions
 16 of the first paragraph of this section relating to the
 17 consideration given to credited amounts shall apply to the
 18 redeposited amounts or to amounts left on deposit. Effective
 19 July 1, 1978, the provisions of this paragraph shall apply
 20 to each individual who as of July 1, 1978, was an active,
 21 vested, or retired member, but who was not in service on July
 22 4, 1953. The period for filing the written election with
 23 the department and redepositing any withdrawn contributions
 24 together with interest accrued shall commence July 1, 1978.
 25 A member who is a retired member as of July 1, 1978 may file
 26 written election with the department on or after July 1, 1978
 27 to have the department retain fifty percent of the monthly
 28 increase as provided in this paragraph.

29 Sec. 7. Section ninety-seven B point forty-nine (97B.49),
 30 subsections five (5) and seven (7), Code 1979, are amended
 31 to read as follows:

32 5. For each active member retiring between ~~January-1,~~
 33 ~~1976-and-June-30~~ July 1, 1978 and June 30, 1979, with four
 34 or more complete years of service, a montly benefit shall
 35 be computed which is equal to one-twelfth of an amount equal

1 to ~~forty~~ forty-four percent of the five-year average covered
2 wage multiplied by a fraction of years of service. For each
3 active member retiring on or after July 1, ~~1978~~ 1979 the
4 monthly benefit computed under this subsection shall be equal
5 to one-twelfth of an amount equal to ~~forty-four~~ forty-six
6 percent of the five-year average covered wage multiplied by
7 a fraction of years of service. For the purposes of this
8 subsection, "fraction of years of service" means a number,
9 not to exceed one, equal to the sum of the years of membership
10 service and the number of years of prior service divided by
11 thirty years.

12 If benefits under this subsection commence on an early
13 retirement date, the amount of benefit shall be reduced in
14 accordance with section 97B.50.

15 7. Notwithstanding the provisions of this chapter, a
16 member who is or has been employed as a conservation peace
17 officer under the provisions of section 107.13 and who retired
18 between ~~January-17-1976, and June-30~~ July 1, 1978 and June
19 30, 1979 and at the time of retirement is at least sixty years
20 of age and has completed at least twenty-five years of
21 membership service as a conservation peace officer, may elect
22 to receive, in lieu of the receipt of any benefits under
23 subsection 5 of this section, a monthly retirement allowance
24 equal to one-twelfth of ~~forty~~ forty-four percent of the
25 member's five-year average covered wage as a conservation
26 peace officer, with benefits payable during the member's
27 lifetime. For each such member retiring on or after July
28 1, ~~1978~~ 1979, the monthly benefit computed under this
29 subsection shall be equal to one-twelfth of an amount equal
30 to ~~forty-four~~ forty-six percent of the five-year average
31 covered wage as a conservation peace officer multiplied by
32 a fraction of years of service. There is appropriated from
33 the general fund of the state to the department of job service
34 from funds not otherwise appropriated an amount sufficient
35 to pay eight and forty-three hundredths percent of the covered

1 wages of each conservation peace officer, in addition to the
2 contribution paid by the employer under section 97B.11, to
3 finance increased benefits to conservation peace officers
4 under this subsection.

5 Sec. 8. Section ninety-seven B point forty-nine (97B.49),
6 subsection eight (8), paragraph a, Code 1979, is amended to
7 read as follows:

8 a. Notwithstanding the provisions of this chapter,
9 effective July 1, 1979 to be included in county budgets for
10 the fiscal year beginning July 1, 1979, a member who is or
11 has been employed as a county sheriff, as defined in section
12 39.17, or as a deputy sheriff appointed pursuant to chapter
13 341, and who retires ~~on or after~~ between January 1, 1978 and
14 June 30, 1979, and at the time of retirement is at least sixty
15 years of age and has completed at least twenty-five years
16 of membership service as a county sheriff or deputy sheriff,
17 may elect to receive, in lieu of the receipt of any benefits
18 under subsection 5 of this section, a monthly retirement
19 allowance equal to one-twelfth of forty-four percent of the
20 member's five-year average covered wage as a sheriff or deputy
21 sheriff, with benefits payable during the member's lifetime.

22 For each member eligible for a monthly retirement allow-
23 ance under this subsection who retires on or after July 1,
24 1979, the monthly benefit computed under this subsection shall
25 be equal to one-twelfth of forty-six percent of the member's
26 five-year average covered wage.

27 Sec. 9. Section ninety-seven B point forty-nine (97B.49),
28 subsection nine (9), Code 1979, is amended by adding the fol-
29 lowing new unnumbered paragraph:

30 Effective July 1, 1979, the increases granted to members
31 under this subsection shall be paid to contingent annuitants
32 and to beneficiaries.

33 Sec. 10. Section ninety-seven B point fifty (97B.50),
34 subsection one (1), Code 1979, is amended to read as follows:

35 1. A Except as otherwise provided in this section, a

1 member, ~~shall~~ upon retirement ~~on-his-early~~ prior to the normal
2 retirement date ~~be,~~ is entitled to receive a monthly retirement
3 allowance determined in the same manner as provided for normal
4 retirement in subsections 1, 4 and 5 of section 97B.49 reduced
5 by five-tenths of one percent per month for each month that
6 the member's early retirement date precedes the normal
7 retirement date.

8 Sec. 11. Chapter ninety-seven B (97B), Code 1979, is
9 amended by adding the following new section:

10 NEW SECTION. An active, vested, or retired member who
11 at any time between July 4, 1953 and July 1, 1973 was a member
12 of the system, but who did not meet the requirements to be
13 a vested member for that period of membership service, and
14 who received a refund of contributions for that period of
15 membership service, may elect in writing to the department
16 to make contributions to the system for that period of
17 membership service for which a refund of contributions was
18 made. The contributions repaid by the member for such ser-
19 vice shall be equal to the accumulated contributions, as
20 defined in section ninety-seven B point forty-one (97B.41),
21 subsection thirteen (13), of the Code, received by the member
22 for that period of membership service plus interest on the
23 accumulated contributions for the period from the date of
24 receipt by the member to the date of repayment equal to two
25 percent plus the interest dividend rate applicable for each
26 year compounded annually.

27 The provisions of this section are only available to a
28 member if that member's total years of membership and prior
29 service, with the addition of service for that period of
30 membership service for which contributions are repaid, equals
31 or exceeds fifteen years.

32 Sec. 12. Section three hundred eighty-four point six
33 (384.6), subsection one (1), Code 1979, is amended to read
34 as follows:

- 35 1. Accounting for pension and related employee benefit

1 funds as provided by the city finance committee. A city may
2 make contributions to a retirement system other than the Iowa
3 public employees' retirement system for its city manager,
4 or the administrator performing the duties of city manager,
5 in an annual amount not to exceed the amount that would have
6 been contributed by the employer under the provisions of
7 section 97B.11. A city may certify taxes to be levied for
8 the trust and agency fund in the amount necessary to meet
9 such obligations.

10 Sec. 13. Section four hundred eleven point one (411.1),
11 subsection twenty-one (21), Code 1979, is amended by striking
12 the subsection.

13 Sec. 14. Section four hundred eleven point six (411.6),
14 subsection twelve (12), paragraph a, unnumbered paragraph
15 one (1), Code 1979, is amended by striking the unnumbered
16 paragraph and inserting in lieu thereof the following:

17 As of the first of July of each year for members who retire
18 on or after July 1, 1979, the monthly pensions authorized
19 in this section payable to retired members and to
20 beneficiaries, except children of a deceased member, shall
21 be adjusted as provided in this paragraph. An amount equal
22 to the following percentages of the difference between the
23 monthly earnable compensation received by an active member
24 of the department, of the same rank and position on the salary
25 scale as was held by the retired or deceased member at the
26 time of the member's retirement or death, for July of the
27 preceding year and the monthly earnable compensation payable
28 to an active member of the department of the same rank and
29 position for July of the year just beginning shall be added
30 to the monthly pension of each retired member and each
31 beneficiary as follows:

32 (1) Twenty-five percent for members eligible for a service
33 retirement allowance or their beneficiaries.

34 (2) Twenty percent for members with five or more years
35 of membership service who are eligible for an ordinary

1 disability retirement allowance or their beneficiaries.

2 (3) Twelve and one-half percent for members with less
3 than five years of membership service who are eligible for
4 an ordinary disability retirement allowance or their
5 beneficiaries.

6 (4) Thirty-three and one-third percent for members eligible
7 for an accidental disability allowance or their beneficiaries.

8 The adjusted monthly pension shall not be less than the
9 amount which was paid at the time of the member's retirement
10 or death.

11 Sec. 15. Section four hundred eleven point six (411.6),
12 subsection twelve (12), paragraphs b and d, Code 1979, are
13 amended to read as follows:

14 b. All monthly pensions adjusted as provided in this
15 subsection shall be payable beginning on July 4 first of the
16 year in which the adjustment is made and shall continue in
17 effect until the next following July 4 first at which time
18 the monthly pensions shall again be recomputed-and-all-monthly
19 pensions-shall-be adjusted in accordance with the
20 recomputations paragraph a of this subsection.

21 d. A Only a retired member who-became eligible for benefits
22 under the provisions of subsection 1 of this section but who
23 did-not-serve served twenty-two years and did-not-attain also
24 attained the age of fifty-five years prior to his the member's
25 termination of employment shall-not-be is eligible for the
26 annual readjustment of pensions provided for by this subsec-
27 tion.

* 28 Sec. 16. Section four hundred eleven point twenty-one
29 (411.21), subsection seven (7), Code 1979, is amended by
30 adding the following new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. The board may return accumulated
32 contributions from the annuity savings fund to an active or
33 vested member prior to the dates listed in the schedule es-
34 tablished in this subsection, except that the board shall
35 not liquidate securities at a loss for the sole purpose of

1 returning the accumulated contributions to the members at
2 an earlier date.

3 Sec. 17. Acts of the Sixty-seventh General Assembly, 1978
4 Session, chapter one thousand sixty (1060), section five (5),
5 is amended to read as follows:

6 SEC. 5. Section ninety-seven A point five (97A.5),
7 subsection one (1), Code 1977, is amended to read as follows:

8 1. BOARD OF TRUSTEES. The general administration and
9 the responsibility for the proper operation of the system
10 and for making effective the provisions of this chapter are
11 hereby vested in a board of trustees to administer the system.
12 Such board of trustees shall be constituted as follows: The
13 commissioner of public safety, who shall be chairperson of
14 said board, the state treasurer, and an actively engaged
15 member of the system, to be chosen by secret ballot by the
16 members thereof for a term of two years.

17 This section is effective July 1, 1981.

18 Sec. 18. Acts of the Sixty-seventh General Assembly, 1978
19 Session, chapter one thousand sixty (1060), section sixty-
20 eight (68), is amended to read as follows:

21 SEC. 68. The sections of this Act amending sections of
22 chapters ninety-seven A (97A) and four hundred eleven (411)
23 of the Code are effective July 1, 1979, except as otherwise
24 provided in this Act.

