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SENATE FILE 499

By COMMITTEE ON APPROPRIATIONS
Approved 4/8 (7.1606)

Passed Senate, Date 5-10-79 (p. 1645) Passed House, Date _____

Vote: Ayes 33 Nays 16 Vote: Ayes _____ Nays _____

Approved June 10, 1979

A BILL FOR

1 An Act relating to compensation and benefits for state offi-
2 cials and employees by specifying salary rates and ranges
3 and providing salary adjustments, increasing mileage re-
4 imbursement rates for public officers and employees, mak-
5 ing coordinating amendments to the Code, and appropriating
6 funds.

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

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1 Section 1. The salary rates specified in this section
2 shall be in effect for the fiscal years indicated and the
3 salary rates for the fiscal year beginning July 1, 1980, shall
4 be effective for subsequent fiscal years until otherwise
5 provided by the general assembly. Salaries provided for in
6 this section shall be paid from funds appropriated to the
7 department or agency specified in this section pursuant to
8 any Act of the general assembly or if such an appropriation
9 is not sufficient, from the salary adjustment fund.

10 The following annual salary rates shall be paid to the
11 person holding the position indicated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
14 1. DEPARTMENT OF AGRICULTURE		
15 Salary for the secretary of		
16 agriculture	\$ 32,100	\$ 34,300
17 2. OFFICE OF THE ATTORNEY		
18 GENERAL		
19 Salary of the attorney		
20 general	\$ 42,800	\$ 45,800
21 3. OFFICE OF THE AUDITOR		
22 OF STATE		
23 Salary of the auditor of		
24 state	\$ 32,100	\$ 34,300
25 4. OFFICE OF THE GOVERNOR		
26 Salary of the governor	\$ 58,800	\$ 63,000
27 5. OFFICE OF THE SECRETARY		
28 OF STATE		
29 Salary of the secretary of		
30 state	\$ 32,100	\$ 34,300
31 6. OFFICE OF THE TREASURER		
32 OF STATE		
33 Salary of the treasurer of		
34 state	\$ 32,100	\$ 34,300

35 Sec. 2. The salary rates established in this section shall

1 be in effect for the fiscal year indicated and the salary
2 rates for the fiscal year beginning July 1, 1980, shall be
3 effective for subsequent fiscal years until otherwise provided
4 by the general assembly. Salaries provided for in this section
5 shall be paid from funds appropriated to the department which
6 the person represents and from funds appropriated by section
7 three (3) of this Act.

8 The following annual salary rates shall be paid to the
9 persons holding the positions indicated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
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31 Sec. 3. There is appropriated
32 from the general fund of the state for
33 each fiscal year of the fiscal
34 biennium beginning July 1, 1979,
35 and ending June 30, 1981, the

1 following amounts, or so much thereof
2 as is necessary, to be used to fund
3 increases in judicial salaries as
4 provided in section two (2) of this
5 Act and for the state's contribution
6 to the judicial retirement system
7 provided for in chapter six
8 hundred five A (605A) of the
9 Code required because of the
10 increased salaries, which are in
11 addition to the amount of three

12 percent of such salaries	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	\$ 511,300	\$ 1,079,600

15 Sec. 4. The salary rates specified in this section shall
16 be in effect for the fiscal biennium beginning July 1, 1979,
17 and ending June 30, 1981. Salaries provided for in this
18 section shall be paid from funds appropriated to the department
19 or agency specified in this section or pursuant to this Act.

20 The following annual salary rates shall be paid to the
21 persons holding the positions indicated:

22		1979-1980	1980-1981
23		<u>Fiscal Year</u>	<u>Fiscal Year</u>
24	1. Chairperson of the public		
25	employment relations board	\$ 31,850	\$ 34,086
26	2. Two members of the public		
27	employment relations board, each ...	\$ 29,510	\$ 31,564

28 Sec. 5. Persons receiving the salary rates established
29 under section one (1) or four (4) of this Act shall not receive
30 any additional salary adjustments provided by this Act. The
31 salary rates specified in section four (4) of this Act shall
32 be in effect for the fiscal years indicated and the salary
33 rates for the fiscal year beginning July 1, 1980, shall be
34 effective for subsequent years until otherwise provided by
35 the general assembly. If the funds of the agency which have

1 been appropriated for salaries are insufficient to pay the
2 salaries fixed by section one (1) or four (4) of this Act
3 because of increases in the salaries, funds may be allocated
4 from funds appropriated by this Act to the salary adjustment
5 fund. In addition, if federal funds are available for any
6 position provided for in section four (4) of this Act, the
7 federal funds may be expended if the combined federal and
8 state funds do not exceed the rates provided for in section
9 four (4) of this Act.

10 Sec. 6. The governor may establish a salary for appointed
11 nonelected persons in the executive branch of state government
12 holding a position enumerated in section seven (7) of this
13 Act within the range provided by considering, among other
14 things, the experience of the individual in the position,
15 changes in the duties of the position, the incumbent's
16 performance of assigned duties, the availability of qualified
17 candidates for the position, and subordinates' salaries.

18 The governor in establishing salaries as provided in section
19 seven (7) of this Act shall take into consideration other
20 employee benefits which may be provided for an individual
21 including but not limited to housing.

22 A person whose salary is established by section seven (7)
23 of this Act and who is a full-time permanent employee of the
24 state shall not receive any other remuneration from the state
25 or from any other source for the performance of that person's
26 duties unless the additional remuneration is first approved
27 by the governor or authorized by law; however, this provision
28 shall not be construed to exclude necessary travel and expenses
29 incurred in the performance of duties or fringe benefits
30 normally provided to employees of the state.

31 Sec. 7. The following annual salary ranges shall be in
32 effect for the fiscal year beginning July 1, 1979, for the
33 positions specified and for each fiscal year after that fiscal
34 year the salary range shall be the same as the range specified
35 for that fiscal year unless otherwise specified by the general

1 assembly. The governor shall determine the salary to be paid
2 to the person indicated at a rate within the salary ranges
3 indicated from funds appropriated by the general assembly
4 for such purposes.

5 1. If a person is in:

6 a. Range one, the person shall receive a salary of not
7 less than five thousand (5,000) dollars or more than fifteen
8 thousand (15,000) dollars.

9 b. Range two, the person shall receive a salary of not
10 less than eighteen thousand (18,000) dollars or more than
11 thirty thousand (30,000) dollars.

12 c. Range three, the person shall receive a salary of not
13 less than twenty-five thousand (25,000) dollars or more than
14 thirty-five thousand (35,000) dollars.

15 d. Range four, the person shall receive a salary of not
16 less than thirty thousand (30,000) dollars or more than forty
17 thousand (40,000) dollars.

18 e. Range five, the person shall receive a salary of not
19 less than thirty-five thousand (35,000) dollars or more than
20 forty-five thousand (45,000) dollars.

21 2. The following are range one positions: members of
22 the board of parole, members of the state health facilities
23 council, and members of the transportation commission of the
24 department of transportation.

25 3. The following are range two positions: executive
26 director of the commission on aging, director of the Iowa
27 state arts council, director of the Iowa civil rights
28 commission, executive director of the college aid commission,
29 executive secretary of the Iowa crime commission, executive
30 secretary of the committee on employment of the handicapped,
31 administrator of the credit union department, members of the
32 appeal board of the Iowa department of job service, director
33 of the historical society of the state historical department,
34 director of museum and archives of the state historical
35 department, director of historical preservation of the state

1 historical department, director of the Iowa law enforcement
2 academy, state librarian, director of the Iowa natural
3 resources council, director of disaster services of the
4 department of public defense, director of the real estate
5 commission, director of the department of substance abuse,
6 and each member of the transportation regulation board of
7 the department of transportation.

8 4. The following are range three positions: director
9 of the commission for the blind, director of the energy policy
10 council, executive director of the department of environmental
11 quality, secretary of the state fair board, state geologist,
12 commissioner of insurance, industrial commissioner, labor
13 commissioner, director of the Iowa merit employment commission,
14 and director of the department of soil conservation.

15 5. The following are range four positions: superintendent
16 of banking, director of the Iowa beer and liquor control
17 department, chairperson and members of the Iowa state commerce
18 commission, director of the state conservation commission,
19 director of the Iowa development commission, director of the
20 educational radio and television facility board, director
21 of the Iowa department of job service, director of the
22 department of general services, commissioner of health,
23 director of the office for planning and programming, and
24 commissioner of public safety.

25 6. The following are range five positions: state
26 comptroller, superintendent of public instruction, executive
27 secretary of the state board of regents, director of the
28 department of revenue, commissioner of social services, and
29 director of the department of transportation.

30 Sec. 8. The salary rates established by the governor under
31 sections six (6) and seven (7) of this Act for the persons
32 indicated shall be the total salary paid to the persons for
33 whom established. Any other salary rates or adjustments to
34 salaries provided for by this Act shall not apply to the
35 positions specified in section seven (7) of this Act; however,

1 funds appropriated to the salary adjustment fund by this Act
2 may be expended to fund salaries established pursuant to
3 sections six (6) and seven (7) of this Act if funds
4 appropriated to the agencies represented by or employing the
5 persons holding the positions specified in section seven (7)
6 of this Act are insufficient to pay salaries provided for
7 in section seven (7) of this Act. The governor shall report
8 to the legislative fiscal committee the salary rates
9 established pursuant to section seven (7) of this Act.

10 Sec. 9. Section twenty point five (20.5), subsection three
11 (3), Code 1979, is amended to read as follows:

12 3. In selecting the members of the board, consideration
13 shall be given to their knowledge, ability, and experience
14 in the field of labor-management relations. The ~~chairman~~
15 ~~shall receive an annual salary of twenty-four thousand dollars.~~
16 The chairperson and the remaining two members shall each
17 receive an annual salary equal to ninety percent of the salary
18 received by the chairman as set by the general assembly.

19 Sec. 10. Section four hundred seventy-four point one
20 (474.1), unnumbered paragraph two (2), Code 1979, is amended
21 to read as follows:

22 On the second Tuesday of July of each year, the Iowa state
23 commerce commission shall organize by electing one of its
24 members as ~~chairman~~ chairperson, and appointing a an executive
25 secretary, who shall take the same oath as the commissioners.
26 The commission shall set the salary of the executive secretary
27 within the limits of the pay plan for exempt positions provided
28 for in subsection two (2) of section nineteen A point nine
29 (19A.9) of the Code unless otherwise provided by the general
30 assembly. The commission may employ ~~such~~ additional personnel
31 as it may find necessary.

32 Sec. 11. Section six hundred five point eight (605.8),
33 unnumbered paragraph two (2), Code 1979, is amended to read
34 as follows:

35 The base starting salary of a full-time certified shorthand

1 reporter shall be fourteen thousand seven hundred dollars.
2 The base salary may be increased by an amount not to exceed
3 ~~six-hundred-thirty-dollars~~ seven percent for each year of
4 experience as a shorthand reporter. The maximum salary shall
5 not exceed ~~nineteen~~ twenty-one thousand ~~seven~~ one hundred
6 ~~forty~~ twenty-one dollars except as provided in this section.
7 Sec. 12.

8 1. There is appropriated from the general fund of the
9 state to the state comptroller for each fiscal year of the
10 fiscal biennium beginning July 1, 1979 and ending June 30,
11 1981 the following amounts to be allocated to the counties
12 for the purpose of providing average pay increases of not
13 more than seven percent to the full-time shorthand reporters
14 of the district court:

15 a. For the fiscal year beginning July 1, 1979, \$150,849.

16 b. For the fiscal year beginning July 1, 1980, \$161,409.

17 2. The state comptroller shall allocate and distribute
18 the amount to each county in the same proportion that the
19 county's annual payroll for full-time shorthand reporters
20 for the fiscal year ending June 30, 1979 was to the annual
21 payroll for full-time shorthand reporters for all counties
22 for that fiscal year. Moneys received by a county under this
23 section shall be deposited in the fund for ordinary county
24 revenue under section four hundred forty-four point nine
25 (444.9), subsection two (2) of the Code or in the court expense
26 fund under section four hundred forty-four point ten (444.10)
27 of the Code, as applicable.

28 Sec. 13. Section six hundred two point thirty-one (602.31),
29 Code 1979, is amended to read as follows:

30 602.31 SALARY, EXPENSES, RETIREMENT. The annual salary
31 of each district associate judge, payable from the general
32 fund of the state of Iowa, shall be a sum ~~of-nineteen-thousand~~
33 ~~five-hundred-dollars~~ set by the general assembly. District
34 associate judges shall also receive from the state their
35 actual and necessary expenses in the performance of their

1 duties away from the city of their residence, in accordance
2 with section 605.2. District associate judges who are members
3 of the judicial retirement system under chapter 605A shall
4 remain members thereof; but the state of Iowa, instead of
5 the city and county, shall deduct four percent from their
6 salaries for the judicial retirement fund and shall contribute
7 the public's portion to the judicial retirement fund.