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SENATE FILE 489

H-4197

- 1 Amend Senate File 489 as follows:
2 1. Page 4, line 32, by striking the word "For"
3 and inserting in lieu thereof the words and figures
4 "~~For~~ Effective July 1, 1979, for".
5 2. Page 4, line 32, by striking the word and
6 figure "~~January-1,~~" and inserting in lieu thereof
7 the word and figure "January 1,".
8 3. Page 4, by striking line 33 and inserting in
9 lieu thereof the words and figures "1976 and June
10 30, ~~1978~~ 1979, with four".
11 4. Page 5, line 15, by inserting after the word
12 "chapter," the words and figures "effective July 1,
13 1979,".
14 5. Page 5, by striking line 18 and inserting in
15 lieu thereof the words and figures "between January
16 1, 1976, and June 30, ~~1978~~".
17 6. Page 5, line 19, by striking the figure "30,".

BY GETTINGS of Wapello
COCHRAN of Webster
BRANDT of Black Hawk
JOCHUM of Dubuque
BINNEBOESE of Plymouth
WELLS of Linn
PAVICH of Pottawattamie
LLOYD-JONES of Johnson

H-4197 FILED
APRIL 30, 1979

Handwritten notes:
H-4197 FILED
APRIL 30, 1979
Senate File 489
Amended

H-4229

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:

5 "Sec. ____ . Section ninety-seven B point eleven
 6 (97B.11), Code 1979, is amended to read as follows:
 7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.
 8 Each employer shall deduct from the wages of each
 9 member of the system a contribution in the amount
 10 of three and ~~six-tenths~~ seven-tenths percent of the
 11 covered wages paid by the employer ~~through-June-30-~~
 12 ~~1979-~~and commencing July 1, 1979 through June 30,
 13 1981, and in the amount of three and ~~seven-tenths~~
 14 eight-tenths percent of the covered wages paid by
 15 the employer commencing July 1, 1981, until the first
 16 of the month in which the member attains the age of
 17 seventy years or the member's termination or retirement
 18 from employment, whichever is earlier. The
 19 contributions of the employer shall be ~~in-the-amount~~
 20 ~~of-three-and-one-half-percent-of-the-covered-wages~~
 21 ~~of-the-member-for-service-through-December-31-1975-~~
 22 and in the amount of five and ~~twenty-five~~ seventy-
 23 five hundredths percent of the covered wages of the
 24 member for service commencing July 1, ~~1977~~ 1979 through
 25 June 30, ~~1979~~ 1981, and in the amount of ~~five~~ six
 26 and ~~seventy-five~~ twenty-five hundredths percent of
 27 the covered wages of the member for service commencing
 28 July 1, ~~1979~~ 1981."
 29 2. By numbering and renumbering sections and
 30 correcting internal references as necessary.

H-4229 FILED *the Senate* BY BRANDT of Black Hawk
 MAY 2, 1979

H-4270

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:
3 1. Page 7, line 9, by striking the word "section"
4 and inserting in lieu thereof the word "sections".
5 2. Page 7, by inserting after line 31 the
6 following:
7 "NEW SECTION. An active, vested, or retired member
8 who has been a member of the system since July 1,
9 1971 and who during all or a portion of the period
10 commencing July 1, 1967 and ending June 30, 1971 made
11 contributions to the teacher's insurance annuity
12 association-college retirement equity fund because
13 of employment by an area school established under
14 chapter two hundred eighty A (280A) of the Code, and
15 received a refund of the contributions made to the
16 teacher's insurance annuity association-college
17 retirement equity fund during this period, may elect
18 in writing to the department to make contributions
19 to the system for the period during which the member
20 made contributions to the teacher's insurance annuity
21 association-college retirement equity fund.
22 The contributions paid by the member shall be paid
23 not later than June 30, 1980 and shall be equal to
24 seven percent times the amount of the covered wages
25 received by the member during that period plus interest
26 which would have accrued on the amount equal to two
27 percent plus the interest dividend rate applicable
28 for each year compounded annually to the date of
29 payment by the member."

H-4270 FILED *[Signature]* BY HORN of Linn
MAY 3, 1979

SENATE FILE 489

H-4274

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 2, by inserting after line 35 the
4 following:

5 "Sec. ____ . Section ninety-seven B point forty-
6 one (97B.41), subsection one (1), paragraph b,
7 subparagraph four (4), Code 1979, is amended to read
8 as follows:

9 (4) For each calendar year from January 1, 1976,
10 ~~and thereafter through December 31, 1979~~, wages not
11 in excess of twenty thousand dollars.

12 Sec. ____ . Section ninety-seven B point forty-one
13 (97B.41), subsection one (1), paragraph b, Code 1979,
14 is amended by adding the following new subparagraph:

15 NEW SUBPARAGRAPH. Effective January 1, 1979,
16 "covered wages" for a calendar year are equal to the
17 covered wages for the preceding calendar year times
18 one-half the percent of change in the consumer price
19 index, published by the bureau of labor statistics,
20 United States department of labor, during the preceding
21 calendar year times one hundred if the percent of
22 change is positive. If the percent of change in the
23 consumer price index during the preceding calendar
24 year is negative, covered wages for a calendar year
25 are equal to the covered wages for the preceding
26 calendar year."

27 2. By numbering and renumbering sections and
28 changing internal references as necessary.

H-4274 FILED ~~BY BRANDT of Black Hawk~~
MAY 3, 1979

H-4166

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate as follows:
 3 1. Page 6, by inserting after line 26 the follow-
 4 ing:
 5 "A member who has served one or more terms as a
 6 county sheriff, as defined in section thirty-nine
 7 point seventeen (39.17) of the Code, whose service
 8 as sheriff is terminated prior to age sixty, other
 9 than by death, shall upon reaching sixty years of
 10 age be eligible to receive a retirement allowance
 11 under this subsection. The retirement allowance is
 12 equal to the amount of the retirement allowance the
 13 member would have received if the member had completed
 14 twenty-five or more years of service divided by twenty-
 15 five multiplied by the number of years of service
 16 the member had served as a county sheriff."

H-4166 FILED *Law 5/10* SENATE FILE ~~489~~ of Linn
 APRIL 27, 1979 *(p. 2255)*
 H-4193

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:
 5 "Sec. ____ . Section ninety-seven B point eleven
 6 (97B.11), Code 1979, is amended to read as follows:
 7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.
 8 Each employer shall deduct from the wages of each
 9 member of the system a contribution in the amount
 10 of three and ~~six-tenths~~ seven-tenths percent of the
 11 covered wages paid by the employer ~~through June 30,~~
 12 ~~1979,~~ and commencing July 1, 1979 through June 30,
 13 1980, and in the amount of three and seven-tenths
 14 eight-tenths percent of the covered wages paid by
 15 the employer commencing July 1, 1980, until the first
 16 of the month in which the member attains the age of
 17 seventy years or the member's termination or retirement
 18 from employment, whichever is earlier. The
 19 contributions of the employer shall be ~~in the amount~~
 20 ~~of three and one-half percent of the covered wages~~
 21 ~~of the member for service through December 31, 1975,~~
 22 and in the amount of five and ~~twenty-five~~ seventy-
 23 five hundredths percent of the covered wages of the
 24 member for service commencing July 1, ~~1979~~ 1979 through
 25 June 30, ~~1979~~ 1980, and in the amount of ~~five~~ six
 26 and ~~seventy-five~~ twenty-five hundredths percent of
 27 the covered wages of the member for service commencing
 28 July 1, ~~1979~~ 1980."
 29 2. By numbering and renumbering sections and
 30 correcting internal references as necessary.

H-4193 FILED *#/Linn 5/10 (2245)* BY BRANDT of Black Hawk
 APRIL 30, 1979

SENATE FILE 489

H-4160

1 Amend Senate File 489 as passed and reprinted by
2 the Senate, as follows:
3 1. Page 7, by inserting after line 7 the follow-
4 ing section:
5 "Sec. _____. Section ninety-seven B point seventy-
6 three (97B.73), Code 1979, is amended to read as
7 follows:
8 97B.73 MEMBERS FROM OTHER STATES PUBLIC SYSTEMS.
9 A vested or retired member who was not a vested member
10 of a public retirement system established under
11 sections two hundred ninety-four point eight (294.8),
12 two hundred ninety-four point nine (294.9), and two
13 hundred ninety-four point ten (294.10) of the Code
14 or a public retirement system in another state may,
15 upon submitting verification of membership and service
16 in the other public retirement system ~~in-another-state~~
17 to the department not later than July 1, 1979 for
18 members vested on July 1, 1978 or within one year
19 after the member becomes vested, make employer and
20 employee contributions to the system for the period
21 of service in the other public retirement system ~~in~~
22 another-state and receive credit for membership service
23 in this system. The contributions paid by the vested
24 or retired member for service in the other public
25 retirement system ~~in-another-state~~ shall be equal
26 to the accumulated contributions as defined in section
27 97B.41, subsection 13, by the member for that period
28 of membership service and the contributions of the
29 employer which would have been contributed for that
30 period of membership service plus interest on the
31 contributions for the period from the date of service
32 of the member in the other public retirement system
33 ~~in-another-state~~ to the date of payment of the
34 contributions by the member equal to two percent plus
35 the interest dividend rate applicable for each year."

H-4160 FILED *Adopted 4/10* BY BYERLY of Polk
APRIL 27, 1979 (*p. 2258*)

SENATE FILE 489

H-4335

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 2, by striking lines 12 through 17 and
- 4 inserting in lieu thereof the following:
- 5 "d. A retired member ~~who-became~~ eligible for
- 6 benefits under the provisions of subsection 1 ~~but~~
- 7 ~~who-did-not-serve~~ is not eligible for the annual
- 8 readjustment of pensions provided in this subsection
- 9 unless the member served twenty-two years and did
- 10 ~~not-attain~~ attained the age of fifty-five years prior
- 11 to the member's termination of employment ~~shall-not~~
- 12 ~~be-eligible-for-the-annual-readjustment-of-pensions~~
- 13 ~~provided-for-by-this-subsection."~~
- 14 2. Page 2, line 23, by inserting after the word
- 15 "and" the words "shall continue to provide hospital,
- 16 nursing, and medical attention for injuries or diseases
- 17 incurred while in the performance of their duties".
- 18 3. Page 2, line 25, by striking the words "for
- 19 an injury".
- 20 4. Page 2, by striking line 26.
- 21 5. Page 2, line 27, by striking the words "of
- 22 duty".
- 23 6. Page 3, line 4, by inserting after the words
- 24 "or as" the word "city".
- 25 7. Page 7, line 33, by inserting after the figure
- 26 "1979," the words and figures "as amended by Senate
- 27 File two hundred eighty-two (282), section one (1),
- 28 as enacted by the Sixty-eighth General Assembly, 1979
- 29 Session,".
- 30 8. Page 8, line 4, by striking the words "or the
- 31 administrator" and inserting in lieu thereof the words
- 32 "or city administrator".
- 33 9. Page 8, line 8, by striking the words "the
- 34 trust" and inserting in lieu thereof the words "a
- 35 trust".
- 36 10. Page 8, line 9, by striking the word "such"
- 37 and inserting in lieu thereof the word "its".
- 38 11. Page 8, by inserting after line 9 the following
- 39 section:
- 40 "Sec. ____ . Section four hundred ten point eighteen
- 41 (410.18), Code 1979, as amended by House File four
- 42 hundred ninety-nine (499), section one (1), as enacted
- 43 by the Sixty-eighth General Assembly, 1979 Session,
- 44 is amended to read as follows:
- 45 410.18 HOSPITAL EXPENSE. Cities shall provide
- 46 hospital, nursing, and medical attention for the
- 47 members of the police and fire departments of ~~such~~
- 48 the cities, when injured while in the performance
- 49 of their duties as members of such department, and
- 50 shall continue to provide hospital, nursing, and

1 medical attention for injuries or diseases incurred
2 while in the performance of their duties for members
3 being paid a pension by the city under section 410.8
4 for-a-disability-contracted-while-the-member-was
5 engaged-in-the-performanee-ef-duties, and the cost
6 of such hospital, nursing, and medical attention shall
7 be paid out of the appropriation for the department
8 to which sueh the injured person belongs or belonged;
9 provided that any amounts received by sueh the injured
10 person under the workers' compensation law of the
11 state, or from any other source for such specific
12 purposes, shall be deducted from the amount paid by
13 sueh the city under the provisions of this section."

14 12. Page 9, by striking lines 21 through 27 and
15 inserting in lieu thereof the following:

16 "d. A retired member ~~whe-beeame~~ eligible for
17 benefits under the provisions of subsection 1 of this
18 section ~~but-whe-did-not-serve~~ is not eligible for
19 the annual readjustment of pensions provided in this
20 subsection unless the member served twenty-two years
21 and ~~did-not-attain~~ attained the age of fifty-five
22 years prior to his termination of employment shall
23 not-be-eligible-for-the-annual-readjustment-ef-pensiens
24 provided-for-by-this-subsection."

25 13. Page 9, by inserting before line 28 the
26 following section:

27 "Sec. ____ . Section four hundred eleven point
28 fifteen (411.15), Code 1979, as amended by House File
29 four hundred ninety-nine (499), section two (2), as
30 enacted by the Sixty-eighth General Assembly, 1979
31 Session, is amended to read as follows:

32 411.15 HOSPITALIZATION AND MEDICAL ATTENTION.
33 Cities shall provide hospital, nursing, and medical
34 attention for the members of the police and fire
35 departments of sueh the cities, when injured while
36 in the performance of their duties as members of such
37 department, and shall continue to provide hospital,
38 nursing, and medical attention for injuries or diseases
39 incurred while in the performance of their duties
40 for members receiving a retirement allowance under
41 section 411.6, subsection 6, ~~for-an-injury-or-disease~~
42 ~~incurred-in-or-aggravated-by-the-actual-performanee~~
43 ~~ef-duty~~, and the cost of sueh the hospital, nursing,
44 and medical attention shall be paid out of the
45 appropriation for the department to which sueh the
46 injured person belongs or belonged; provided that
47 any amounts received by sueh the injured person under
48 the workers' compensation law of the state, or from
49 any other source for such specific purposes, shall
50 be deducted from the amount paid by sueh the city

1 under the provisions of this section."

2 14. By numbering and renumbering sections and
3 correcting internal references as necessary.

SENATE FILE 489

4341

- 1 Amend Senate File 489, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 5, line 3, by striking the words "on or
4 after" and inserting in lieu thereof the words "~~on~~
5 ~~or~~-~~after~~ between".
- 6 2. Page 5, line 3, by inserting after the figure
7 "1979" the words and figures "and June 30, 1980,".
- 8 3. Page 5, line 5, by striking the word "forty-
9 six" and inserting in lieu thereof the word "forty-
10 five".
- 11 4. Page 5, line 7, by inserting after the word
12 "service." the words and figures "For each active
13 member retiring on or after July 1, 1980, the monthly
14 benefit computed under this subsection shall be equal
15 to one-twelfth of an amount equal to forty-six percent
16 of the five-year average covered wage multiplied by
17 a fraction of years of service."
- 18 5. Page 5, line 27, by striking the words "on
19 or after" and inserting in lieu thereof the words
20 "~~on~~-~~or~~-~~after~~ between".
- 21 6. Page 5, line 28, by inserting after the figure
22 "1979" the words and figures "and June 30, 1980".
- 23 7. Page 5, line 30, by striking the word "forty-
24 six" and inserting in lieu thereof the word "forty-
25 five".
- 26 8. Page 5, line 32, by inserting after the word
27 "service." the words and figures "For each member
28 retiring on or after July 1, 1980, the monthly benefit
29 computed under this subsection shall be equal to one-
30 twelfth of an amount equal to forty-six percent of
31 the five-year average covered wage as a conservation
32 peace officer."
- 33 9. Page 6, line 23, by striking the words "on
34 or after" and inserting in lieu thereof the word
35 "between".
- 36 10. Page 6, line 24, by inserting after the figure
37 "1979" the words and figures "and June 30, 1980".
- 38 11. Page 6, line 25, by striking the word "forty-
39 six" and inserting in lieu thereof the word "forty-
40 five".
- 41 12. Page 6, line 26, by inserting after the word
42 "wage." the words and figures "For each member eligible
43 for a monthly retirement allowance under this
44 subsection who retires on or after July 1, 1980, the
45 monthly benefit computed under this subsection shall
46 be equal to one-twelfth of forty-six percent of the
47 member's five-year average covered wage."

4341 FILED *Placed on* BY WELDEN of Hardin
MAY 8, 1979 *of order 5/10*
Placed back (p. 2255)
in order (p. 2273)
W. D. Brown (p. 2276)

SENATE FILE 489

H-4324

- 1 Amend Senate File 489, as passed and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 7, line 9, by striking the word "section"
- 4 and inserting in lieu thereof the word "sections".
- 5 2. Page 7, by inserting after line 31 the follow-
- 6 ing:
- 7 "NEW SECTION. PRIOR EMPLOYMENT. An active vested,
- 8 or retired member who was employed prior to January
- 9 1, 1946 by the state or a political subdivision,
- 10 except for a member employed by a school district
- 11 which had established a pension and annuity retire-
- 12 ment system under sections two hundred ninety-four
- 13 point eight (294.8), two hundred ninety-four point
- 14 nine (294.9), and two hundred ninety-four point ten
- 15 (294.10) of the Code, and was not employed by the
- 16 state or a political subdivision between January 1,
- 17 1946 and July 4, 1953, may file written verification
- 18 of the member's dates of employment with the depart-
- 19 ment of job service and receive credit for years of
- 20 prior service for the period of employment."
- 21 2. By numbering and renumbering sections and
- 22 correcting internal references as necessary.

H-4324 FILED *Adopted 5/10 (p. 2251)* BY EVANS of Grundy
MAY 8, 1979

3. Upon the payment of the permit fee or fees herein required, the department shall grant and issue to each applicant a permit for each place of business within the state. A permit is not assignable and shall be valid only for the person to whom it is issued.

Every permit holder at the time of making the payment of such tax to the department by such banks and trust companies is to be bound by the conditions under which the receipt of such tax is issued. The holder shall preserve the receipt in a safe and secure manner.

SENATE FILE 489

H-4343

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 5, line 5, by striking the word "forty-
- 4 six" and inserting in lieu thereof the word "forty-
- 5 eight".
- 6 2. Page 5, line 30, by striking the word "forty-
- 7 six" and inserting in lieu thereof the word "forty-
- 8 eight".
- 9 3. Page 6, line 25, by striking the word "forty-
- 10 six" and inserting in lieu thereof the word "forty-
- 11 eight".

H-4343 FILED *Placed out of order 5/10 (p. 2255)* BY BRANDT of Black Hawk
MAY 8, 1979

*Placed back in order (p. 2272)
Laws (p. 2277)*

SENATE FILE 489

4349

1 Amend Senate File 489 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 4, by striking lines 32 through 35.

4 2. Page 5, by striking lines 1 through 35.

5 3. Page 6, by striking lines 1 through 4 and
6 inserting in lieu thereof the following:

7 "5. For each active member retiring between on
8 or after January 1, 1976 and ~~June 30, 1978~~, with four
9 or more complete years of service, a monthly benefit
10 shall be computed which is equal to one-twelfth of
11 an amount equal to ~~forty~~ forty-six percent of the
12 five-year average covered wage multiplied by a fraction
13 of years of service. ~~For each active member retiring~~
14 ~~on or after July 1, 1978 the monthly benefit computed~~
15 ~~under this subsection shall be equal to one-twelfth~~
16 ~~of an amount equal to forty-four percent of the five-~~
17 ~~year average covered wage multiplied by a fraction~~
18 ~~of years of service.~~ For the purposes of this
19 subsection, "fraction of years of service" means a
20 number, not to exceed one, equal to the sum of the
21 years of membership service and the number of years
22 of prior service divided by thirty years.

23 If benefits under this subsection commence on an
24 early retirement date, the amount of benefit shall
25 be reduced in accordance with section 97B.50.

26 7. Notwithstanding the provisions of this chapter,
27 a member who is or has been employed as a conservation
28 peace officer under the provisions of section 107.13
29 and who retires between on or after January 1, 1976
30 ~~and June 30, 1978~~ and at the time of retirement is
31 at least sixty years of age and has completed at least
32 twenty-five years of membership service as a
33 conservation peace officer, may elect to receive,
34 in lieu of the receipt of any benefits under subsection
35 5 of this section, a monthly retirement allowance
36 equal to one-twelfth of ~~forty~~ forty-six percent of
37 the member's five-year average covered wage as a
38 conservation peace officer, with benefits payable
39 during the member's lifetime. ~~For each such member~~
40 ~~retiring on or after July 1, 1978 the monthly benefit~~
41 ~~computed under this subsection shall be equal to one-~~
42 ~~twelfth of an amount equal to forty-four percent of~~
43 ~~the five-year average covered wage as a conservation~~
44 ~~peace officer multiplied by a fraction of years of~~
45 ~~service.~~ There is appropriated from the general fund
46 of the state to the department of job service from
47 funds not otherwise appropriated an amount sufficient
48 to pay eight and forty-three hundredths percent of
49 the covered wages of each conservation peace officer,
50 in addition to the contribution paid by the employer

1 under section 97B.11, to finance increased benefits
 2 to conservation peace officers under this subsection."
 3 4. Page 6, by striking lines 8 through 26 and
 4 inserting in lieu thereof the following:
 5 "a. Notwithstanding the provisions of this chapter,
 6 effective July 1, 1979 to be included in county budgets
 7 for the fiscal year beginning July 1, 1979, a member
 8 who is or has been employed as a county sheriff, as
 9 defined in section 39.17, or as a deputy sheriff
 10 appointed pursuant to chapter 341, and who retires
 11 on or after January 1, 1978, and at the time of
 12 retirement is at least sixty years of age and has
 13 completed at least twenty-five years of membership
 14 service as a county sheriff or deputy sheriff, may
 15 elect to receive, in lieu of the receipt of any
 16 benefits under subsection 5 of this section, a monthly
 17 retirement allowance equal to one-twelfth of forty-
 18 ~~four~~ forty-six percent of the member's five-year
 19 average covered wage as a sheriff or deputy sheriff,
 20 with benefits payable during the member's lifetime."