8 Sec. 14. Section six hundred two point fifty-four (602.54),
9 Code 1979, is amended to read as follows:

10 602.54 SALARY, EXPENSES. Each judicial magistrate shall
11 receive a salary payable from the general fund of the state
12 and also his or her actual and necessary expenses in the
13 performance of his or her duties while away from the city
14 of his or her residence, in accordance with section 605.2.
15 The salary of judicial magistrates, except as otherwise
16 provided herein, shall be the sum ~~of four thousand eight~~
17 ~~hundred dollars annually~~ set by the general assembly. The
18 judicial magistrates serving pursuant to section 602.51 shall
19 receive an annual salary ~~of nineteen thousand five hundred~~
20 ~~dollars~~ in an amount set by the general assembly. Judicial
21 magistrates appointed pursuant to section 602.51 except
22 district associate judges shall be members of the Iowa public
23 employees' retirement system. Judicial magistrates appointed
24 pursuant to either section 602.50 or section 602.58 may elect
25 to be members of the Iowa public employees' retirement system
26 upon filing notice in writing with the Iowa department of
27 job service and the court administrator of the judicial
28 department.

29 Sec. 15. Section six hundred eighty-four point twenty-
30 three (684.23), Code 1979, is amended to read as follows:

31 684.23 CLERKS FOR SUPREME COURT JUSTICES. The supreme
32 court shall have authority to appoint not more than nine
33 attorneys or graduates of a reputable law school as defined
34 in section 610.2, to act as legal assistants to the judges
35 of the supreme court, such assistants to serve at a salary

1 ~~not-to-exceed-seven-thousand-dollars-per-year~~ of not less
 2 than fifteen thousand or more than twenty-five thousand dollars
 3 annually as set by the court administrator and approved by
 4 the supreme court and shall render these services in such
 5 manner as may be prescribed by the court.

6 Sec. 16. Section six hundred eighty-five point one (685.1),
 7 Code 1979, is amended to read as follows:

8 685.1 APPOINTMENT. ~~Within-ninety-days-prior-to-the-first~~
 9 ~~secular-day-in-January, 1927, and every four years thereafter,~~
 10 ~~the~~ The judges of the supreme court shall appoint a clerk
 11 of the supreme court who shall hold office for four years
 12 and until ~~his~~ a successor ~~has-been~~ is appointed and ~~qualified~~
 13 qualifies. The judges of the supreme court shall set the
 14 salary of the clerk of the supreme court which salary shall
 15 not be less than twenty thousand or more than thirty thousand
 16 dollars annually. In case a vacancy occurs, the ~~same~~ vacancy
 17 shall be filled by appointment for the unexpired portion of
 18 the term only.

19 Sec. 17. Section six hundred eighty-five point six (685.6),
 20 unnumbered paragraph two (2), Code 1979, is amended to read
 21 as follows:

22 The court shall fix the compensation of the administrator,
 23 deputy administrator, and research director and the employees
 24 of the office. The salary of the administrator, deputy
 25 administrator, and research director shall be set at a rate
 26 of not less than twenty-five thousand or more than thirty-
 27 five thousand dollars annually. The supreme court is authorized
 28 to accept federal funds to supplement the funds appropriated
 29 to the court.

30 Sec. 18. Section six hundred eighty-five point seven
 31 (685.7), Code 1979, is amended to read as follows:

32 685.7 ASSISTANTS. The court administrator, with the
 33 approval of the supreme court, shall appoint ~~such~~ and set
 34 the salaries of assistants as are necessary to enable him
 35 to perform the powers and duties vested in ~~him~~ the court

1 administrator. The salaries of the assistants, except the
2 court fiscal director, shall be set at a rate of not less
3 than fifteen thousand or more than twenty-five thousand dollars
4 annually. The court fiscal director shall receive a salary
5 at a rate of not less than twenty thousand dollars or more
6 than thirty thousand dollars. While holding ~~such~~ the position,
7 neither the court administrator nor ~~his~~ assistants shall
8 practice law in any of the courts of this state.

9 Sec. 19. Section two point ten (2.10), subsections one
10 (1), two (2), and three (3), Code 1979, are amended to read
11 as follows:

12 1. Every member of the general assembly except the speaker
13 of the house and majority and minority floor leaders of the
14 senate and house shall receive an annual salary of twelve
15 thousand eight hundred dollars for ~~each~~ the year 1981 and
16 thirteen thousand seven hundred dollars for the year 1982
17 while serving as a member of the general assembly. The
18 majority and minority floor leaders of the senate and house
19 shall receive an annual salary of fourteen thousand eight
20 hundred dollars for ~~each~~ the year 1981 and fifteen thousand
21 seven hundred dollars for the year 1982 while serving in such
22 capacity. In addition, each such member shall receive the
23 sum of thirty dollars per day for expenses of office, except
24 travel, for each day the general assembly is in session
25 commencing with the first day of a legislative session and
26 ending with the day of final adjournment of each legislative
27 session as indicated by the journals of the house and senate,
28 except that in the event the length of the first regular
29 session of the general assembly exceeds one hundred twenty
30 calendar days and the second regular session exceeds one
31 hundred calendar days, such payments shall be made only for
32 one hundred twenty calendar days for the first session and
33 one hundred calendar days for the second session. However,
34 members from Polk county shall receive fifteen dollars per
35 day. Travel expenses shall be paid at the rate established

1 by section 79-9 eighteen point one hundred seventeen (18.117)
2 of the Code for actual travel in going to and returning from
3 the seat of government by the nearest traveled route for not
4 more than one time per week during a legislative session.
5 However, any increase from time to time in the mileage rate
6 established by section 79-9 eighteen point one hundred
7 seventeen (18.117) of the Code shall not become effective
8 for members of the general assembly until the convening of
9 the next general assembly following the session in which the
10 increase is adopted; and this provision shall prevail over
11 any inconsistent provision of any present or future statute.

12 2. The lieutenant governor shall receive an annual salary
13 of eighteen thousand eight hundred dollars for the year 1981
14 and nineteen thousand seven hundred dollars for the year 1982.
15 Personal expense and travel allowances shall be the same for
16 the lieutenant governor as for a senator. The lieutenant
17 governor while performing administrative duties of the office
18 of lieutenant governor when the general assembly is not in
19 session or serving as the president of the senate during
20 special sessions of the general assembly shall receive sixty
21 dollars per diem and reimbursement for expenses incurred in
22 performing such duties. The salary, per diem, and expenses
23 of the lieutenant governor provided for under this subsection,
24 including office and staff expenses, shall be paid from funds
25 appropriated to the office of the lieutenant governor by the
26 general assembly.

27 3. The speaker of the house shall receive an annual salary
28 of eighteen thousand eight hundred dollars for each the year
29 1981 and nineteen thousand seven hundred dollars for the year
30 1982 while serving as the speaker of the house. Expense and
31 travel allowances shall be the same for the speaker of the
32 house as provided for other members of the general assembly.

33 Sec. 20. Section nineteen (19) of this Act is effective
34 January 12, 1981. The salary rates established in section
35 nineteen (19) for the year 1982 shall remain in effect until

1 otherwise provided by the general assembly.

2 Sec. 21. All federal grants to and the federal receipts
3 of the agencies affected by the provisions of this Act which
4 are received and may be expended for purposes of this Act,
5 are appropriated for such purposes and as set forth in such
6 federal grants or receipts.

7 Sec. 22.

8 1. There is appropriated from the general fund of the
9 state to the salary adjustment fund provided for in section
10 eight point forty-three (8.43) of the Code, for the fiscal
11 years beginning July 1, 1979, and July 1, 1980, the following
12 amounts or so much as may be necessary, to be distributed
13 to the various departments to supplement other funds
14 appropriated by the general assembly:

15 a. For the fiscal year beginning July 1, 1979, \$25,700,000.

16 b. For the fiscal year beginning July 1, 1980, \$51,300,000.

17 2. The amounts appropriated in subsection one (1) of this
18 section shall be used to fund the following annual pay adjust-
19 ments, expense reimbursement and benefits not in conflict
20 with the Code:

21 a. The collective bargaining agreement negotiated pursuant
22 to chapter twenty (20) of the Code for employees in the blue
23 collar bargaining unit.

24 b. The collective bargaining agreement negotiated pursuant
25 to chapter twenty (20) of the Code for employees in the pro-
26 fessional social services bargaining unit.

27 c. The collective bargaining agreement negotiated pursu-
28 ant to chapter twenty (20) of the Code for employees in the
29 public safety bargaining unit.

30 d. The collective bargaining agreement negotiated pursu-
31 ant to chapter twenty (20) of the Code for employees in the
32 security bargaining unit.

33 e. The collective bargaining agreement negotiated pursu-
34 ant to chapter twenty (20) of the Code for employees in the
35 technical bargaining unit.

1 f. The collective bargaining agreement negotiated pursu-
2 ant to chapter twenty (20) of the Code for employees in the
3 professional fiscal and staff bargaining unit.

4 g. The collective bargaining agreement negotiated pursuant
5 to chapter twenty (20) of the Code for employees in the
6 university of northern Iowa faculty bargaining unit.

7 h. The annual pay adjustments, expense reimbursement and
8 benefits referred to in sections twenty-seven (27), twenty-
9 eight (28), thirty-one (31) and forty (40) of this Act and
10 health care benefits for employees not covered by a collective
11 bargaining agreement.

12 Sec. 23.

13 1. There is appropriated from the road use tax fund of
14 the state to the state department of transportation, for the
15 fiscal years beginning July 1, 1979, and July 1, 1980, the
16 following amounts or so much as may be necessary, to be dis-
17 tributed to supplement other funds appropriated by the general
18 assembly:

19 a. For the fiscal year beginning July 1, 1979, \$315,700.

20 b. For the fiscal year beginning July 1, 1980, \$652,000.

21 2. The amounts appropriated in subsection one (1) of this
22 section shall be used to fund the following annual pay adjust-
23 ments, expense reimbursement and benefits for employees of
24 the state department of transportation not in conflict with
25 the Code:

26 a. The collective bargaining agreement negotiated pursu-
27 ant to chapter twenty (20) of the Code for employees in the
28 blue collar bargaining unit.

29 b. The collective bargaining agreement negotiated pursu-
30 ant to chapter twenty (20) of the Code for employees in the
31 security bargaining unit.

32 c. The collective bargaining agreement negotiated pursu-
33 ant to chapter twenty (20) of the Code for employees in the
34 technical bargaining unit.

35 d. The collective bargaining agreement negotiated pursu-

1 ant to chapter twenty (20) of the Code for employees in the
2 professional fiscal and staff bargaining unit.

3 e. The annual pay adjustments, expense reimbursement and
4 benefits referred to in sections twenty-seven (27), twenty-
5 eight (28), thirty-one (31) and forty (40) of this Act and
6 health care benefits for employees not covered by a collective
7 bargaining agreement.

8 Sec. 24.

9 1. There is appropriated from the primary road fund to
10 the state department of transportation the following amounts
11 for the fiscal years beginning July 1, 1979, and July 1, 1980,
12 or so much as may be necessary, to supplement other funds
13 appropriated by the general assembly:

14 a. For the fiscal year beginning July 1, 1979, \$3,555,000.

15 b. For the fiscal year beginning July 1, 1980, \$7,326,000.

16 2. The amounts appropriated in subsection one (1) of this
17 section shall be used to fund the following annual pay adjust-
18 ments, expense reimbursement and benefits for employees of
19 the state department of transportation not in conflict with
20 the Code:

21 a. The collective bargaining agreement negotiated pursu-
22 ant to chapter twenty (20) of the Code for employees in the
23 blue collar bargaining unit.

24 b. The collective bargaining agreement negotiated pursu-
25 ant to chapter twenty (20) of the Code for employees in the
26 security bargaining unit.

27 c. The collective bargaining agreement negotiated pursu-
28 ant to chapter twenty (20) of the Code for employees in the
29 technical bargaining unit.

30 d. The collective bargaining agreement negotiated pursu-
31 ant to chapter twenty (20) of the Code for employees in the
32 professional fiscal and staff bargaining unit.