H-4349 FILED *Adopted 5/10* BY LARSEN of Wapello LIND of Black Hawk
 MAY 8, 1979 *(p. 2255)* CLARK of Cerro Gordo COCHRAN of Webster
Revised 5/10 + 1/10 (p. 2273) ARNOULD of Scott GETTINGS of Wapello
 HULLINGER of Decatur

SENATE FILE 489

H-4345

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:
 5 "Sec. ____ . Section ninety-seven B point forty-
 6 one (97B.41), subsection one (1), paragraph b,
 7 subparagraph four (4), Code 1979, is amended to read
 8 as follows:
 9 (4) For each calendar year from January 1, 1976,
 10 and thereafter through December 31, 1979, wages not
 11 in excess of twenty thousand dollars; and for each
 12 calendar year from January 1, 1980, and thereafter,
 13 wages not in excess of twenty-two thousand dollars."
 14 2. By numbering and renumbering sections and
 15 correcting internal references as necessary.

H-4345 FILED *5/10 (p. 2248)* BY BRANDT of Black Hawk
 MAY 8, 1979

H-4365

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 5, line 8, by striking the word "number,"
- 4 and inserting in lieu thereof the word "number7".
- 5 2. Page 5, line 9, by striking the words "not
- 6 to exceed one," and inserting in lieu thereof the
- 7 words "not-to-exceed-one7".

H-4365 FILED *Please send me of order* BY BYERLY of Polk
 MAY 9, 1979 *5/10 (p. 2255)* AVENSON of Fayette
Please send me (2278) HORN of Linn
Law (p. 2278)

SENATE FILE 489

H-4373

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 2, by inserting after line 35 the following
- 4 section:
- 5 "Sec. ____ Section ninety-seven B point eleven
- 6 (97B.11), Code 1979, is amended to read as follows:
- 7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.
- 8 Each employer shall deduct from the wages of each
- 9 member of the system a contribution in the amount
- 10 of three and ~~six-tenths~~ seven-tenths percent of the
- 11 covered wages paid by the employer ~~through June 30,~~
- 12 ~~1979,~~ and commencing July 1, 1979 through June 30,
- 13 1980, and in the amount of three and ~~seven-tenths~~
- 14 eight-tenths percent of the covered wages paid by
- 15 the employer commencing July 1, 1980, until the first
- 16 of the month in which the member attains the age of
- 17 seventy years or the member's termination or retirement
- 18 from employment, whichever is earlier. The
- 19 contributions of the employer shall be ~~in the amount~~
- 20 ~~of three and one-half percent of the covered wages~~
- 21 ~~of the member for service through December 31, 1975,~~
- 22 and in the amount of five and ~~twenty-five~~ seventy-
- 23 five hundredths percent of the covered wages of the
- 24 member for service commencing July 1, ~~1977~~ 1979 through
- 25 June 30, ~~1979~~ 1980, and in the amount of ~~five~~ six
- 26 and ~~seventy-five~~ twenty-five hundredths percent of
- 27 the covered wages of the member for service commencing
- 28 July 1, ~~1979~~ 1980."
- 29 2. Page 5, line 5, by striking the word "forty-
- 30 six" and inserting in lieu thereof the word "fifty".
- 31 3. Page 5, line 30, by striking the word "forty-
- 32 six" and inserting in lieu thereof the word "fifty".
- 33 4. Page 6, line 25, by striking the word "forty-
- 34 six" and inserting in lieu thereof the word "fifty".
- 35 5. By numbering and renumbering sections and
- 36 correcting internal references as necessary.

H-4373 FILED *Law 5/10 (p. 2251)* BY BRANDT of Black Hawk
 MAY 9, 1979

SENATE FILE 489

H-4366

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:
 5 "Sec. ____ Section ninety-seven B point eleven
 6 (97B.11), Code 1979, is amended to read as follows:
 7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.
 8 Each employer shall deduct from the wages of each
 9 member of the system a contribution in the amount
 10 of three and six-tenths percent of the covered wages
 11 paid by the employer through June 30, 1979, and
 12 commencing July 1, 1979 in the amount of three and
 13 seven-tenths percent of the covered wages paid by
 14 the employer, until the first of the month in which
 15 the member attains the age of seventy years, the
 16 member has thirty years of membership service and
 17 prior service, or the member's termination or
 18 retirement from employment, whichever is earlier.
 19 The contributions of the employer shall be in the
 20 amount of three and one-half percent of the covered
 21 wages of the member for service through December 31,
 22 1975, and in the amount of five and twenty-five
 23 hundredths percent of the covered wages of the member
 24 for service commencing July 1, 1977 through June 30,
 25 1979, and in the amount of five and seventy-five
 26 hundredths percent of the covered wages of the member
 27 for service commencing July 1, 1979."
 28 2. By numbering and renumbering sections and
 29 correcting internal references as necessary.

H-4366 FILED *Lost 5/10 (p. 2249)*
MAY 9, 1979

BY BYERLY of Polk
AVENSON of Fayette
HORN of Linn

SENATE FILE 489

H-4367

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 7, line 10, by inserting after the word
 4 "member" the words ", or an inactive, nonvested member
 5 who has not withdrawn all of his or her contributions
 6 from the system,".

H-4367 FILED *Lost 5/10 (p. 2261)*
MAY 9, 1979

BY BYERLY of Polk
SENATE FILE 489

H-4368

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 5, by inserting after line 14 the
 4 following:
 5 "This subsection is effective for members of the
 6 general assembly commencing January 12, 1981."

H-4368 FILED *Revised out of order 5/10*
MAY 9, 1979 *(p. 2255) 2272 W/Stone (p. 2272)*

BY BYERLY of Polk

H-4381

1 Amend Senate File 489, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Sec. _____. Section ninety-seven A point six
6 (97A.6), subsection one (1), paragraphs a and c, Code
7 1979, are amended to read as follows:

8 a. Any A member in service may retire upon his
9 the member's written application to the board of
10 trustees, setting forth at what time, not less than
11 thirty nor more than ninety days subsequent to the
12 execution and filing therefor, he the member desires
13 to be retired, ~~provided, that if the said member at~~
14 ~~the time so specified for his retirement shall have~~
15 ~~attained the age of fifty-five and shall have~~ has
16 completed twenty-two twenty-five years or more of
17 creditable service, and notwithstanding that, during
18 ~~such the~~ the period of notification, he the member may
19 have separated from the service.

20 c. Any A member in service who has been a member
21 of the retirement system fifteen or more years and
22 whose employment is terminated prior to the member's
23 retirement, other than by death or disability, shall
24 upon attaining retirement the age at which the member
25 would have completed twenty-five years of service,
26 receive a service retirement allowance of fifteen
27 twenty-second twenty-fifths of the retirement
28 allowance the member would receive at retirement if
29 the member's employment had not been terminated, and
30 an additional one twenty-second twenty-fifth of each
31 the retirement allowance for each additional year
32 of service not exceeding twenty-two twenty-five years
33 of service. The amount of the retirement allowance
34 shall be based on the average final compensation at
35 the time of termination of employment.

36 Sec. _____. Section ninety-seven A point six (97A.6),
37 subsections four (4) and six (6), Code 1979, are
38 amended to read as follows:

39 4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.
40 Upon retirement for ordinary disability a member shall
41 receive a service retirement allowance if the member
42 ~~has attained the age of fifty-five~~ completed twenty-
43 five years or more of creditable service, otherwise
44 the member shall receive an ordinary disability
45 retirement allowance which shall consist of a pension
46 which shall equal forty percent of the member's average
47 final compensation except if the member has not had
48 five or more years of membership service, the member
49 shall receive a pension equal to one-fourth of the
50 member's average final compensation.

1 6. RETIREMENT AFTER ACCIDENT. Upon retirement
2 for accidental disability a member shall receive a
3 service retirement allowance if the member has attained
4 ~~the-age-of-fifty-five~~ completed twenty-five years
5 or more of creditable service, otherwise the member
6 shall receive an accidental disability retirement
7 allowance which shall consist of a pension equal to
8 sixty-six and two-thirds percent of the member's
9 average final compensation.

10 Sec. _____. Section ninety-seven A point six (97A.6),
11 subsection seven (7), unnumbered paragraph one (1)
12 and paragraphs a and b, Code 1979, are amended to
13 read as follows:

14 Once each year during the first five years following
15 the retirement of a member on a disability retirement
16 allowance, and once in every three-year period
17 thereafter, the board of trustees may, and upon ~~his~~
18 the member's application shall, require any a
19 disability beneficiary who has ~~would~~ not yet attained
20 ~~age-fifty-five~~ have completed twenty-five years or
21 more of creditable service if the beneficiary had
22 remained in active service to undergo a medical
23 examination at a place designated by the medical
24 board. Such The examination shall be made by the
25 medical board or in special cases, by an additional
26 physician or physicians designated by ~~such~~ the board.
27 Should any a disability beneficiary who has ~~would~~
28 ~~not attained-the-age-of-fifty-five~~ have completed
29 twenty-five years or more of creditable service if
30 the beneficiary had remained in active service refuse
31 to submit to such the medical examination, his the
32 member's allowance may be discontinued until ~~his~~ the
33 member's withdrawal of ~~such~~ the refusal, and should
34 ~~his~~ the member's refusal continue for one year all
35 rights in and to ~~his~~ the member's pension may be
36 revoked by the board of trustees.

37 a. Should any a beneficiary for either ordinary
38 or accidental disability, except a beneficiary who
39 ~~is-fifty-five-years-of-age-or-over-and-would-have~~
40 ~~completed-twenty-two-years-of-service~~ would have
41 completed twenty-five years or more of creditable
42 service if he-or-she the beneficiary had remained
43 in active service, be engaged in a gainful occupation
44 paying more than the difference between the member's
45 retirement allowance and the current earnable
46 compensation of an active member at the same position
47 on the salary scale within the member's rank as the
48 member held at retirement, then the amount of the
49 retirement allowance shall be reduced to an amount
50 which together with the amount earned by the member

1 shall equal the amount of the current earnable
2 compensation of an active member at the same position
3 on the salary scale within the member's rank as the
4 member held at retirement. Should the member's earning
5 capacity be later ~~changed~~ change, the amount of the
6 retirement allowance may be further modified, ~~provided,~~
7 ~~that~~ but the new retirement allowance shall not exceed
8 the amount of the retirement allowance originally
9 granted adjusted by annual readjustments of pensions
10 pursuant to subsection 15 of this section nor an
11 amount which, when added to the amount earned by the
12 beneficiary, equals the amount of the current earnable
13 compensation of an active member at the same position
14 on the salary scale within the member's rank as the
15 member held at retirement. A beneficiary restored
16 to active service at a salary less than the average
17 final compensation upon the basis of which the member
18 was retired ~~at age fifty-five or greater~~ after having
19 completed twenty-five years or more of creditable
20 service, shall not again become a member of the
21 retirement system and shall have his or her retirement
22 allowance suspended while in active service. If the
23 rank or position held by the retired member is
24 subsequently abolished, adjustments to the allowable
25 limit on the amount of income which can be earned
26 in a gainful occupation shall be computed in the same
27 manner as provided in subsection 15, paragraph "d,"
28 of this section for readjustment of pensions when
29 a rank or position has been abolished.

30 A beneficiary retired under the provisions of this
31 paragraph in order to be eligible for continued receipt
32 of retirement benefits shall no later than May 15
33 of each year submit to the board of trustees a copy
34 of ~~his or her~~ the beneficiary's state income tax
35 return for the preceding year.

36 Retroactive to July 1, 1976, the limitations on
37 pay of a member engaged in a gainful occupation who
38 is retired under accidental disability prescribed
39 in this paragraph shall not apply to a member who
40 retired before July 1, 1976.

41 b. Should a disability beneficiary ~~under age~~
42 ~~fifty-five~~ who has not completed twenty-five years
43 or more of creditable service be restored to active
44 service at a compensation not less than ~~his~~ the
45 beneficiary's average final compensation, ~~his~~ the
46 beneficiary's retirement allowance shall cease, ~~he~~
47 the beneficiary shall again become a member and ~~he~~
48 shall contribute thereafter at the same rate ~~he~~ the
49 beneficiary paid prior to disability, and any former
50 service on the basis of which ~~his~~ the beneficiary's

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1 service was computed at the time of his retirement
2 shall be restored to full force and effect and upon
3 ~~his~~ the beneficiary's subsequent retirement he ~~the~~
4 beneficiary shall be credited with all ~~his~~ the
5 beneficiary's service as a member, and also with the
6 period of disability retirement, provided that during
7 ~~such~~ the period of disability he the beneficiary has
8 not engaged in a gainful occupation from which ~~his~~
9 the beneficiary's net earnings exceeded the difference
10 between ~~his~~ the beneficiary's disability retirement
11 allowance and the amount he the beneficiary would
12 have received for ~~said~~ the period if ~~his~~ the
13 beneficiary's compensation at the time of disability
14 had continued."

15 2. Page 2, by striking lines 5 through 11 and
16 inserting in lieu thereof the following section:

17 "d. A retired member who became eligible for
18 benefits under the provisions of subsection 1 but
19 who did not serve ~~twenty-two-years-and-did-not-attain~~
20 ~~the-age-of-fifty-five~~ twenty-five years prior to the
21 member's termination of employment shall not be
22 eligible for the annual readjustment of pensions
23 provided for by this subsection."

24 3. Page 8, by inserting after line 12 the following
25 section:

26 "Sec. ____ . Section four hundred eleven point six
27 (411.6), subsections one (1) and four (4), Code 1979,
28 are amended to read as follows:

29 1. SERVICE RETIREMENT BENEFIT. Retirement of
30 a member on a service retirement allowance shall be
31 made by each board of trustees as follows:

32 a. Any A member in service may retire upon his
33 the member's written application to the board of
34 police or fire trustees as ~~the-ease-may-be~~ applicable,
35 setting forth at what time, not less than thirty nor
36 more than ninety days subsequent to the execution
37 and filing therefor, he the member desires to be
38 retired, provided, that the ~~said~~ member at the time
39 ~~so~~ specified for ~~his~~ the member's retirement shall
40 ~~have-attained-the-age-of-fifty-five-and-shall-have~~
41 has served ~~twenty-two~~ twenty-five years or more in
42 ~~said~~ the department, and notwithstanding that, during
43 ~~such~~ the period of notification, he the member may
44 have separated from the service.

45 b. Any A member in service who has attained the
46 age of sixty-five years, shall be retired ~~forthwith~~,
47 provided, that upon the request of the superintendent
48 of public safety, the respective board of trustees
49 may permit ~~such~~ the member to remain in service for
50 periods not to exceed one year from the date of the

1 last request from the superintendent of public safety.
2 Provided further that no member of said the departments
3 employed on July 4, 1965, shall be so retired until
4 he the member has completed twenty-two years' service
5 for service retirement and will receive his or her
6 pension benefits. However, a member of one of the
7 departments employed on January 1, 1980 shall not
8 be retired until the member has completed twenty-
9 five years of service for service retirement and will
10 receive the member's pension benefits.

11 c. Any A member in service who has been a member
12 of the retirement system fifteen or more years and
13 whose employment is terminated prior to the member's
14 retirement, other than by death or disability, shall
15 upon attaining retirement the age at which the member
16 would have completed twenty-five years of service,
17 receive a service retirement allowance of fifteen
18 twenty-second twenty-fifths of the retirement
19 allowance the member would receive at retirement if
20 his or her employment had not been terminated, and
21 an additional one twenty-second twenty-fifth of such
22 the retirement allowance for each additional year
23 of service not exceeding twenty-two twenty-five years
24 of service. The amount of the retirement allowance
25 shall be based on the average final compensation at
26 the time of termination of employment.

27 4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.
28 Upon retirement for ordinary disability a member shall
29 receive a service retirement allowance if the member
30 has attained-the-age-of-fifty-five served twenty-
31 five years or more in the department, otherwise the
32 member shall receive an ordinary disability retirement
33 allowance which shall consist of a pension which shall
34 equal forty percent of the member's average final
35 compensation except if the member has not had five
36 or more years of membership service the member shall
37 receive a pension equal to one-fourth of the member's
38 average final compensation.

39 Sec. ____ . Section four hundred eleven point six
40 (411.6), subsection seven (7), Code 1979, is amended
41 to read as follows:

42 7. RE-EXAMINATION OF BENEFICIARIES RETIRED ON
43 ACCOUNT OF DISABILITY. Once each year during the
44 first five years following the retirement of a member
45 on a disability retirement allowance, and once in
46 every three-year period thereafter, the respective
47 board of trustees may, and upon his the member's
48 application shall, require any a disability beneficiary
49 who has not yet-attained-age-fifty-five served twenty-
50 five years or more in the department to undergo a

1 medical examination at a place designated by the
2 medical board. ~~Such~~ The examination shall be made
3 by the medical board or in special cases, by an
4 additional physician or physicians designated by ~~such~~
5 the board. Should any a disability beneficiary who
6 has not attained the age of fifty-five served twenty-
7 five years or more in the department refuse to submit
8 to ~~such~~ the medical examination, ~~his~~ the beneficiary's
9 allowance may be discontinued until ~~his~~ the
10 beneficiary's withdrawal of ~~such~~ the refusal, and
11 should ~~his~~ the beneficiary's refusal continue for
12 one year all rights in and to ~~his~~ the beneficiary's
13 pension may be revoked by the respective board of
14 trustees.

15 a. Should any a beneficiary for either ordinary
16 or accidental disability, except a beneficiary who
17 ~~is fifty-five years of age or over and~~ would have
18 completed ~~twenty-two~~ twenty-five years of service
19 if he or she had remained in active service, be engaged
20 in a gainful occupation paying more than the difference
21 between the member's retirement allowance and the
22 earnable compensation of an active member at the same
23 position on the salary scale within the member's rank
24 as the member held at retirement, then the amount
25 of the member's retirement allowance shall be reduced
26 to an amount which together with the amount earned
27 by the member shall equal the amount of the current
28 earnable compensation of an active member at the same
29 position on the salary scale within the member's rank
30 as the member held at retirement. Should the member's
31 earning capacity be later changed, the amount of the
32 member's retirement allowance may be further modified,
33 provided, that the new retirement allowance shall
34 not exceed the amount of the retirement allowance
35 adjusted by annual readjustments of pensions pursuant
36 to subsection 12 of this section nor an amount which,
37 when added to the amount earned by the beneficiary,
38 equals the amount of the earnable compensation of
39 an active member at the same position on the salary
40 scale within the member's rank as the member held
41 at retirement. A beneficiary restored to active
42 service at a salary less than the average final
43 compensation upon the basis of which the member was
44 retired at age fifty-five or greater after having
45 served twenty-five years or more in the department,
46 shall not again become a member of the retirement
47 system and shall have his or her retirement allowance
48 suspended while in active service. If the rank or
49 position held by the retired member is subsequently
50 abolished, adjustments to the allowable limit on the

1 amount of income which can be earned in a gainful
2 occupation shall be computed in the same manner as
3 provided in subsection 12, paragraph "c," of this
4 section for readjustment of pensions when a rank or
5 position has been abolished.

6 A beneficiary retired under the provisions of this
7 paragraph in order to be eligible for continued receipt
8 of retirement benefits shall no later than May 15
9 fifteenth of each year submit to the board of trustees
10 a copy of his or her state income tax return for the
11 preceding year.

12 Retroactive to July 1, 1976, the limitations on
13 pay of a member engaged in a gainful occupation who
14 is retired under accidental disability prescribed
15 in this paragraph shall not apply to a member who
16 retired before July 1, 1976.

17 b. Should a disability beneficiary ~~under-age~~
18 ~~fifty-five~~ who has not served twenty-five years or
19 more in the department be restored to active service
20 at a compensation not less than his the beneficiary's
21 average final compensation, his the beneficiary's
22 retirement allowance shall cease, he the beneficiary
23 shall again become a member and he the beneficiary
24 shall contribute thereafter at the same rate he the
25 beneficiary paid prior to disability, and any former
26 service on the basis of which his the beneficiary's
27 service was computed at the time of his the
28 beneficiary's retirement shall be restored to full
29 force and effect and upon his the beneficiary's
30 subsequent retirement he the beneficiary shall be
31 credited with all his the beneficiary's service as
32 a member and also with the period of disability
33 retirement, provided that during such the period of
34 disability he the beneficiary has not engaged in a
35 gainful occupation from which his the beneficiary's
36 net earnings exceeded the difference between his the
37 beneficiary's disability retirement allowance and
38 the amount he the beneficiary would have received
39 for said the period if his the beneficiary's
40 compensation at the time of disability had continued."