33 e. The annual pay adjustments, expense reimbursement and
34 benefits referred to in sections twenty-seven (27), twenty-
35 eight (28), thirty-one (31) and forty (40) of this Act and

1 health care benefits for employees not covered by a collective
2 bargaining agreement.

3 Sec. 25. Funds appropriated from the general fund of the
4 state in this Act shall relate to salaries supported from
5 general fund appropriations and shall not be construed to
6 replace revolving, federal, trust or special funds where
7 applicable.

8 Sec. 26. To departmental revolving, trust or special
9 funds, except for primary road fund or the road use tax fund,
10 for which the general assembly has established an operating
11 budget, a supplemental authorization is hereby provided for
12 those funds, unless otherwise provided, in an amount necessary
13 to fund salary adjustments provided in this Act.

14 Sec. 27.

15 1. The merit system pay plan and the executive council
16 exempt pay plan provided for in section nineteen A point nine
17 (19A.9), subsection two (2) of the Code as the pay plans exist
18 for the fiscal years ending June 30, 1979, and June 30, 1980,
19 shall be increased for all employees who are not included
20 in a collective bargaining agreement made final under chapter
21 twenty (20) of the Code by an average amount equal to five
22 and two-tenths percent for the fiscal year beginning July
23 1, 1979, and five and four-tenths percent for the fiscal year
24 beginning July 1, 1980. The merit employment commission shall
25 revise the merit system pay plan and the governor shall revise
26 the executive council pay plan as provided under section
27 nineteen A point nine (19A.9), subsection two (2) of the Code
28 by the percentage increases specified in this subsection and
29 may increase the salary levels for the various grades and
30 steps within the respective plans by different percentages,
31 but the total percentage increase of all salaries included
32 in each plan shall not exceed five and two-tenths percent
33 for the fiscal year beginning July 1, 1979, and five and four-
34 tenths percent for the fiscal year beginning July 1, 1980.
35 The percentage increase authorized for the pay plans in this

1 subsection does not preclude an individual state officer or
2 employee subject to either pay plan from receiving an
3 additional salary increase authorized under merit employment
4 commission rules or policy of the governor as applicable.

5 2. The salaries of state employees who are exempt from
6 chapter nineteen A (19A) of the Code and who are included
7 in the state comptroller's centralized payroll system and
8 the office employees of the state board of regents as the
9 salaries exist for the fiscal years ending June 30, 1979,
10 and June 30, 1980, shall be increased by an amount equal to
11 five and two-tenths percent for the fiscal year beginning
12 July 1, 1979, and five and four-tenths percent for the fiscal
13 year beginning July 1, 1980. The percentage increase
14 authorized for salaries under this subsection does not preclude
15 a state officer or employee from receiving an additional
16 salary increase authorized under department policy or policy
17 determined by the appointing authority consistent with this
18 Act or the merit system pay plan and appropriations made by
19 the general assembly.

20 3. This section does not apply to members of the general
21 assembly, board members and commission members, salaries of
22 persons set by the general assembly or set by the governor
23 or the appointing authority and employees designated under
24 section nineteen A point three (19A.3), subsection six (6)
25 of the Code and employees under the state board of regents'
26 merit system, but subsection two (2) of this section does
27 not apply to office employees of the state board of regents.

28 Sec. 28. The funds allocated to the state board of regents
29 for the purpose of providing increases for employees not
30 covered by a collective bargaining agreement shall be used
31 as follows:

32 1. The amount necessary to fund in each fiscal year an
33 average base salary increase of seven percent of base salaries
34 of faculty members paid during the preceding fiscal year,
35 to be allocated to faculty members at the discretion of the

1 state board of regents.

2 2. The amount necessary to fund in each fiscal year a
3 salary increase of four percent of the base salary of each
4 professional and scientific staff member, except board office
5 employees, paid during the preceding fiscal year. The
6 percentage increase authorized for salaries under this
7 subsection does not preclude a professional and scientific
8 staff member from receiving an additional salary increase
9 authorized by the state board of regents consistent with this
10 Act and appropriations made by the general assembly.

11 3. For employees under the state board of regents' merit
12 system who are not included in the collective bargaining
13 agreement made final under chapter twenty (20) of the Code,
14 except board office employees, the amount necessary to increase
15 the state board of regents' merit pay plan as it exists for
16 the fiscal years ending June 30, 1979, and June 30, 1980,
17 an average amount equal to five and two-tenths percent for
18 the fiscal year beginning July 1, 1979, and five and four-
19 tenths percent for the fiscal year beginning July 1, 1980.
20 The percentage increase authorized for the pay plan in this
21 subsection does not preclude an employee under the state board
22 of regents' merit system who is not under a collective
23 bargaining agreement and not board office employee, from
24 receiving any additional salary increase authorized under
25 the state board of regents' merit rules. The merit pay plan
26 adjustment shall be rounded to the nearest whole dollar for
27 the fiscal year beginning July 1, 1979.

28 Sec. 29. All funds appropriated by this Act to the salary
29 adjustment fund for the department of transportation, and
30 for the state agencies paid through the state comptroller's
31 centralized payroll system, shall be used to fund salary and
32 fringe benefit expenditures for the following periods of time:

33 1. For fiscal year July 1, 1979, and ending June 30, 1980,
34 beginning with the bi-weekly payday of July 13, 1979, and
35 ending with the bi-weekly payday of July 11, 1980.

1 2. For fiscal year July 1, 1980, and ending June 30, 1981,
2 beginning with the bi-weekly payday of July 25, 1980, and
3 ending with the bi-weekly payday of July 10, 1981.

4 Sec. 30. Chapter eight (8), Code 1979, is amended by
5 adding the following new section:

6 NEW SECTION. PAYROLL ACCRUAL ACCOUNT. The state
7 comptroller shall establish a payroll accrual account in the
8 office of the state treasurer. In preparation of budgets
9 for state departments, the state comptroller shall compute
10 an amount for each fiscal year sufficient to provide funds
11 to meet the twenty-seventh biweekly payroll when it occurs
12 and shall deposit the necessary amount each year in the payroll
13 accrual account.

14 Sec. 31. Section eighteen point one hundred seventeen
15 (18.117), Code 1979, is amended to read as follows:

16 18.117 PRIVATE USE--RATE FOR STATE BUSINESS. No A state
17 officer or employee shall not use any state-owned motor vehicle
18 for ~~his-own~~ personal private use, nor shall he the officer
19 or employee be compensated for driving his or her own motor
20 vehicle ~~except-if-such~~ unless it is done on state business
21 with the approval of the state vehicle dispatcher, and in
22 such case he or she shall receive ~~fifteen~~ eighteen cents per
23 mile effective July 1, 1979, and twenty cents per mile
24 effective July 1, 1980. A statutory provision stipulating
25 necessary, mileage, travel, or actual expenses reimbursement
26 to a state officer shall be construed to fall under ~~this~~
27 ~~fifteen-cents~~ the mileage reimbursement limitation provided
28 in this section unless specifically provided otherwise. Any
29 peace officer employed by the state as defined in section
30 ~~748-3~~ eight hundred one point four (801.4) of the Code who
31 is required to use ~~his~~ a private vehicle in the performance
32 of ~~his~~ official duties shall receive reimbursement for mileage
33 expense at the rate ~~of-fifteen-cents-per-mile~~ specified in
34 this section. However, the state vehicle dispatcher may
35 delegate authority to officials of the state, and department

1 heads, for the use of private vehicles on state business up
2 to a yearly mileage figure established by the director of
3 general services and approved by the executive council. When
4 a state motor vehicle has been assigned to a state officer
5 or employee he or she shall not collect mileage for the use
6 of ~~his~~ a personal vehicle unless the state vehicle assigned
7 ~~to him~~ is not usable.

8 This section shall not apply to ~~elected-officers-of-the~~
9 ~~state,-judges-of-the-district-court,-judges-of-the-supreme~~
10 ~~court,-or~~ officials and employees of the state whose mileage
11 is paid by other than state agencies and, except for the
12 provisions relating to mileage reimbursement, this section
13 shall not apply to elected officers of the state, judges of
14 the district, judges of the court of appeals or judges of
15 the supreme court.

16 Sec. 32. Section nineteen A point nine (19A.9), subsections
17 eleven (11), fourteen (14), seventeen (17), and eighteen (18),
18 Code 1979, are amended to read as follows:

19 11. For transfer from a position in one department to
20 a similar position in another department involving similar
21 qualifications, duties, responsibilities, and salary ranges.
22 Whenever an employee transfers or is transferred from one
23 state department or agency to another state department or
24 agency, his or her seniority rights, any accumulated sick
25 leave, and accumulated vacation time, as provided in the law,
26 shall be transferred to the new place of employment and
27 credited to him or her. Employees who are subject to contracts
28 negotiated under chapter twenty (20) of the Code which include
29 transfer provisions shall be governed by the contract
30 provisions.

31 14. For layoffs by reason of lack of funds or work, or
32 organization, and for re-employment of employees so laid off,
33 giving primary consideration in both layoffs and re-employment
34 to performance record and secondary consideration to seniority
35 in service. Any employee who has been laid off may keep his

1 or her name on a preferred employment list for one year, which
2 list shall be exhausted by the agency enforcing the layoff
3 before selection of an employee may be made from the register
4 in his or her classification. Employees who are subject to
5 contracts negotiated under chapter twenty (20) of the Code
6 which include layoff provisions shall be governed by the
7 contract provisions.

8 17. For establishment of a uniform plan for resolving
9 employee grievances and complaints. Employees who are subject
10 to contracts negotiated under chapter twenty (20) of the Code
11 which include grievance and complaint provisions shall be
12 governed by the contract provisions.

13 18. For attendance regulations, and special leaves of
14 absence, with or without pay, or reduced pay in the various
15 classes of positions in the classified service. Employees
16 who are subject to contracts negotiated under chapter twenty
17 (20) of the Code which include leave of absence provisions
18 shall be governed by the contract provisions. Annual sick
19 leave and vacation time shall be granted in accordance with
20 section 79.1.

21 Sec. 33. Section nineteen A point twenty-two (19A.22),
22 Code 1979, is amended to read as follows:

23 19A.22 COLLECTIVE BARGAINING AGREEMENTS--OTHER INCONSISTENT
24 LAWS. A collective bargaining agreement entered into between
25 the state and a state employee organization under chapter
26 20 made final after July 1, ~~1977~~ 1979, shall not adopt by
27 reference any merit pay adjustment or step increase provided
28 in a merit pay plan adopted under section 19A.9, subsection
29 2, longevity pay as provided in section ~~313-47~~-~~subsection~~
30 3 three hundred seven A point eight (307A.8) of the Code,
31 or any other pay plan or system in effect before July 1, ~~1977~~
32 1979.

33 Sec. 34. Section nineteen A point twenty-three (19A.23),
34 Code 1979, is amended to read as follows:

35 19A.23 LONGEVITY PAY PROHIBITED--EXCEPTION. No state

1 employee subject to the provisions of this chapter shall be
2 entitled to longevity pay except those employees granted
3 longevity pay pursuant to section ~~313-47-subsection-3~~ three
4 hundred seven A point eight (307A.8) of the Code.

5 Sec. 35. Section thirty-three point two (33.2), Code 1979,
6 is amended to read as follows:

7 33.2 PAID HOLIDAYS. State employees are granted, except
8 as provided in the ~~third~~ fourth paragraph of this section,
9 the following holidays off from employment with pay:

- 10 1. New Year's Day, January ~~1~~ first.
- 11 2. Memorial Day, the last Monday in May.
- 12 3. Independence Day, July 4 fourth.
- 13 4. Labor Day, the first Monday in September.
- 14 5. Thanksgiving Day, the fourth Thursday in November.
- 15 6. Friday after Thanksgiving, the Friday following
- 16 Thanksgiving Day.
- 17 7. Christmas Day, December 25 twenty-fifth.
- 18 8. Two other holidays, each to be designated annually
- 19 by the executive council.
- 20 9. Two days of paid leave each year to be added to the
- 21 vacation allowance and accrued under the provisions of section
- 22 seventy-nine point one (79.1) of the Code.

23 The appointing authority shall grant not more than four
24 additional days of paid leave each year as required to
25 implement contract provisions negotiated pursuant to chapter
26 twenty (20) of the Code.

27 The executive council may designate days off from employment
28 with pay in addition to those enumerated in this section for
29 state employees at its discretion.