41 4. Page 9, by striking lines 14 through 20 and
42 inserting in lieu thereof the following:

43 "d. A retired member who became eligible for
44 benefits under the provisions of subsection 1 of this
45 section but who did not serve ~~twenty-two~~ twenty-five
46 ~~years and did not attain the age of fifty-five years~~
47 prior to his the retired member's termination of
48 employment shall not be eligible for the annual
49 readjustment of pensions provided for by this
50 subsection."

1 5. By numbering and renumbering sections as
2 necessary.

H-4378

Amend H-4197, filed by Gettings of Wapello et al,
 to Senate File 489, as passed and reprinted by the
 Senate, as follows:

1. Page 1, by inserting after line 17 the follow-
 ing:
 "____. Page 6, by inserting after line 32 the
 following section:
 "Sec. _____. Section ninety-seven B point forty-
 nine (97B.49), Code 1979, is amended by adding the
 following new subsection:
NEW SUBSECTION. There is appropriated from the
 general fund of the state to the Iowa public employees'
 retirement system fund, the sum of eleven million
 (11,000,000) dollars, or as much thereof as is
 necessary, to pay the costs of the increases in the
 monthly retirement allowances provided because of
 the increase from forty percent to forty-four percent
 of the five-year average covered wage for members
 retiring under subsections five (5) and seven (7)
 of this section between January 1, 1976 and June 30,
 1978.

H-4378 FILED, LOST *Placed out of order* CHIODO of Polk
MAY 10, 1978

*5/10 (p. 2255)
 Amend Code 97B.49 (2.273)
 June 5/10 (p. 2275)* SENATE FILE 489

H-4379

Amend Senate File 489, as passed and reprinted
 by the Senate, as follows:

1. Page 6, by inserting after line 32 the following
 section:
 "Sec. _____. Section ninety-seven B point forty-
 nine (97B.49), Code 1979, is amended by adding the
 following new subsection:
NEW SUBSECTION. Effective July 1, 1979, for each
 member who retired from the system prior to July 1,
 1979, the amount of the regular monthly retirement
 allowance attributable to membership service and prior
 service that was payable to the member, beneficiary,
 or contingent annuitant for June 1979 is increased
 by ten percent. There is appropriated from the general
 fund of the state, from funds not otherwise
 appropriated, to the Iowa public employees' retirement
 system fund, an amount sufficient to fund the
 provisions of this subsection."
2. Amend the title, line 2, by inserting after
 the word "systems" the words "and to make an
 appropriation".
3. By numbering and renumbering sections as
 necessary.

H-4379 FILED, LOST *(p. 2257)*
MAY 10, 1979

BYERLY of Polk
PAVICH of Pottawattamie

SENATE FILE 489

H-4386

1 Amend Senate File 489, as passed and reprinted by
2 the Senate, as follows:

3 1. Page 2, by striking lines 28 through 31 and
4 inserting in lieu thereof the words "shall be paid
5 out of the expense fund. However,".

H-4386 FILED, ADOPTED (7.227)
MAY 10, 1979

BY CRAWFORD of Story
BRANDT of Black Hawk

SENATE FILE 489

H-4387

1 Amend Senate File 489, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 10, by inserting after line 24 the
4 following section:

5 "Sec. _____. Section "seven" (7) of this act
6 is effective for members of the general assembly
7 commencing January 12, 1981."

H-4387 FILED, ADOPTED (7.2262)
MAY 10, 1979

BY BYERLY of Polk

SENATE FILE 489

H-4380

1 Amend the Larson et al amendment, H-4349, to Senate
2 File 489, as amended, passed, and reprinted by the
3 Senate, as follows:
4 1. Page 2, by inserting after line 20 the
5 following:
6 "____. Page 6, by inserting after line 32 the
7 following section:
8 "Sec. ____ . Section ninety-seven B point forty-
9 nine (97B.49), Code 1979, is amended by adding the
10 following new subsection:
11 NEW SUBSECTION. There is appropriated from the
12 general fund of the state to the Iowa public employees'
13 retirement system fund, an amount necessary to pay
14 the costs of the increases in the monthly retirement
15 allowances provided because of the increase to forty-
16 six percent of the five-year average covered wage
17 for members retiring under subsections five (5), seven
18 (7), and eight (8) of this section between January
19 1, 1976 and June 30, 1979."

H-4380 FILED, LOST (*p. 2259*) BY HORN of Linn
MAY 10, 1979 ARNOULD of Scott

SENATE FILE 489

H-4385

1 Amend Senate File 489, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 10, by inserting after line 20, the
4 following section:
5 "Sec. ____ . There is appropriated from the general
6 fund of the state for the fiscal biennium beginning
7 July 1, 1979 and ending June 30, 1981, to the
8 legislative fiscal bureau, the sum of ten thousand
9 (10,000) dollars, or as much thereof as is necessary,
10 to be used for compensating an actuary.
11 Notwithstanding section two point fifty-three (2.53)
12 of the Code, the director of the legislative fiscal
13 bureau shall employ, on an hourly basis, an actuary
14 to perform actuarial studies relating to proposed
15 and pending legislation on public retirement systems.
16 The hourly rate of compensation is subject to the
17 approval of the legislative council."
18 2. Amend the title, line 2, by inserting after
19 the word "systems" the words "and to make an
20 appropriation".

H-4385 FILED, ADOPTED (*p. 2362*) BY WELDEN of Hardin
MAY 10, 1979 HANSEN of O'Brien

HOUSE AMENDMENT TO SENATE FILE 489

S-3799

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 2, by striking lines 12 through 17 and
4 inserting in lieu thereof the following:

5 "d. A retired member ~~who became~~ eligible for
6 benefits under the provisions of subsection 1 ~~but~~
7 ~~who did not serve~~ is not eligible for the annual
8 readjustment of pensions provided in this subsection
9 unless the member served twenty-two years and did
10 not attain attained the age of fifty-five years prior
11 to the member's termination of employment ~~shall not~~
12 ~~be eligible for the annual readjustment of pensions~~
13 ~~provided for by this subsection.~~"

14 2. Page 2, line 23, by inserting after the word
15 "and" the words "shall continue to provide hospital,
16 nursing, and medical attention for injuries or diseases
17 incurred while in the performance of their duties".

18 3. Page 2, line 25, by striking the words "for
19 an injury".

20 4. Page 2, by striking line 26.

21 5. Page 2, line 27, by striking the words "of
22 duty".

23 6. Page 2, by striking lines 28 through 31 and
24 inserting in lieu thereof the words "shall be paid
25 out of the expense fund. However,".

26 7. Page 3, line 4, by inserting after the words
27 "or as" the word "city".

28 8. Page 7, by inserting after line 7 the follow-
29 ing section:

30 "Sec. ____ . Section ninety-seven B point seventy-
31 three (97B.73), Code 1979, is amended to read as
32 follows:

33 97B.73 MEMBERS FROM OTHER STATES PUBLIC SYSTEMS.
34 A vested or retired member who was not a vested member
35 of a public retirement system established under
36 sections two hundred ninety-four point eight (294.8),
37 two hundred ninety-four point nine (294.9), and two
38 hundred ninety-four point ten (294.10) of the Code
39 of a public retirement system in another state may,
40 upon submitting verification of membership and service
41 in the other public retirement system in another state
42 to the department not later than July 1, 1979 for
43 members vested on July 1, 1978 or within one year
44 after the member becomes vested, make employer and
45 employee contributions to the system for the period
46 of service in the other public retirement system in
47 another state and receive credit for membership service
48 in this system. The contributions paid by the vested
49 or retired member for service in the other public
50 retirement system in another state shall be equal

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1 to the accumulated contributions as defined in section
2 97B.41, subsection 13, by the member for that period
3 of membership service and the contributions of the
4 employer which would have been contributed for that
5 period of membership service plus interest on the
6 contributions for the period from the date of service
7 of the member in the other public retirement system
8 ~~in another state~~ to the date of payment of the
9 contributions by the member equal to two percent plus
10 the interest dividend rate applicable for each year."

11 9. Page 7, line 9, by striking the word "section"
12 and inserting in lieu thereof the word "sections".

13 10. Page 7, by inserting after line 31 the
14 following:

15 "NEW SECTION. PRIOR EMPLOYMENT. An active, vested,
16 or retired member who was employed prior to January
17 1, 1946 by the state or a political subdivision,
18 except for a member employed by a school district
19 which had established a pension and annuity retirement
20 system under sections two hundred ninety-four point
21 eight (294.8), two hundred ninety-four point nine
22 (294.9), and two hundred ninety-four point ten (294.10)
23 of the Code, and was not employed by the state or
24 a political subdivision between January 1, 1946 and
25 July 4, 1953, may file written verification of the
26 member's dates of employment with the department of
27 job service and receive credit for years of prior
28 service for the period of employment."

29 11. Page 7, line 33, by inserting after the figure
30 "1979," the words and figures "as amended by Senate
31 File two hundred eighty-two (282), section one (1),
32 as enacted by the Sixty-eighth General Assembly, 1979
33 Session,".

34 12. Page 8, line 4, by striking the words "or
35 the administrator" and inserting in lieu thereof the
36 words "or city administrator".

37 13. Page 8, line 8, by striking the words "the
38 trust" and inserting in lieu thereof the words "a
39 trust".

40 14. Page 8, line 9, by striking the word "such"
41 and inserting in lieu thereof the word "its".

42 15. Page 8, by inserting after line 9 the following
43 section:

44 "Sec. _____. Section four hundred ten point eighteen
45 (410.18), Code 1979, as amended by House File four
46 hundred ninety-nine (499), section one (1), as enacted
47 by the Sixty-eighth General Assembly, 1979 Session,
48 is amended to read as follows:

49 410.18 HOSPITAL EXPENSE. Cities shall provide
50 hospital, nursing, and medical attention for the

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1 members of the police and fire departments of such
2 the cities, when injured while in the performance
3 of their duties as members of such department, and
4 shall continue to provide hospital, nursing, and
5 medical attention for injuries or diseases incurred
6 while in the performance of their duties for members
7 being paid a pension by the city under section 410.8
8 ~~for-a-disability-contracted-while-the-member-was~~
9 ~~engaged-in-the-performance-of-duties,~~ and the cost
10 of such hospital, nursing, and medical attention shall
11 be paid out of the appropriation for the department
12 to which such the injured person belongs or belonged;
13 provided that any amounts received by such the injured
14 person under the workers' compensation law of the
15 state, or from any other source for such specific
16 purposes, shall be deducted from the amount paid by
17 such the city under the provisions of this section."

18 16. Page 9, by striking lines 21 through 27 and
19 inserting in lieu thereof the following:

20 "d. A retired member ~~who-became~~ eligible for
21 benefits under the provisions of subsection 1 of this
22 section ~~but-who-did-not-serve~~ is not eligible for
23 the annual readjustment of pensions provided in this
24 subsection unless the member served twenty-two years
25 and ~~did-not-attain~~ attained the age of fifty-five
26 years prior to his termination of employment shall
27 ~~not-be-eligible-for-the-annual-readjustment-of-pensions~~
28 ~~provided-for-by-this-subsection."~~

29 17. Page 9, by inserting before line 28 the
30 following section:

31 "Sec. ____ . Section four hundred eleven point
32 fifteen (411.15), Code 1979, as amended by House File
33 four hundred ninety-nine (499), section two (2), as
34 enacted by the Sixty-eighth General Assembly, 1979
35 Session, is amended to read as follows:

36 411.15 HOSPITALIZATION AND MEDICAL ATTENTION.
37 Cities shall provide hospital, nursing, and medical
38 attention for the members of the police and fire
39 departments of such the cities, when injured while
40 in the performance of their duties as members of such
41 department, and shall continue to provide hospital,
42 nursing, and medical attention for injuries or diseases
43 incurred while in the performance of their duties
44 for members receiving a retirement allowance under
45 section 411.6, subsection 6, ~~for-an-injury-or-disease~~
46 ~~incurred-in-or-aggravated-by-the-actual-performance~~
47 ~~of-any,~~ and the cost of such the hospital, nursing,
48 and medical attention shall be paid out of the
49 appropriation for the department to which such the
50 injured person belongs or belonged; provided that

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PAGE 4

1 any amounts received by such the injured person under
2 the workers' compensation law of the state, or from
3 any other source for such specific purposes, shall
4 be deducted from the amount paid by such the city
5 under the provisions of this section."

6 18. Page 10, by inserting after line 24, the
7 following section:

8 "Sec. _____. There is appropriated from the general
9 fund of the state for the fiscal biennium beginning
10 July 1, 1979 and ending June 30, 1981, to the
11 legislative fiscal bureau, the sum of ten thousand
12 (10,000) dollars, or as much thereof as is necessary,
13 to be used for compensating an actuary.
14 Notwithstanding section two point fifty-three (2.53)
15 of the Code, the director of the legislative fiscal
16 bureau shall employ, on an hourly basis, an actuary
17 to perform actuarial studies relating to proposed
18 and pending legislation on public retirement systems.
19 The hourly rate of compensation is subject to the
20 approval of the legislative council."

21 19. Page 10, by inserting after line 24 the
22 following section:

23 "Sec. _____. Section seven (7) of this Act is
24 effective for members of the general assembly
25 commencing January 12, 1981."

26 20. Renumbering sections and correcting internal
27 references as necessary.

28 21. Amend the title, line 2, by inserting after
29 the word "systems" the words "and to make an
30 appropriation".

S-3799 FILED
MAY 10, 1979

RECEIVED FROM THE HOUSE

Senate Concurred 5/11/79

SENATE FILE 489

S-3807

1 Amend House Amendment #S-3799 to Senate File 489
2 as passed and reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 23 through 25.

S-3807 FILED & WITHDRAWN *(p. 174)* BY BOB CARR
MAY 11, 1979 CHARLES P. MILLER
TOM SLATER

SENATE FILE 489

AN ACT

RELATING TO ADMINISTRATION AND BENEFITS OF CERTAIN PUBLIC RETIREMENT SYSTEMS AND TO MAKE AN APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section ninety-seven A point one (97A.1), subsection nineteen (19), Code 1979, is amended by striking the subsection.

Sec. 2. Section ninety-seven A point six (97A.6), subsection fourteen (14), paragraph a, unnumbered paragraph one (1), Code 1979, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

As of the first of July of each year for members who retire on or after July 1, 1979, the monthly pensions authorized in this section payable to retired members and to beneficiaries, except children of a deceased member, shall be adjusted as provided in this paragraph. An amount equal to the following percentages of the difference between the monthly earnable compensation received by an active member of the department, of the same rank and position on the salary scale as was held by the retired or deceased member at the time of the member's retirement or death, for July of the preceding year and the monthly earnable compensation payable to an active member of the department of the same rank and position for July of the year just beginning shall be added to the monthly pension of each retired member and each beneficiary as follows:

- (1) Twenty-five percent for members eligible for a service retirement allowance or their beneficiaries.
- (2) Twenty percent for members with five or more years of membership service who are eligible for an ordinary disability retirement allowance or their beneficiaries.

(3) Twelve and one-half percent for members with less than five years of membership service who are eligible for an ordinary disability retirement allowance or their beneficiaries.

(4) Thirty-three and one-third percent for members eligible for an accidental disability allowance or their beneficiaries.

The adjusted monthly pension shall not be less than the amount which was paid at the time of the member's retirement or death.

Sec. 3. Section ninety-seven A point six (97A.6), subsection fourteen (14), paragraphs b and d, Code 1979, are amended to read as follows:

b. All monthly pensions adjusted as provided in this subsection shall be payable beginning on July + first of the year in which the adjustment is made and shall continue in effect until the next following July + first at which time the monthly pensions shall again be ~~recomputed and all monthly pensions~~ adjusted in accordance with ~~the recomputation~~ paragraph a of this subsection.

d. A retired member ~~who became~~ eligible for benefits under the provisions of subsection 1 ~~but who did not serve is not eligible for the annual readjustment of pensions provided in this subsection unless the member served twenty-two years and did not attain~~ attained the age of fifty-five years prior to the member's termination of employment ~~shall not be eligible for the annual readjustment of pensions provided for by this subsection~~.

Sec. 4. Section ninety-seven A point fourteen (97A.14), Code 1979, is amended to read as follows:

97A.14 HOSPITALIZATION AND MEDICAL ATTENTION. The board of trustees shall provide hospital, nursing, and medical attention for the members in service when injured while in the performance of their duties and shall continue to provide hospital, nursing, and medical attention for injuries or

diseases incurred while in the performance of their duties for the members receiving a retirement allowance under section ninety-seven A point six (97A.6), subsection six (6) of the Code. The cost of hospital, nursing, and medical attention shall be paid out of the expense fund. However, any amounts received by the injured person under the workers' compensation law of the state, or from any other source for such specific purposes, shall be deducted from the amount paid by the board of trustees provisions of this section.

Sec. 5. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, subparagraph ten (10), Code 1979, is amended to read as follows:

(10) Persons employed as city managers, or as city administrators performing the duties of city managers, under a form of city government listed in chapter 372 or chapter four hundred twenty (420) of the Code unless such employees shall make an application to the department to be covered under the provisions of this chapter.

Sec. 6. Section ninety-seven B point forty-three (97B.43), unnumbered paragraph three (3), Code 1979, is amended to read as follows:

Each individual who as of July 1, 1978, was an active, vested, or retired member and who (1) made application for and received a refund of contributions made under the abolished system or (2) has on deposit with the retirement fund his or her contributions made under the abolished system shall be entitled to credit for years of prior service in the determination of retirement allowance payments by filing a written election with the department on or after July 1, 1978, and by re depositing any withdrawn contributions under the abolished system together with interest as stated in this paragraph. Any individual who as of July 1, 1978, is a retired member and who made application for and received a refund of contributions made under the abolished system, may, by

filing a written election with the department on or after July 1, 1978, have the department retain fifty percent of the monthly increase in retiree benefits that will accrue to the individual because of prior service. If the monthly increase in retirement benefits is less than ten dollars, the department shall retain five dollars of the scheduled increase, and if the monthly increase is less than five dollars, the provisions of this paragraph shall not apply. The department shall continue to retain such funds until the withdrawn contributions, together with interest accrued to the month in which the written election is filed, have been repaid. Due notice of this provision shall be sent to all retired members as of July 1, 1978. However, this paragraph shall not apply to any person who received a refund of any membership service contributions unless the person repaid the membership service contributions pursuant to the first new section in section twelve (12) of this Act; provided, however, that a refund of contributions remitted for the calendar quarter ending September 30, 1953 which was based entirely upon employment which terminated prior to July 4, 1953 shall not be considered as a refund of membership service contributions. The interest to be paid into the fund shall be compounded at the rates credited to member accounts from the date of payment of the refund of contributions under the abolished system to the date the member re deposits the refunded amount. The provisions of the first paragraph of this section relating to the consideration given to credited amounts shall apply to the re deposited amounts or to amounts left on deposit. Effective July 1, 1978, the provisions of this paragraph shall apply to each individual who as of July 1, 1978, was an active, vested, or retired member, but who was not in service on July 4, 1953. The period for filing the written election with the department and re depositing any withdrawn contributions together with interest accrued shall commence July 1, 1978.

A member who is a retired member as of July 1, 1978 may file written election with the department on or after July 1, 1978 to have the department retain fifty percent of the monthly increase as provided in this paragraph.

Sec. 7. Section ninety-seven B point forty-nine (97B.49), subsections five (5) and seven (7), Code 1979, are amended to read as follows:

5. For each active member retiring between ~~January 1, 1976 and June 30~~ July 1, 1978 and June 30, 1979, with four or more complete years of service, a monthly benefit shall be computed which is equal to one-twelfth of an amount equal to ~~forty~~ forty-four percent of the five-year average covered wage multiplied by a fraction of years of service. For each active member retiring on or after July 1, ~~1978~~ 1979 the monthly benefit computed under this subsection shall be equal to one-twelfth of an amount equal to ~~forty-four~~ forty-six percent of the five-year average covered wage multiplied by a fraction of years of service. For the purposes of this subsection, "fraction of years of service" means a number, not to exceed one, equal to the sum of the years of membership service and the number of years of prior service divided by thirty years.

If benefits under this subsection commence on an early retirement date, the amount of benefit shall be reduced in accordance with section 97B.50.

7. Notwithstanding the provisions of this chapter, a member who is or has been employed as a conservation peace officer under the provisions of section 107.13 and who retires between ~~January 1, 1976 and June 30~~ July 1, 1978 and June 30, 1979 and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a conservation peace officer, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance

equal to one-twelfth of ~~forty~~ forty-four percent of the member's five-year average covered wage as a conservation peace officer, with benefits payable during the member's lifetime. For each such member retiring on or after July 1, ~~1978~~ 1979, the monthly benefit computed under this subsection shall be equal to one-twelfth of an amount equal to ~~forty-four~~ forty-six percent of the five-year average covered wage as a conservation peace officer multiplied by a fraction of years of service. There is appropriated from the general fund of the state to the department of job service from funds not otherwise appropriated an amount sufficient to pay eight and forty-three hundredths percent of the covered wages of each conservation peace officer, in addition to the contribution paid by the employer under section 97B.11, to finance increased benefits to conservation peace officers under this subsection.