30 If a holiday enumerated in this section falls on Saturday,
31 the preceding Friday shall be granted and if a holiday
32 enumerated in this section falls on Sunday, the following
33 Monday shall be granted. In those cases, where by nature
34 of the employment a state employee must be required to work
35 on a holiday the provisions of the first paragraph of this

1 section shall not apply, however, compensation shall be made
2 on the basis of the employee's straight time hourly rate for
3 a forty-hour work week and shall be made in either compensatory
4 time off or cash payment, at the discretion of the appointing
5 authority.

6 ~~No A holiday or paid leave granted to a state employee~~
7 ~~by under this section can-be-considered-as shall be in addition~~
8 ~~to vacation time and-shall-not-be-included-in-the-amount-of~~
9 ~~vacation-to-which-a-state-employee-is-entitled to which a~~
10 ~~state employee is entitled under section seventy-nine point~~
11 ~~one (79.1) of the Code.~~

12 ~~In-addition-to-the-holidays-enumerated-in-this-section,~~
13 ~~state-employees-are-granted-two-days-of-paid-leave-each-year-~~
14 ~~The-days-of-leave-shall-be-added-to-the-vacation-allowance~~
15 ~~accrued-under-the-provisions-of-section-79-1-~~

16 Sec. 36. Section seventy-nine point one (79.1), unnumbered
17 paragraphs one (1), three (3), four (4), and six (6), Code
18 1979, are amended to read as follows:

19 Salaries specifically provided for in an appropriation
20 Act of the general assembly shall be in lieu of existing
21 statutory salaries, for the positions provided for in any
22 such the Act, and all salaries, including longevity where
23 applicable by express provision in the Code, shall be paid
24 according to the provisions of chapter 91A and shall be in
25 full compensation of all services, including any service on
26 committees, boards, commissions or similar duty for Iowa
27 government, except for members of the general assembly. A
28 state employee on an annual salary shall not be paid for a
29 pay period an amount which exceeds the employee's annual
30 salary transposed into a rate applicable to the pay period
31 by dividing the annual salary by the number of calendar days
32 in the fiscal year, and multiplying the result by the number
33 of calendar days in the pay period. Salaries for state em-
34 ployees other than annual salaries shall be established on
35 an hourly basis.

1 PARAGRAPH DIVIDED. All employees of the state including
2 ~~highway-maintenance-employees-of-the-state-department-of~~
3 ~~transportation~~ shall earn two weeks' vacation per year during
4 the first year of employment and through the fourth year of
5 employment, and three weeks' vacation per year during the
6 fifth and through the eleventh year of employment, and four
7 weeks' vacation per year during the twelfth year through the
8 nineteenth year of employment, and four and four-tenths weeks'
9 vacation per year during the twentieth year through the twenty-
10 fourth year of employment, and five weeks' vacation per year
11 during the twenty-fifth year and all subsequent years of
12 employment, with pay. One week vacation shall be equal to
13 the number of hours in the employee's normal work week.
14 Vacation allowances shall be accrued according to the
15 provisions of chapter 91A as provided by the rules of the
16 Iowa merit employment department. ~~Said~~ The vacations shall
17 be granted at the discretion and convenience of the head of
18 the department, agency or commission, except that ~~in no case~~
19 may an employee shall not be granted vacation in excess of
20 the amount earned by the employee. Vacation leave earned
21 under this paragraph shall not be cumulated to an amount in
22 excess of twice the employee's annual rate of accrual. The
23 head of the department, agency or commission shall make every
24 reasonable effort to schedule vacation leave sufficient to
25 prevent any loss of entitlements. In the event that the
26 employment of an employee of the state is terminated the
27 provisions of chapter 91A relating to ~~such~~ the termination
28 shall apply.

29 Payments authorized by this section shall be approved by
30 the department and paid from the appropriation or fund of
31 original certification of the claim.

32 Commencing July 1, ~~1977~~ 1979, permanent full-time and
33 permanent part-time employees of state departments, boards,
34 agencies, and commissions shall accrue sick leave at the rate
35 of one and one-half days for each ~~full~~ complete month of full-

1 time employment. The accrual rate for part-time employees
2 shall be prorated to the accrual rate for full-time employees.
3 Sick leave shall not accrue during any period of absence
4 without pay. Employees may use accrued sick leave for physical
5 or mental personal illness, bodily injury, medically-related
6 disabilities, including disabilities resulting from pregnancy
7 and childbirth, or contagious disease:

8 1. Which require the employee's confinement,

9 2. Which render the employee unable to perform assigned
10 duties, or

11 3. When performance of assigned duties would jeopardize
12 the employee's health or recovery.

13 ~~The-governor-is-directed-to-issue-an-executive-order~~
14 ~~implementing-a-policy-which-would-grant-additional-vacation~~
15 ~~time-not-to-exceed-one-half-day-to-state~~ State employees,
16 ~~excluding state board of regents' faculty members with nine-~~
17 ~~month appointments, who are not-covered-under-a-collective~~
18 ~~bargaining-agreement-negotiated-pursuant-to-chapter-20,~~
19 ~~eligible for accrued vacation benefits and accrued sick leave~~
20 ~~benefits, who have accumulated thirty days of sick leave,~~
21 ~~and who do not use sick leave during a full month of employment~~
22 ~~may elect to accrue up to one-half day of additional vacation.~~

23 ~~The-executive-order-shall-remain-in-effect-until-the-general~~
24 ~~assembly-provides-a-program-based-upon-the-state-comptroller's~~
25 ~~study-for-providing-credit-for-the-accrual-of-sick-leave.~~

26 The accrual of additional vacation time by an employee for
27 not using sick leave during a month shall be in lieu of the
28 accrual of up to one and one-half days of sick leave for that
29 month. The state comptroller may promulgate the necessary
30 rules and procedures for the implementation of this program
31 for all state employees except employees of the state board
32 of regents. The state board of regents may promulgate
33 necessary rules for the implementation of this program for
34 its employees.

35 Sec. 37. Section seventy-nine point one (79.1), unnumbered

1 paragraph eight (8), Code 1979, is amended by striking the
2 unnumbered paragraph and inserting in lieu thereof the
3 following:

4 Beginning with the pay period which includes July 1, 1981,
5 if a pay period includes days in two fiscal years, the state
6 comptroller shall charge the payroll for that pay period to
7 the latter fiscal year if that year includes half or more
8 of the days in the pay period, and to the former fiscal year
9 if that year includes more than half of the days in the pay
10 period, and a specific annual salary rate or annual salary
11 adjustment commencing with the latter fiscal year shall
12 commence with the first day of the first pay period which
13 is charged to the latter fiscal year.

14 Sec. 38. If a state employee has accrued vacation leave
15 on June 30, 1979, in excess of the limitations on accrual
16 and accumulation provided in section thirty-six (36) of this
17 Act, then the limitation on accrual and accumulation shall
18 not apply to that employee until June 30, 1980, and on that
19 date the employee shall lose any accrued vacation leave in
20 excess of the limitations on accrual and accumulation provided
21 in section thirty-six (36) of this Act.

22 Sec. 39. Section seventy-nine point nine (79.9), Code
23 1979, is amended to read as follows:

24 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public officer
25 or employee, other than a state officer or employee, is
26 entitled to be paid for expenses in performing a public duty,
27 a charge shall be made, allowed and paid for the use of an
28 automobile of ~~fifteen~~ eighteen cents per mile for actual and
29 necessary travel effective July 1, 1979, and twenty cents
30 per mile effective July 1, 1980. A statutory provision
31 stipulating necessary, mileage, travel, or actual reimbursement
32 to a local public officer or employee shall be construed to
33 fall within ~~this-fifteen-cents~~ the mileage reimbursement
34 limitation specified in this section unless specifically
35 provided otherwise. Any peace officer, other than a state

1 officer or employee, as defined in section 748-3 eight hundred
2 one point four (801.4) of the Code who is required to use
3 his a private vehicle in the performance of his official
4 duties shall receive reimbursement for mileage expense at
5 the rate of fifteen cents per mile specified in this section.

6 Sec. 40. Section seventy-nine point twenty-three (79.23),
7 Code 1979, is amended to read as follows:

8 79.23 CREDIT FOR ACCRUED SICK LEAVE. Commencing July
9 1, 1977, when an a state employee who is not covered under
10 the provisions of a collective bargaining agreement negotiated
11 under the provisions of chapter 20 retires under the provisions
12 of a retirement system in the state maintained in whole or
13 in part by public contributions or payments, the number of
14 accrued days of active and banked sick leave of the employee
15 shall be credited to the employee. Until the general assembly
16 provides a program of credit for accrued sick leave, the
17 number of accrued days credited to an employee upon retirement
18 shall be the same as at the time of the employee's retirement.
19 When an employee retires, is eligible and has applied for
20 benefits under a retirement system authorized under chapter
21 ninety-seven A (97A) or ninety-seven B (97B) of the Code,
22 including the teachers insurance annuity association (TIAA)
23 and the college retirement equity fund (CREF), the employee
24 shall receive a cash payment for the employee's accumulated,
25 unused sick leave in both the active and banked sick leave
26 accounts except when, in lieu of cash payment, payment is
27 made for monthly premiums for health or life insurance or
28 both as provided in a collective bargaining agreement
29 negotiated under chapter twenty (20) of the Code. The payment
30 shall be calculated by multiplying the number of hours of
31 accumulated, unused sick leave by the employee's hourly rate
32 of pay at the time of retirement. However, the total cash
33 payment for accumulated, unused sick leave shall not exceed
34 two thousand dollars and is payable upon retirement. Banked
35 sick leave is defined as accrued sick leave in excess of

1 ninety days. A state employee who retired on or after July
2 1, 1977, but before July 1, 1979, may file claims for the
3 employee's accrued sick leave credit authorized in this
4 section. The claim of a state employee paid through the state
5 comptroller's centralized payroll system shall be filed with
6 the state comptroller on forms provided by the state
7 comptroller. The claim for an employee of the state board
8 of regents shall be filed with the state board of regents
9 on forms provided by the board. A cash payment for
10 accumulated, unused sick leave paid to a state employee shall
11 not be considered as wages or salary for purposes of
12 determining retirement benefits.

13 Sec. 41. Section eighty point eight (80.8), unnumbered
14 paragraph four (4), Code 1979, is amended to read as follows:

15 A collective bargaining agreement entered into between
16 the state and a state employee organization under chapter
17 20 made final after July 1, 1977, shall not include any pay
18 adjustment ~~or increase~~ to longevity pay authorized under this
19 section.

20 Sec. 42. Section eighty point fifteen (80.15), Code 1979,
21 is amended to read as follows:

22 80.15 EXAMINATION--OATH--PROBATION--DISMISSAL. No
23 applicant for membership in the department of public safety,
24 except clerical workers and special agents appointed under
25 section 80.7, shall be appointed as a member until he has
26 passed a satisfactory physical and mental examination. In
27 addition, such applicant must be a citizen of the United
28 States, of good moral character, and be not less than twenty-
29 two years of age. The mental examination shall be conducted
30 under the direction or supervision of the commissioner of
31 public safety and may be oral or written or both. Each
32 applicant shall take an oath on becoming a member of the
33 force, to uphold the laws and Constitution of the United
34 States and of the state of Iowa. During the period of twelve
35 months after appointment, any member of the department of

1 public safety, except members of the present Iowa highway
2 safety patrol who have served more than six months, shall
3 be subject to dismissal at the will of the commissioner.
4 After the twelve months' service, no member of the department,
5 who shall have been appointed after having passed the before-
6 mentioned examinations, shall be subject to dismissal unless
7 charges have been filed with the secretary of the executive
8 council and a hearing held before the executive council, if
9 requested by said member of the department, at which he shall
10 have an opportunity to present his defense to such charges.
11 The decision of the executive council by majority vote shall
12 be final, subject to the right of judicial review in accordance
13 with the terms of the Iowa administrative procedure Act.
14 All rules, except employment provisions negotiated pursuant
15 to chapter twenty (20) of the Code, regarding the enlistment,
16 appointment, and employment affecting the personnel of the
17 department shall be established by the commissioner with the
18 approval of the governor.

19 Sec. 43. Section three hundred seven A point two (307A.2),
20 subsection three (3), Code 1979, is amended to read as follows:

21 3. When in the interest of the state, the commission may
22 allow a subsistence expense to an employee of the highway
23 division of the department for continuous stay in one location
24 while on duty away from established headquarters and place
25 of domicile or either for a period not to exceed forty-five
26 days; allow automobile expenses in accordance with section
27 79-9 eighteen point one hundred seventeen (18.117) of the
28 Code, for moving an employee and his or her family from place
29 of present domicile to new domicile, and actual transportation
30 expense for moving of household goods. Such household goods
31 shall not include pets or animals.