Sec. 8. Section ninety-seven B point forty-nine (97B.49), subsection eight (8), paragraph a, Code 1979, is amended to read as follows:

a. Notwithstanding the provisions of this chapter, effective July 1, 1979 to be included in county budgets for the fiscal year beginning July 1, 1979, a member who is or has been employed as a county sheriff, as defined in section 39.17, or as a deputy sheriff appointed pursuant to chapter 341, and who retires ~~on or after~~ between January 1, 1978 and June 30, 1979, and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a county sheriff or deputy sheriff, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of forty-four percent of the member's five-year average covered wage as a sheriff or deputy sheriff, with benefits payable during the member's lifetime.

For each member eligible for a monthly retirement allow-

ance under this subsection who retires on or after July 1, 1979, the monthly benefit computed under this subsection shall be equal to one-twelfth of forty-six percent of the member's five-year average covered wage.

Sec. 9. Section ninety-seven B point forty-nine (97B.49), subsection nine (9), Code 1979, is amended by adding the following new unnumbered paragraph:

Effective July 1, 1979, the increases granted to members under this subsection shall be paid to contingent annuitants and to beneficiaries.

Sec. 10. Section ninety-seven B point fifty (97B.50), subsection one (1), Code 1979, is amended to read as follows:

1. A Except as otherwise provided in this section, a member, shall upon retirement on-his-early prior to the normal retirement date be, is entitled to receive a monthly retirement allowance determined in the same manner as provided for normal retirement in subsections 1, 4 and 5 of section 97B.49 reduced by five-tenths of one percent per month for each month that the member's early retirement date precedes the normal retirement date.

Sec. 11. Section ninety-seven B point seventy-three (97B.73), Code 1979, is amended to read as follows:

97B.73 MEMBERS FROM OTHER STATES PUBLIC SYSTEMS. A vested or retired member who was not a vested member of a public retirement system established under sections two hundred ninety-four point eight (294.8), two hundred ninety-four point nine (294.9), and two hundred ninety-four point ten (294.10) of the Code or a public retirement system in another state may, upon submitting verification of membership and service in the other public retirement system ~~in-another-state~~ to the department not later than July 1, 1979 for members vested on July 1, 1978 or within one year after the member becomes vested, make employer and employee contributions to the system for the period of service in the other public retirement

system ~~in-another-state~~ and receive credit for membership service in this system. The contributions paid by the vested or retired member for service in the other public retirement system ~~in-another-state~~ shall be equal to the accumulated contributions as defined in section 97B.41, subsection 13, by the member for that period of membership service and the contributions of the employer which would have been contributed for that period of membership service plus interest on the contributions for the period from the date of service of the member in the other public retirement system ~~in-another-state~~ to the date of payment of the contributions by the member equal to two percent plus the interest dividend rate applicable for each year.

Sec. 12. Chapter ninety-seven B (97B), Code 1979, is amended by adding the following new sections:

NEW SECTION. An active, vested, or retired member who at any time between July 4, 1953 and July 1, 1973 was a member of the system, but who did not meet the requirements to be a vested member for that period of membership service, and who received a refund of contributions for that period of membership service, may elect in writing to the department to make contributions to the system for that period of membership service for which a refund of contributions was made. The contributions repaid by the member for such service shall be equal to the accumulated contributions, as defined in section ninety-seven B point forty-one (97B.41), subsection thirteen (13), of the Code, received by the member for that period of membership service plus interest on the accumulated contributions for the period from the date of receipt by the member to the date of repayment equal to two percent plus the interest dividend rate applicable for each year compounded annually.

The provisions of this section are only available to a member if that member's total years of membership and prior

service, with the addition of service for that period of membership service for which contributions are repaid, equals or exceeds fifteen years.

NEW SECTION. PRIOR EMPLOYMENT. An active, vested, or retired member who was employed prior to January 1, 1946 by the state or a political subdivision, except for a member employed by a school district which had established a pension and annuity retirement system under sections two hundred ninety-four point eight (294.8), two hundred ninety-four point nine (294.9), and two hundred ninety-four point ten (294.10) of the Code, and was not employed by the state or a political subdivision between January 1, 1946 and July 4, 1953, may file written verification of the member's dates of employment with the department of job service and receive credit for years of prior service for the period of employment.

Sec. 13. Section three hundred eighty-four point six (384.6), subsection one (1), Code 1979, as amended by Senate File two hundred eighty-two (282), section one (1), as enacted by the Sixty-eighth General Assembly, 1979 Session, is amended to read as follows:

1. Accounting for pension and related employee benefit funds as provided by the city finance committee. A city may make contributions to a retirement system other than the Iowa public employees' retirement system for its city manager, or city administrator performing the duties of city manager, in an annual amount not to exceed the amount that would have been contributed by the employer under the provisions of section 97B.11. A city may certify taxes to be levied for a trust and agency fund in the amount necessary to meet its obligations.

Sec. 14. Section four hundred ten point eighteen (410.18), Code 1979, as amended by House File four hundred ninety-nine (499), section one (1), as enacted by the Sixty-eighth General Assembly, 1979 Session, is amended to read as follows:

410.18 HOSPITAL EXPENSE. Cities shall provide hospital, nursing, and medical attention for the members of the police and fire departments of ~~such~~ the cities, when injured while in the performance of their duties as members of such department, and shall continue to provide hospital, nursing, and medical attention for injuries or diseases incurred while in the performance of their duties for members being paid a pension by the city under section 410.8 ~~for-a-disability contracted-while-the-member-was-engaged-in-the-performance of-duties~~, and the cost of such hospital, nursing, and medical attention shall be paid out of the appropriation for the department to which ~~such~~ the injured person belongs or belonged; provided that any amounts received by ~~such~~ the injured person under the workers' compensation law of the state, or from any other source for such specific purposes, shall be deducted from the amount paid by ~~such~~ the city under the provisions of this section.

Sec. 15. Section four hundred eleven point one (411.1), subsection twenty-one (21), Code 1979, is amended by striking the subsection.

Sec. 16. Section four hundred eleven point six (411.6), subsection twelve (12), paragraph a, unnumbered paragraph one (1), Code 1979, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

As of the first of July of each year for members who retire on or after July 1, 1979, the monthly pensions authorized in this section payable to retired members and to beneficiaries, except children of a deceased member, shall be adjusted as provided in this paragraph. An amount equal to the following percentages of the difference between the monthly earnable compensation received by an active member of the department, of the same rank and position on the salary scale as was held by the retired or deceased member at the time of the member's retirement or death, for July of the

preceding year and the monthly earnable compensation payable to an active member of the department of the same rank and position for July of the year just beginning shall be added to the monthly pension of each retired member and each beneficiary as follows:

(1) Twenty-five percent for members eligible for a service retirement allowance or their beneficiaries.

(2) Twenty percent for members with five or more years of membership service who are eligible for an ordinary disability retirement allowance or their beneficiaries.

(3) Twelve and one-half percent for members with less than five years of membership service who are eligible for an ordinary disability retirement allowance or their beneficiaries.

(4) Thirty-three and one-third percent for members eligible for an accidental disability allowance or their beneficiaries.

The adjusted monthly pension shall not be less than the amount which was paid at the time of the member's retirement or death.

Sec. 17. Section four hundred eleven point six (411.6), subsection twelve (12), paragraphs b and d, Code 1979, are amended to read as follows:

b. All monthly pensions adjusted as provided in this subsection shall be payable beginning on July 1 ~~first~~ of the year in which the adjustment is made and shall continue in effect until the next following July 1 ~~first~~ at which time the monthly pensions shall again be ~~recomputed-and-all-monthly-pensions-shall-be~~ adjusted in accordance with the ~~recomputations~~ paragraph a of this subsection.

d. A retired member ~~who-became~~ eligible for benefits under the provisions of subsection 1 of this section ~~but-who-did-not-serve~~ is not eligible for the annual readjustment of pensions provided in this subsection unless the member served twenty-two years and ~~did-not-attain~~ attained the age of fifty-

five years prior to his termination of employment ~~shall-not-be-eligible-for-the-annual-readjustment-of-pensions-provided-for-by-this-subsection.~~

Sec. 18. Section four hundred eleven point fifteen (411.15), Code 1979, as amended by House File four hundred ninety-nine (499), section two (2), as enacted by the Sixty-eighth General Assembly, 1979 Session, is amended to read as follows:

411.15 HOSPITALIZATION AND MEDICAL ATTENTION. Cities shall provide hospital, nursing, and medical attention for the members of the police and fire departments of ~~such the~~ cities, when injured while in the performance of their duties as members of such department, and shall continue to provide hospital, nursing, and medical attention for injuries or diseases incurred while in the performance of their duties for members receiving a retirement allowance under section 411.6, subsection 6, ~~for-an-injury-or-disease-incurred-in-or-aggravated-by-the-actual-performance-of-duty;~~ and the cost of ~~such the~~ hospital, nursing, and medical attention shall be paid out of the appropriation for the department to which ~~such the~~ injured person belongs or belonged; provided that any amounts received by ~~such the~~ injured person under the workers' compensation law of the state, or from any other source for such specific purposes, shall be deducted from the amount paid by ~~such the~~ city under the provisions of this section.

Sec. 19. Section four hundred eleven point twenty-one (411.21), subsection seven (7), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The board may return accumulated contributions from the annuity savings fund to an active or vested member prior to the dates listed in the schedule established in this subsection, except that the board shall not liquidate securities at a loss for the sole purpose of

returning the accumulated contributions to the members at an earlier date.

Sec. 20. Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand sixty (1060), section five (5), is amended to read as follows:

SEC. 5. Section ninety-seven A point five (97A.5), subsection one (1), Code 1977, is amended to read as follows:

1. BOARD OF TRUSTEES. The general administration and the responsibility for the proper operation of the system and for making effective the provisions of this chapter are hereby vested in a board of trustees to administer the system. Such board of trustees shall be constituted as follows: The commissioner of public safety, who shall be chairperson of said board, the state treasurer, and an actively engaged member of the system, to be chosen by secret ballot by the members thereof for a term of two years.

This section is effective July 1, 1981.

Sec. 21. Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand sixty (1060), section sixty-eight (68), is amended to read as follows:

SEC. 68. The sections of this Act amending sections of chapters ninety-seven A (97A) and four hundred eleven (411) of the Code are effective July 1, 1979, except as otherwise provided in this Act.

Sec. 22. There is appropriated from the general fund of the state for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, to the legislative fiscal bureau, the sum of ten thousand (10,000) dollars, or as much thereof as is necessary, to be used for compensating an actuary. Notwithstanding section two point fifty-three (2.53) of the Code, the director of the legislative fiscal bureau shall employ, on an hourly basis, an actuary to perform actuarial studies relating to proposed and pending legislation on public retirement systems. The hourly rate of compensation is subject to the approval of the legislative council.

Sec. 23. Section seven (7) of this Act is effective for members of the general assembly commencing January 12, 1981.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 489, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved James, 1979

ROBERT D. RAY
Governor