32 Sec. 44. Sections nineteen A point twelve (19A.12), two
33 hundred eighteen point seventy-one (218.71), two hundred
34 nineteen point eleven (219.11) and two hundred forty-six point
35 thirty-three (246.33), Code 1979, are repealed.

1 actual pay rate within the ranges specified and is required
2 to report the rates to the legislative fiscal committee.

3 Section 10 provides for the commerce commission to determine
4 the rate of pay of the executive secretary, a person who is
5 appointed by the commerce commission. The same procedures
6 are provided within the judicial branch of government in
7 sections 15 through 17, where various persons appointed have
8 their salaries set by their superiors, all of which are
9 directly or indirectly approved by the supreme court and
10 ranges are provided. Section 11 gives shorthand reporters
11 a maximum seven percent increase in salary and section 12
12 funds the increase.

13 Section 19 changes the compensation of members of the
14 general assembly and the lieutenant governor. Pay increases
15 of seven percent are provided for the years 1981 and 1982.
16 This section is effective January 12, 1981. The salary rate
17 set for the year 1982 would remain at that level until
18 otherwise provided by the general assembly.

19 Part II, sections 22 through 45.

20 The second part of this bill, sections 22 through 45,
21 appropriates funds to provide for salary adjustments and
22 increased fringe benefits contained in the collective
23 bargaining agreements negotiated between the state and the
24 blue collar bargaining unit, the professional social services
25 bargaining unit, the public safety bargaining unit, the
26 security bargaining unit, the technical bargaining unit, the
27 professional fiscal and staff bargaining unit, and the
28 university of northern Iowa faculty bargaining unit, and for
29 salary adjustments and increased fringe benefits for state
30 employees who are exempt from or not included in a collective
31 bargaining unit.

32 Sections 22 through 24 appropriate funds to the salary
33 adjustment account to supplement departmental appropriations
34 for annual pay adjustments, expense reimbursement and related
35 fringe benefits including the state department of

1 transportation and state board of regents.

2 Sections 25 and 26 provide special provisions for using
3 revolving, federal, trust or special funds for salary
4 adjustments.

5 Sections 27 and 28 provide the percentage increases to
6 salaries under the merit system and exempt pay plans, the
7 centralized payroll system, the state board of regents' office
8 employees, faculty members, professional and scientific staff
9 and the board's merit system.

10 Section 29 identifies the 27 paydays that will be charged
11 to the fiscal year ending June 30, 1980 and the 26 paydays
12 that will be charged to the fiscal year ending June 30, 1981.

13 Sections 30, 36, 37 and 45 relate to the manner of ad-
14 ministering twenty-seven pay periods and the methods for ac-
15 counting and paying salaries in pay periods.

16 Section 31 increases the reimbursement for mileage expense
17 payable to state employees using their own motor vehicles
18 on official business to eighteen cents per mile for the fiscal
19 year beginning July 1, 1979, and twenty cents per mile for
20 the fiscal year beginning July 1, 1980.

21 Section 32 amends provisions of four subsections in section
22 19A.9 of the Code to provide that provisions of a collective
23 bargaining agreement relating to transfers, layoffs, leaves
24 of absence, and grievance procedures will apply to employees
25 under contract in lieu of procedures promulgated by the merit
26 employment commission.

27 Section 33 amends the effective date of section 19A.22
28 which provides that a collective bargaining agreement shall
29 not provide for adoption of a merit pay adjustment or step
30 increase by reference. The section will apply to collective
31 bargaining agreements made final after July 1, 1979.

32 Section 35 amends section 33.2 of the Code relating to
33 paid holidays by including a provision for four additional
34 days of paid leave for employees granted the additional days
35 of leave under a collective bargaining agreement. This section

1 also removes inconsistent language which prohibits the addition
2 of paid holidays to vacation allowances. Adding paid holidays
3 to vacation allowances was authorized in 1977 in lieu of
4 indicating specific dates as holidays.

5 Section 36 also increases the vacation allowance to four
6 weeks and two days during the twentieth through the twenty-
7 fourth year of employment and five weeks' vacation during
8 the twenty-fifth and each subsequent year. An employee may
9 not accrue more than twice the annual vacation allowance to
10 which the employee is entitled. The section also permits
11 employees to exchange 12 hours of sick leave per month for
12 four hours of additional vacation allowance.

13 Section 38 allows an employee who has more than twice the
14 annual rate of accrued vacation on June 30, 1979, to use the
15 vacation time during the fiscal year beginning July 1, 1979.
16 The employee will lose any accrued vacation in excess of twice
17 the annual rate of accrual on June 30, 1980.

18 Section 39 increases the mileage reimbursement allowance
19 for local governmental officers and employees to 18 cents
20 per mile effective July 1, 1979, and 20 cents per mile
21 effective July 1, 1980.

22 Section 40 authorizes the conversion of accrued active
23 and banked sick leave to a cash payment of not to exceed
24 \$2,000 upon retirement of a state employee. The cash payment
25 is determined by multiplying the number of hours of
26 accumulated, unused sick leave by the employee's hourly rate
27 of pay at the time of retirement. The cash payment does not
28 apply to employees under a collective bargaining agreement
29 which provides for payment of monthly premiums for health
30 or life insurance or both upon retirement. The section also
31 applies to former state employees who retired on or after
32 July 1, 1977, but before June 30, 1979.

33 Section 41 prohibits a collective bargaining agreement
34 covering public safety employees from including any adjustment
35 to longevity pay authorized under section 80.8 of the Code.

1 Section 42 provides that rules of the public safety
2 commissioner relating to enlistment, appointment and employment
3 of public safety personnel shall not apply to those employment
4 procedures which are negotiable and included in a collective
5 bargaining agreement covering those employees.

6 Section 43 corrects an erroneous reference relating to
7 mileage expense reimbursement for state officers and employees.

8 Section 44 repeals four Code sections which are outdated
9 or unnecessary.

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SENATE FILE 499

S-3754

- 1 Amend Senate File 499 as follows:
 2 1. Page 17, line 7, by inserting after the word
 3 "system" the words "and the department of transportation
 4 payroll system".
 5 2. Page 17, line 10, by inserting after the word
 6 "an" the word "average".
 7 3. Page 17, line 13, by inserting after the figure
 8 "1980." the following: "The appointing authority
 9 shall determine the percentage increase of each
 10 employee's salary provided for under this subsection
 11 and may increase the salaries of employees by different
 12 percentages, but the total percentage increase of
 13 all salaries of employees under the appointing
 14 authority's jurisdiction shall not exceed five and
 15 two-tenths percent for the fiscal year beginning July
 16 1, 1979, and five and four-tenths percent for the
 17 fiscal year beginning July 1, 1980."
 18 4. Page 28, line 5, by inserting after the word
 19 "system" the words "and the department of
 20 transportation payroll system".

S-3754 FILED *Adopted* BY JOHN S. MURRAY
 MAY 9, 1979 *5/10/1979*

SENATE FILE 499

S-3755

- 1 Amend Senate File 499 as follows:
 2 1. Page 23, line 5, by inserting after the word
 3 "authority" the words "unless otherwise provided for
 4 in a collective bargaining agreement".

S-3755 FILED *Adopted 5/10/1979* BY JOHN S. MURRAY
 MAY 9, 1979

SENATE FILE 499

S-3757

- 1 Amend Senate File 499 as follows:
 2 1. Page 3, lines 10, 11, and 12, by striking the
 3 words ", which are in addition to the amount of three
 4 percent of such salaries" and inserting in lieu
 5 thereof a period.

S-3757 FILED *Adopted 5/10/1979* BY JOHN S. MURRAY
 MAY 9, 1979

SENATE FILE 499

S-3759

- 1 Amend the amendment, S-3743, to Senate File 499
 2 as follows:
 3 1. Page 1, lines 29 and 30, by striking the words
 4 "negotiated with the blue collar bargaining unit".
 5 2. Page 1, line 31, by inserting after the figure
 6 "1979" the words ", unless the collective bargaining
 7 agreement provides for the cash payment".

S-3759 FILED *Adopted 5/10/1979* BY JOHN S. MURRAY
 MAY 9, 1979

SENATE FILE 499

S-3743

- 1 Amend Senate File 499 as follows:
2 1. Page 17, line 22, by inserting after the word
3 "assembly" the words "pursuant to this Act".
4 2. Page 17, line 23, by striking the words "or
5 the appointing authority".
6 3. Page 17, line 27, by striking the word "not".
7 4. Page 20, line 14, by inserting after the word
8 "district" the word "court".
9 5. Page 21, by striking lines 21 through 32.
10 6. Page 24, line 34, by inserting after the word
11 "commissions" the words ", excluding employees covered
12 under a collective bargaining agreement which provides
13 otherwise,".
14 7. Page 25, line 17, by inserting after the word
15 "appointments" the words "and employees covered under
16 a collective bargaining agreement negotiated with
17 the public safety bargaining unit".
18 8. Page 27, line 11, by inserting after the figure
19 "20" the words ", excluding an employee covered under
20 a collective bargaining agreement which provides
21 otherwise,".
22 9. Page 28, by inserting after line 12 the
23 following:
24 "Sec. _____. The provisions of section seventy-nine
25 point twenty-three (79.23) of the Code relating to
26 the cash payment to state employees upon retirement
27 for accumulated, unused sick leave shall not apply
28 to persons who were covered under a collective
29 bargaining agreement negotiated with the blue collar
30 bargaining unit and who retired on or after July 1,
31 1977, and before July 1, 1979."
32 10. Page 29, line 9, by striking the word "he"
33 and inserting in lieu thereof the words "he the
34 member".
35 11. Page 29, line 10, by striking the word "his"
36 and inserting in lieu thereof the words "his a".
37 12. Page 29, line 32, by inserting after the
38 figure "(19A.12)," the words and figures "nineteen
39 A point twenty-two (19A.22),".
40 13. By numbering and renumbering sections and
41 correcting internal references in conformance with
42 this amendment.

S-3743 FILED *Adopted on* BY JOHN S. MURRAY
MAY 9, 1979 *amended by 3759*
5/15 (p. 1644)

S-3767

1 Amend Senate File 499, as follows:

- 2 1. Page 1, by striking lines 12 and 13 and
3 inserting in lieu thereof the words and figure "1980-
4 81 Fiscal Year".
- 5 2. Page 1, by striking line 16 and inserting in
6 lieu thereof the word and figure "agriculture
7 \$32,100".
- 8 3. Page 1, by striking line 20 and inserting in
9 lieu thereof the word and figure "general
10 \$42,800".
- 11 4. Page 1, by striking line 24 and inserting in
12 lieu thereof the word and figure "state \$32,100".
- 13 5. Page 1, by striking line 26 and inserting in
14 lieu thereof the words and figure "Salary of the
15 governor \$58,800".
- 16 6. Page 1, by striking line 30 and inserting in
17 lieu thereof the word and figure "state \$32,100".
- 18 7. Page 1, by striking line 34 and inserting in
19 lieu thereof the word and figure "state \$32,100".
- 20 8. Page 2, by striking lines 10 and 11 and
21 inserting in lieu thereof the words and figure "1980-
22 81 Fiscal Year".
- 23 9. Page 2, by striking line 13 and inserting in
24 lieu thereof the words and figure "supreme court
25 \$53,100".
- 26 10. Page 2, by striking line 15 and inserting
27 in lieu thereof the words and figure "supreme court
28 \$48,100".
- 29 11. Page 2, by striking line 17 and inserting
30 in lieu thereof the words and figure "appellate court
31 \$46,400".
- 32 12. Page 2, by striking line 19 and inserting
33 in lieu thereof the words and figure "appellate court
34 \$45,400".
- 35 13. Page 2, by striking line 21 and inserting
36 in lieu thereof the words and figure "a judicial
37 district \$44,800".
- 38 14. Page 2, by striking line 24 and inserting
39 in lieu thereof the words and figure "of a judicial
40 district \$42,800".
- 41 15. Page 2, by striking line 26 and inserting
42 in lieu thereof the word and figure "judge
43 \$35,300".
- 44 16. Page 2, by striking line 28 and inserting
45 in lieu thereof the words and figure "cial magistrate
46 \$35,300".
- 47 17. Page 2, by striking line 30 and inserting
48 in lieu thereof the words and figure "cial magistrate
49 \$9,400".
- 50 18. Page 2, by striking lines 33 through 35 and

SENATE 18
MAY 10, 1979

S-3767
PAGE 2

1 inserting in lieu thereof the words and figures "the
2 fiscal year beginning July 1, 1980".
3 19. Page 3, by striking lines 10 through 14 and
4 inserting in lieu thereof the words and figures
5 "increased salaries \$511,300".

S-3767 FILED
MAY 9, 1979

BY BOB RUSH

GEORGE R. KINLEY

BASS VAN GILST

C. W. HUTCHINS

WILLIAM D. PALMER

JOHN SCOTT

BOB CARR

B. Passed out of order 5/10 (p. 1644)
A. Cited not amendable and lost
5/10 (p. 1645)

SENATE FILE 499

S-3761

1 Amend Senate File 499 as follows:
2 1. Page 5, line 31, by striking the words
3 "administrator of the credit union department,".
4 2. Page 6, line 9, by inserting after the word
5 "blind," the words "administrator of the credit
6 union department,"

S-3761 FILED
MAY 9, 1979

BY CLOYD E. ROBINSON
FORREST V. SCHWENGELS

Adopted 5/10 (p. 1640)

S-3780

Amend Senate File 499 as follows:

1. Page 23, by inserting after line 15 the following sections:

"Sec. ____ . Section forty-nine point twenty (49.20), Code 1979, is amended to read as follows:

49.20 COMPENSATION OF MEMBERS. The members of election boards shall ~~receive two dollars per hour~~ be deemed temporary state employees who are compensated by the county in which they serve, and shall receive compensation at a rate established by the board of supervisors, which shall be not less than two dollars and fifty cents nor more than three dollars and fifty cents per hour, while engaged in the discharge of their duties and shall be reimbursed for actual and necessary travel expense, except that persons whom the commissioner has been advised prior to their appointment to the election board are willing to serve without pay at elections conducted for any school district or a city of three thousand five hundred or less population shall receive no compensation for service at those elections.

Compensation shall be paid to members of election boards only after the vote has been canvassed and it has been determined in the course of such canvass that the election record certificate has been properly executed by the election board.

Sec. ____ . Section forty-nine point one hundred twenty-five (49.125), Code 1979, is amended to read as follows:

49.125 COMPENSATION OF TRAINEES. All election personnel attending such training course shall be paid for attending such course for a period not to exceed two hours, and shall be reimbursed for travel to and from the place where the training is given at the rate specified in section 79.9 if the distance involved is more than five miles. The wages shall be ~~two dollars per hour~~ computed at the hourly rate established pursuant to section forty-nine point twenty (49.20) of the Code and payment of wages and mileage for attendance shall be made at the time that payment is made for duties performed on election day."

2. Page 30, by inserting after line 4 the following:

"Sec. ____ . The amendments to sections forty-nine point twenty (49.20) and forty-nine point one hundred twenty-five (49.125), Code 1979, enacted by this Act are effective July 1, 1980."

SENATE FILE 499

S-3774

1 Amend Senate File 499 as follows:
2 1. Page 29, by inserting after line 18 the
3 following new section:
4 "Sec. ____ Section two hundred seventy-nine point
5 thirteen (279.13), Code 1979, is amended by adding
6 the following new subsection:
7 NEW SUBSECTION. If the provisions of a contract
8 executed or automatically renewed under this section
9 conflict with a collective bargaining agreement nego-
10 tiated under chapter twenty (20) of the Code and
11 effective when the contract is executed or renewed,
12 the provisions of the collective bargaining agree-
13 ment shall prevail."

S-3774 FILED & ADOPTED (p. 1647) BY DICK RAMSEY
MAY 10, 1979

SENATE FILE 499

S-3778

1 Amend Senate File 499 as follows:
2 1. Page 28, lines 9, 10, 11 and 12 by striking
3 the words "A cash payment for accumulated, unused
4 sick leave paid to a state employee shall not be
5 considered as wages or salary for purposes of
6 determining retirement benefits."

S-3778 FILED & ADOPTED (p. 1644) BY ROBERT M. CARR
MAY 10, 1979

SENATE FILE 499

S-3777

1 Amend Senate File 499 as follows:
2 1. Page 11, by striking line 9 through page 13,
3 line 1.

S-3777 FILED & LOST (p. 1641) BY JULIA GENTLEMAN
MAY 10, 1979 DALE TIEDEN

SENATE FILE 499

S-3784

- 1 Amend Senate File 499 as follows:
- 2 1. Page 2, by striking line 30 and inserting
- 3 in lieu thereof "cial magistrate.....
- 4\$12,000 \$12,800".

S-3784 FILED & LOST (p. 1641) BY C. W. HUTCHINS
MAY 10, 1979

SENATE FILE 499

S-3787

- 1 Amend Senate File 499 as follows:
- 2 1. Page 13, by striking line 2 through page
- 3 30, line 4.
- 4 2. Amend the Title by striking lines 3 and 4,
- 5 and inserting in lieu thereof the following:
- 6 "and providing salary adjustments, mak-".

S-3787 FILED & LOST (p. 1643) BY JOHN SCOTT
MAY 10, 1979 BOB RUSH
C. W. HUTCHINS

SENATE FILE 499

S-3789

- 1 Amend Senate File 499 as follows:
- 2 1. Page 11, line 15, by inserting after the
- 3 word "hundred" the word "forty".
- 4 2. Page 11, line 16, by inserting after the
- 5 word "hundred" the word "forty".

S-3789 FILED & LOST (p. 1644) BY BOB CARR
MAY 10, 1979

SENATE FILE 499

S-3790

- 1 Amend Senate File 499 as follows:
- 2 1. Page 11, by striking lines 19 through 21 and
- 3 inserting in lieu thereof the words "shall receive
- 4 an annual salary of fourteen fifteen thousand dollars
- 5 for each the year 1981 and sixteen thousand dollars
- 6 for the year 1982 while serving in such".
- 7 2. Page 12, by striking lines 13 and 14 and in-
- 8 serting in lieu thereof the words "of eighteen nineteen
- 9 thousand two hundred dollars for the year 1981 and
- 10 twenty thousand five hundred dollars for the year
- 11 1982."
- 12 3. Page 12, by striking lines 28 through 30 and
- 13 inserting in lieu thereof the words "of eighteen
- 14 nineteen thousand two hundred dollars for each the
- 15 year 1981 and twenty thousand five hundred dollars
- 16 for the year 1982 while serving as the speaker of
- 17 the house. Expense and".

S-3790 FILED & ADOPTED (p. 1644) BY C. W. HUTCHINS
MAY 10, 1979

SENATE FILE 499

S-3788

1 Amend Senate File 499 as follows:

2 1. Page 1, by striking lines 1 through 35 and in-
3 serting in lieu thereof the following:

4 "Section 1. The elected state executive officials,
5 the judges of the judicial department including full
6 and part-time judicial magistrates, and members of
7 the public employment relations board shall receive
8 a salary increase effective July 1, 1979 and July 1,
9 1980 based on their salary levels as of June 1, 1979
10 and June 1, 1980 determined as follows:

11 1. If their annual salary is not more than twenty
12 thousand dollars, they shall receive a seven percent
13 increase.

14 2. If their annual salary is twenty thousand
15 dollars or more and less than thirty thousand dollars,
16 they shall receive a six percent increase.

17 3. If their annual salary is thirty thousand dollars
18 or more and less than forty thousand dollars, they
19 shall receive a five percent increase.

20 4. If their annual salary is forty thousand dollars
21 or more and less than fifty thousand dollars, they
22 shall receive a four percent increase.

23 5. If their annual salary is fifty thousand dollars
24 or more and less than sixty thousand dollars, they
25 shall receive a three percent increase.

26 6. If their annual salary is sixty thousand dollars
27 or more and less than seventy thousand, they shall
28 receive a two percent increase.

29 7. If their annual salary is seventy thousand
30 dollars or more, they shall receive a two percent
31 increase."

32 2. By striking pages 2 and 3.

33 3. Page 4, by striking lines 1 through 9.

34 4. By renumbering sections and internal references
35 as required.

S-3788 FILED
MAY 10, 1979

RULED OUT OF ORDER (p. 10-45)

BY JOHN SCOTT
C. W. HUTCHINS

SENATE FILE 499

S-3782

1 Amend Senate File 499 as follows:

2 1. By striking page 1 through page 13, line 1.

3 2. Amend the Title by striking line 2, and
4 inserting in lieu thereof the following: "cials
5 and employees".

6 3. Amend the Title by striking the word "and" on
7 line 3 and inserting in lieu thereof the word "by".

S-3782
MAY 10, 1979

RULED OUT OF ORDER (p. 10-44)

BY JOHN R. SCOTT
BOB RUSH
C. W. HUTCHINS
LOWELL L. JUNKINS

SENATE FILE 499

S-3794

1 Amend Senate File 499 as follows:
2 1. Page 19, by inserting after line 13 the follow-
3 ing:
4 "Sec. _____. Section eight point forty-three (8.43),
5 Code 1979, is amended to read as follows:
6 8.43 SALARY ADJUSTMENT FUND. There is created a
7 "salary adjustment fund" to be used to segregate
8 funds appropriated by the general assembly to be
9 distributed to various state departments to fund
10 certain salary increases for not more than thirty-
11 six thousand seven hundred forty-four designated
12 state employees. Funds distributed from the salary
13 adjustment fund shall be subject to the approval
14 of the governor and state comptroller."
15 2. Renumber as required.

BY RAY TAYLOR
STEPHEN BIENIUS
DALE TIEDEN
RICHARD COMITO

S-3794 FILED & LOST (p. 13-43)
MAY 10, 1979

SENATE FILE 499

S-3795

1 Amend Senate File 499 as follows:
2 1. Page 19, by inserting after line 13 the follow-
3 ing:
4 "Sec. _____. Section eight point twenty-two (8.22),
5 Part III, unnumbered paragraph one (1), Code 1979,
6 is amended to read as follows:
7 APPROPRIATION BILLS. Part III shall embrace a
8 draft or drafts of appropriation bills having for
9 their purpose to give legal sanction to the appro-
10 priations recommended to be made in Parts I and II.
11 Such appropriation bills shall indicate the funds,
12 general or special, from which such appropriations
13 shall be paid and the number of full-time equivalent
14 positions which are being budgeted, but such appro-
15 priations need not be in greater detail than to
16 indicate the total appropriation to be made for:"
17 2. Renumber as required.

BY RICHARD COMITO

S-3795 FILED
MAY 10, 1979
RULED OUT OF ORDER (p. 16-43)

S-3792

- Amend Senate File 499 as follows:
1. Page 1, by striking lines 2 and 3 and inserting in lieu thereof the words "shall be in effect for the fiscal year beginning July 1, 1979, and shall".
 2. Page 1, by striking lines 12 and 13.
 3. Page 1, by striking line 16 and inserting in lieu thereof the word and figure "agriculture....\$33,000".
 4. Page 1, by striking line 20 and inserting in lieu thereof the word and figure "general.....\$43,500".
 5. Page 1, by striking line 24 and inserting in lieu thereof the word and figure "state.....\$33,000".
 6. Page 1, by striking line 26 and inserting in lieu thereof the words and figure "Salary of the governor.....\$60,000".
 7. Page 1, by striking line 30 and inserting in lieu thereof the word and figure "state.....\$33,000".
 8. Page 1; by striking line 34 and inserting in lieu thereof the word and figure "state.....\$33,000".
 9. Page 2, by striking lines 1 and 2 and inserting in lieu thereof the words "be in effect for the fiscal year beginning July 1, 1979 and shall be".
 10. Page 2, by striking lines 10 and 11.
 11. Page 2, by striking line 13 and inserting in lieu thereof the words and figure "supreme court...\$54,000".
 12. Page 2, by striking line 15 and inserting in lieu thereof the words and figure "supreme court.....\$49,000".
 13. Page 2, by striking line 17 and inserting in lieu thereof the words and figure "appellate court.....\$47,500".
 14. Page 2, by striking line 19 and inserting in lieu thereof the words and figure "appellate court.....\$46,500".
 15. Page 2, by striking line 21 and inserting in lieu thereof the words and figure "a judicial district....\$45,500".
 16. Page 2, by striking line 24 and inserting in lieu thereof the words and figure "of a judicial district....\$43,500".
 17. Page 2, by striking line 26 and inserting in lieu thereof the word and figure "judge.....\$36,000".
 18. Page 2, by striking line 28 and inserting in lieu thereof the words and figure "cial magistrate.....\$36,000".
 19. Page 2, by striking line 30 and inserting in lieu thereof the words and figure "cial magistrate.....\$10,000".
 20. Page 3, by striking line 14 and inserting in lieu thereof the figures "\$650,000 \$550,000".

S-3792 FILED & ADOPTED (4.16.79) BY JOHN S. MURRAY
MAY 10, 1979

The Appropriation - Do Pass 5/11 (p. 2342)
5/11

SENATE FILE 499
By COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE MAY 10, 1979)

RePassed Senate, Date 5-11-79 (p. 1728) Passed House, Date 5-11-79 (p. 2378)

Vote: Ayes 41 Nays 6 Vote: Ayes 79 Nays 17

Approved June 10, 1979
Motion to Rescind p. 1750

A BILL FOR

1 An Act relating to compensation and benefits for state offi-
2 cials and employees by specifying salary rates and ranges
3 and providing salary adjustments, increasing mileage re-
4 imbursement rates for public officers and employees, mak-
5 ing coordinating amendments to the Code, and appropriating
6 funds.

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

8
9
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————— = New Language
by the Senate

* = Language Stricken
by the Senate

1 Section 1. The salary rates specified in this section
2 shall be in effect for the fiscal year beginning July 1, 1979,
3 and shall be effective for subsequent fiscal years until
4 otherwise provided by the general assembly. Salaries provided
5 for in this section shall be paid from funds appropriated
6 to the department or agency specified in this section pursuant
7 to any Act of the general assembly or if such an appropriation
8 is not sufficient, from the salary adjustment fund.

9 The following annual salary rates shall be paid to the
10 person holding the position indicated:

* 11 1. DEPARTMENT OF AGRICULTURE

12 Salary for the secretary of
13 agriculture \$ 33,000

14 2. OFFICE OF THE ATTORNEY

15 GENERAL

16 Salary of the attorney
17 general \$ 43,500

18 3. OFFICE OF THE AUDITOR

19 OF STATE

20 Salary of the auditor of
21 state \$ 33,000

22 4. OFFICE OF THE GOVERNOR

23 Salary of the governor \$ 60,000

24 5. OFFICE OF THE SECRETARY

25 OF STATE

26 Salary of the secretary of
27 state \$ 33,000

28 6. OFFICE OF THE TREASURER

29 OF STATE

30 Salary of the treasurer of
31 state \$ 33,000

32 Sec. 2. The salary rates established in this section shall
33 be in effect for the fiscal year beginning July 1, 1979, and
34 shall be effective for subsequent fiscal years until otherwise
35 provided by the general assembly. Salaries provided for in

1 this section shall be paid from funds appropriated to the
 2 department which the person represents and from funds
 3 appropriated by section three (3) of this Act.

4 The following annual salary rates shall be paid to the
 5 persons holding the positions indicated:

6	1. Chief justice of the		
7	<u>supreme court</u>	<u>\$</u>	<u>54,000</u>
8	2. Each justice of the		
9	<u>supreme court</u>	<u>\$</u>	<u>49,000</u>
10	3. Chief justice of the		
11	<u>appellate court</u>	<u>\$</u>	<u>47,500</u>
12	4. Each justice of the		
13	<u>appellate court</u>	<u>\$</u>	<u>46,500</u>
14	5. Each chief judge of		
15	<u>a judicial district</u>	<u>\$</u>	<u>45,500</u>
16	6. Each district court		
17	judge except the chief judge		
18	<u>of a judicial district</u>	<u>\$</u>	<u>43,500</u>
19	7. Each district associate		
20	<u>judge</u>	<u>\$</u>	<u>36,000</u>
21	8. Each full-time judi-		
22	<u>cial magistrate</u>	<u>\$</u>	<u>36,000</u>
23	9. Each part-time judi-		
24	<u>cial magistrate</u>	<u>\$</u>	<u>10,000</u>

25 Sec. 3. There is appropriated
 26 from the general fund of the state for
 27 each fiscal year of the fiscal
 28 biennium beginning July 1, 1979,
 29 and ending June 30, 1981, the
 30 following amounts, or so much thereof
 31 as is necessary, to be used to fund
 32 increases in judicial salaries as
 33 provided in section two (2) of this
 34 Act and for the state's contribution
 35 to the judicial retirement system

1 provided for in chapter six
 2 hundred five A (605A) of the
 3 Code required because of the

* 4 increased salaries.....

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
5		
6	\$ 650,000	650,000

7 Sec. 4. The salary rates specified in this section shall
 8 be in effect for the fiscal biennium beginning July 1, 1979,
 9 and ending June 30, 1981. Salaries provided for in this
 10 section shall be paid from funds appropriated to the department
 11 or agency specified in this section or pursuant to this Act.

12 The following annual salary rates shall be paid to the
 13 persons holding the positions indicated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
14		
15		
16 1. Chairperson of the public		
17 employment relations board	\$ 31,850	\$ 34,086
18 2. Two members of the public		
19 employment relations board, each ...	\$ 29,510	\$ 31,564

20 Sec. 5. Persons receiving the salary rates established
 21 under section one (1) or four (4) of this Act shall not receive
 22 any additional salary adjustments provided by this Act. The
 23 salary rates specified in section four (4) of this Act shall
 24 be in effect for the fiscal years indicated and the salary
 25 rates for the fiscal year beginning July 1, 1980, shall be
 26 effective for subsequent years until otherwise provided by
 27 the general assembly. If the funds of the agency which have
 28 been appropriated for salaries are insufficient to pay the
 29 salaries fixed by section one (1) or four (4) of this Act
 30 because of increases in the salaries, funds may be allocated
 31 from funds appropriated by this Act to the salary adjustment
 32 fund. In addition, if federal funds are available for any
 33 position provided for in section four (4) of this Act, the
 34 federal funds may be expended if the combined federal and
 35 state funds do not exceed the rates provided for in section

1 four (4) of this Act.

2 Sec. 6. The governor may establish a salary for appointed
3 nonelected persons in the executive branch of state government
4 holding a position enumerated in section seven (7) of this
5 Act within the range provided by considering, among other
6 things, the experience of the individual in the position,
7 changes in the duties of the position, the incumbent's
8 performance of assigned duties, the availability of qualified
9 candidates for the position, and subordinates' salaries.

10 The governor in establishing salaries as provided in section
11 seven (7) of this Act shall take into consideration other
12 employee benefits which may be provided for an individual
13 including but not limited to housing.

14 A person whose salary is established by section seven (7)
15 of this Act and who is a full-time permanent employee of the
16 state shall not receive any other remuneration from the state
17 or from any other source for the performance of that person's
18 duties unless the additional remuneration is first approved
19 by the governor or authorized by law; however, this provision
20 shall not be construed to exclude necessary travel and expenses
21 incurred in the performance of duties or fringe benefits
22 normally provided to employees of the state.

23 Sec. 7. The following annual salary ranges shall be in
24 effect for the fiscal year beginning July 1, 1979, for the
25 positions specified and for each fiscal year after that fiscal
26 year the salary range shall be the same as the range specified
27 for that fiscal year unless otherwise specified by the general
28 assembly. The governor shall determine the salary to be paid
29 to the person indicated at a rate within the salary ranges
30 indicated from funds appropriated by the general assembly
31 for such purposes.

32 1. If a person is in:

33 a. Range one, the person shall receive a salary of not
34 less than five thousand (5,000) dollars or more than fifteen
35 thousand (15,000) dollars.

1 b. Range two, the person shall receive a salary of not
2 less than eighteen thousand (18,000) dollars or more than
3 thirty thousand (30,000) dollars.

4 c. Range three, the person shall receive a salary of not
5 less than twenty-five thousand (25,000) dollars or more than
6 thirty-five thousand (35,000) dollars.

7 d. Range four, the person shall receive a salary of not
8 less than thirty thousand (30,000) dollars or more than forty
9 thousand (40,000) dollars.

10 e. Range five, the person shall receive a salary of not
11 less than thirty-five thousand (35,000) dollars or more than
12 forty-five thousand (45,000) dollars.

13 2. The following are range one positions: members of
14 the board of parole, members of the state health facilities
15 council, and members of the transportation commission of the
16 department of transportation.

17 3. The following are range two positions: executive
18 director of the commission on aging, director of the Iowa
19 state arts council, director of the Iowa civil rights
20 commission, executive director of the college aid commission,
21 executive secretary of the Iowa crime commission, executive
22 secretary of the committee on employment of the handicapped,
* 23 members of the appeal board of the Iowa department of job
24 service, director of the historical society of the state
25 historical department, director of museum and archives of
26 the state historical department, director of historical
27 preservation of the state historical department, director
28 of the Iowa law enforcement academy, state librarian, director
29 of the Iowa natural resources council, director of disaster
30 services of the department of public defense, director of
31 the real estate commission, director of the department of
32 substance abuse, and each member of the transportation
33 regulation board of the department of transportation.

34 4. The following are range three positions: director
35 of the commission for the blind, administrator of the credit

1 union department, director of the energy policy council,
2 executive director of the department of environmental quality,
3 secretary of the state fair board, state geologist,
4 commissioner of insurance, industrial commissioner, labor
5 commissioner, director of the Iowa merit employment commission,
6 and director of the department of soil conservation.

7 5. The following are range four positions: superintendent
8 of banking, director of the Iowa beer and liquor control
9 department, chairperson and members of the Iowa state commerce
10 commission, director of the state conservation commission,
11 director of the Iowa development commission, director of the
12 educational radio and television facility board, director
13 of the Iowa department of job service, director of the
14 department of general services, commissioner of health,
15 director of the office for planning and programming, and
16 commissioner of public safety.

17 6. The following are range five positions: state
18 comptroller, superintendent of public instruction, executive
19 secretary of the state board of regents, director of the
20 department of revenue, commissioner of social services, and
21 director of the department of transportation.

22 Sec. 8. The salary rates established by the governor under
23 sections six (6) and seven (7) of this Act for the persons
24 indicated shall be the total salary paid to the persons for
25 whom established. Any other salary rates or adjustments to
26 salaries provided for by this Act shall not apply to the
27 positions specified in section seven (7) of this Act; however,
28 funds appropriated to the salary adjustment fund by this Act
29 may be expended to fund salaries established pursuant to
30 sections six (6) and seven (7) of this Act if funds
31 appropriated to the agencies represented by or employing the
32 persons holding the positions specified in section seven (7)
33 of this Act are insufficient to pay salaries provided for
34 in section seven (7) of this Act. The governor shall report
35 to the legislative fiscal committee the salary rates

1 established pursuant to section seven (7) of this Act.

2 Sec. 9. Section twenty point five (20.5), subsection three
3 (3), Code 1979, is amended to read as follows:

4 3. In selecting the members of the board, consideration
5 shall be given to their knowledge, ability, and experience
6 in the field of labor-management relations. The ~~chairman~~
7 ~~shall receive an annual salary of twenty-four thousand dollars.~~
8 The chairperson and the remaining two members shall each
9 receive an annual salary ~~equal to ninety percent of the salary~~
10 received by the chairman as set by the general assembly.

11 Sec. 10. Section four hundred seventy-four point one
12 (474.1), unnumbered paragraph two (2), Code 1979, is amended
13 to read as follows:

14 On the second Tuesday of July of each year, the Iowa state
15 commerce commission shall organize by electing one of its
16 members as ~~chairman~~ chairperson, and appointing a an executive
17 secretary, who shall take the same oath as the commissioners.
18 The commission shall set the salary of the executive secretary
19 within the limits of the pay plan for exempt positions provided
20 for in subsection two (2) of section nineteen A point nine
21 (19A.9) of the Code unless otherwise provided by the general
22 assembly. The commission may employ ~~such~~ additional personnel
23 as it may find necessary.

24 Sec. 11. Section six hundred five point eight (605.8),
25 unnumbered paragraph two (2), Code 1979, is amended to read
26 as follows:

27 The base starting salary of a full-time certified shorthand
28 reporter shall be fourteen thousand seven hundred dollars.
29 The base salary may be increased by an amount not to exceed
30 ~~six-hundred-thirty-dollars~~ seven percent for each year of
31 experience as a shorthand reporter. The maximum salary shall
32 not exceed ~~nineteen~~ twenty-one thousand ~~seven~~ one hundred
33 ~~forty~~ twenty-one dollars except as provided in this section.

34 Sec. 12.

35 1. There is appropriated from the general fund of the

1 state to the state comptroller for each fiscal year of the
2 fiscal biennium beginning July 1, 1979 and ending June 30,
3 1981 the following amounts to be allocated to the counties
4 for the purpose of providing average pay increases of not
5 more than seven percent to the full-time shorthand reporters
6 of the district court:

7 a. For the fiscal year beginning July 1, 1979, \$150,849.

8 b. For the fiscal year beginning July 1, 1980, \$161,409.

9 2. The state comptroller shall allocate and distribute
10 the amount to each county in the same proportion that the
11 county's annual payroll for full-time shorthand reporters
12 for the fiscal year ending June 30, 1979 was to the annual
13 payroll for full-time shorthand reporters for all counties
14 for that fiscal year. Moneys received by a county under this
15 section shall be deposited in the fund for ordinary county
16 revenue under section four hundred forty-four point nine
17 (444.9), subsection two (2) of the Code or in the court expense
18 fund under section four hundred forty-four point ten (444.10)
19 of the Code, as applicable.

20 Sec. 13. Section six hundred two point thirty-one (602.31),
21 Code 1979, is amended to read as follows:

22 602.31 SALARY, EXPENSES, RETIREMENT. The annual salary
23 of each district associate judge, payable from the general
24 fund of the state of Iowa, shall be a sum ~~of nineteen thousand~~
25 ~~five hundred dollars~~ set by the general assembly. District
26 associate judges shall also receive from the state their
27 actual and necessary expenses in the performance of their
28 duties away from the city of their residence, in accordance
29 with section 605.2. District associate judges who are members
30 of the judicial retirement system under chapter 605A shall
31 remain members thereof; but the state of Iowa, instead of
32 the city and county, shall deduct four percent from their
33 salaries for the judicial retirement fund and shall contribute
34 the public's portion to the judicial retirement fund.

35 Sec. 14. Section six hundred two point fifty-four (602.54),

1 Code 1979, is amended to read as follows:

2 602.54 SALARY, EXPENSES. Each judicial magistrate shall
3 receive a salary payable from the general fund of the state
4 and also his or her actual and necessary expenses in the
5 performance of his or her duties while away from the city
6 of his or her residence, in accordance with section 605.2.
7 The salary of judicial magistrates, except as otherwise
8 provided herein, shall be the sum ~~of-four-thousand-eight~~
9 ~~hundred-dollars-annually~~ set by the general assembly. The
10 judicial magistrates serving pursuant to section 602.51 shall
11 receive an annual salary ~~of-nineteen-thousand-five-hundred~~
12 ~~dollars~~ in an amount set by the general assembly. Judicial
13 magistrates appointed pursuant to section 602.51 except
14 district associate judges shall be members of the Iowa public
15 employees' retirement system. Judicial magistrates appointed
16 pursuant to either section 602.50 or section 602.58 may elect
17 to be members of the Iowa public employees' retirement system
18 upon filing notice in writing with the Iowa department of
19 job service and the court administrator of the judicial
20 department.

21 Sec. 15. Section six hundred eighty-four point twenty-
22 three (684.23), Code 1979, is amended to read as follows:

23 684.23 CLERKS FOR SUPREME COURT JUSTICES. The supreme
24 court shall have authority to appoint not more than nine
25 attorneys or graduates of a reputable law school as defined
26 in section 610.2, to act as legal assistants to the judges
27 of the supreme court, such assistants to serve at a salary
28 ~~not-to-exceed-seven-thousand-dollars-per-year~~ of not less
29 than fifteen thousand or more than twenty-five thousand dollars
30 annually as set by the court administrator and approved by
31 the supreme court and shall render these services in such
32 manner as may be prescribed by the court.

33 Sec. 16. Section six hundred eighty-five point one (685.1),
34 Code 1979, is amended to read as follows:

35 685.1 APPOINTMENT. ~~Within-ninety-days-prior-to-the-first~~

1 ~~secular-day-in-January, 1927, and every four years thereafter,~~
2 ~~the~~ The judges of the supreme court shall appoint a clerk
3 of the supreme court who shall hold office for four years
4 and until ~~his~~ a successor ~~has-been~~ is appointed and ~~qualified~~
5 qualifies. The judges of the supreme court shall set the
6 salary of the clerk of the supreme court which salary shall
7 not be less than twenty thousand or more than thirty thousand
8 dollars annually. In case a vacancy occurs, the ~~same~~ vacancy
9 shall be filled by appointment for the unexpired portion of
10 the term only.

11 Sec. 17. Section six hundred eighty-five point six (685.6),
12 unnumbered paragraph two (2), Code 1979, is amended to read
13 as follows:

14 The court shall fix the compensation of the administrator,
15 deputy administrator, and research director and the employees
16 of the office. The salary of the administrator, deputy
17 administrator, and research director shall be set at a rate
18 of not less than twenty-five thousand or more than thirty-
19 five thousand dollars annually. The supreme court is authorized
20 to accept federal funds to supplement the funds appropriated
21 to the court.

22 Sec. 18. Section six hundred eighty-five point seven
23 (685.7), Code 1979, is amended to read as follows:

24 685.7 ASSISTANTS. The court administrator, with the
25 approval of the supreme court, shall appoint ~~such~~ and set
26 the salaries of assistants as are necessary ~~to enable him~~
27 to perform the powers and duties vested in ~~him~~ the court
28 administrator. The salaries of the assistants, except the
29 court fiscal director, shall be set at a rate of not less
30 than fifteen thousand or more than twenty-five thousand dollars
31 annually. The court fiscal director shall receive a salary
32 at a rate of not less than twenty thousand dollars or more
33 than thirty thousand dollars. While holding ~~such~~ the position,
34 neither the court administrator nor ~~his~~ assistants shall
35 practice law in any of the courts of this state.

1 Sec. 19. Section two point ten (2.10), subsections one
2 (1), two (2), and three (3), Code 1979, are amended to read
3 as follows:

4 1. Every member of the general assembly except the speaker
5 of the house and majority and minority floor leaders of the
6 senate and house shall receive an annual salary of twelve
7 thousand eight hundred dollars for each the year 1981 and
8 thirteen thousand seven hundred dollars for the year 1982
9 while serving as a member of the general assembly. The
10 majority and minority floor leaders of the senate and house
11 shall receive an annual salary of fourteen fifteen thousand
12 dollars for each the year 1981 and sixteen thousand dollars
13 for the year 1982 while serving in such capacity. In addition,
14 each such member shall receive the sum of thirty dollars per
15 day for expenses of office, except travel, for each day the
16 general assembly is in session commencing with the first day
17 of a legislative session and ending with the day of final
18 adjournment of each legislative session as indicated by the
19 journals of the house and senate, except that in the event
20 the length of the first regular session of the general assembly
21 exceeds one hundred twenty calendar days and the second regular
22 session exceeds one hundred calendar days, such payments shall
23 be made only for one hundred twenty calendar days for the
24 first session and one hundred calendar days for the second
25 session. However, members from Polk county shall receive
26 fifteen dollars per day. Travel expenses shall be paid at
27 the rate established by section 79-9 eighteen point one hundred
28 seventeen (18.117) of the Code for actual travel in going
29 to and returning from the seat of government by the nearest
30 traveled route for not more than one time per week during
31 a legislative session. However, any increase from time to
32 time in the mileage rate established by section 79-9 eighteen
33 point one hundred seventeen (18.117) of the Code shall not
34 become effective for members of the general assembly until
35 the convening of the next general assembly following the

1 session in which the increase is adopted; and this provision
2 shall prevail over any inconsistent provision of any present
3 or future statute.

4 2. The lieutenant governor shall receive an annual salary
5 of eighteen nineteen thousand two hundred dollars for the
6 year 1981 and twenty thousand five hundred dollars for the
7 year 1982. Personal expense and travel allowances shall be
8 the same for the lieutenant governor as for a senator. The
9 lieutenant governor while performing administrative duties
10 of the office of lieutenant governor when the general assembly
11 is not in session or serving as the president of the senate
12 during special sessions of the general assembly shall receive
13 sixty dollars per diem and reimbursement for expenses incurred
14 in performing such duties. The salary, per diem, and expenses
15 of the lieutenant governor provided for under this subsection,
16 including office and staff expenses, shall be paid from funds
17 appropriated to the office of the lieutenant governor by the
18 general assembly.

19 3. The speaker of the house shall receive an annual salary
20 of eighteen nineteen thousand two hundred dollars for each
21 the year 1981 and twenty thousand five hundred dollars for
22 the year 1982 while serving as the speaker of the house.
23 Expense and travel allowances shall be the same for the speaker
24 of the house as provided for other members of the general
25 assembly.

26 Sec. 20. Section nineteen (19) of this Act is effective
27 January 12, 1981. The salary rates established in section
28 nineteen (19) for the year 1982 shall remain in effect until
29 otherwise provided by the general assembly.

30 Sec. 21. All federal grants to and the federal receipts
31 of the agencies affected by the provisions of this Act which
32 are received and may be expended for purposes of this Act,
33 are appropriated for such purposes and as set forth in such
34 federal grants or receipts.

35 Sec. 22.

1 1. There is appropriated from the general fund of the
2 state to the salary adjustment fund provided for in section
3 eight point forty-three (8.43) of the Code, for the fiscal
4 years beginning July 1, 1979, and July 1, 1980, the following
5 amounts or so much as may be necessary, to be distributed
6 to the various departments to supplement other funds
7 appropriated by the general assembly:

8 a. For the fiscal year beginning July 1, 1979, \$25,700,000.

9 b. For the fiscal year beginning July 1, 1980, \$51,300,000.

10 2. The amounts appropriated in subsection one (1) of this
11 section shall be used to fund the following annual pay adjust-
12 ments, expense reimbursement and benefits not in conflict
13 with the Code:

14 a. The collective bargaining agreement negotiated pursuant
15 to chapter twenty (20) of the Code for employees in the blue
16 collar bargaining unit.

17 b. The collective bargaining agreement negotiated pursuant
18 to chapter twenty (20) of the Code for employees in the pro-
19 fessional social services bargaining unit.

20 c. The collective bargaining agreement negotiated pursu-
21 ant to chapter twenty (20) of the Code for employees in the
22 public safety bargaining unit.

23 d. The collective bargaining agreement negotiated pursu-
24 ant to chapter twenty (20) of the Code for employees in the
25 security bargaining unit.

26 e. The collective bargaining agreement negotiated pursu-
27 ant to chapter twenty (20) of the Code for employees in the
28 technical bargaining unit.

29 f. The collective bargaining agreement negotiated pursu-
30 ant to chapter twenty (20) of the Code for employees in the
31 professional fiscal and staff bargaining unit.

32 g. The collective bargaining agreement negotiated pursuant
33 to chapter twenty (20) of the Code for employees in the
34 university of northern Iowa faculty bargaining unit.

35 h. The annual pay adjustments, expense reimbursement and

1 benefits referred to in sections twenty-seven (27), twenty-
2 eight (28), thirty-one (31) and forty-one (41) of this Act and
3 health care benefits for employees not covered by a collective
4 bargaining agreement.

5 Sec. 23.

6 1. There is appropriated from the road use tax fund of
7 the state to the state department of transportation, for the
8 fiscal years beginning July 1, 1979, and July 1, 1980, the
9 following amounts or so much as may be necessary, to be dis-
10 tributed to supplement other funds appropriated by the general
11 assembly:

12 a. For the fiscal year beginning July 1, 1979, \$315,700.

13 b. For the fiscal year beginning July 1, 1980, \$652,000.

14 2. The amounts appropriated in subsection one (1) of this
15 section shall be used to fund the following annual pay adjust-
16 ments, expense reimbursement and benefits for employees of
17 the state department of transportation not in conflict with
18 the Code:

19 a. The collective bargaining agreement negotiated pursu-
20 ant to chapter twenty (20) of the Code for employees in the
21 blue collar bargaining unit.

22 b. The collective bargaining agreement negotiated pursu-
23 ant to chapter twenty (20) of the Code for employees in the
24 security bargaining unit.

25 c. The collective bargaining agreement negotiated pursu-
26 ant to chapter twenty (20) of the Code for employees in the
27 technical bargaining unit.

28 d. The collective bargaining agreement negotiated pursu-
29 ant to chapter twenty (20) of the Code for employees in the
30 professional fiscal and staff bargaining unit.

31 e. The annual pay adjustments, expense reimbursement and
32 benefits referred to in sections twenty-seven (27), twenty-
33 eight (28), thirty-one (31) and forty-one (41) of this Act and
34 health care benefits for employees not covered by a collective
35 bargaining agreement.

1 Sec. 24.

2 1. There is appropriated from the primary road fund to
3 the state department of transportation the following amounts
4 for the fiscal years beginning July 1, 1979, and July 1, 1980,
5 or so much as may be necessary, to supplement other funds
6 appropriated by the general assembly:

7 a. For the fiscal year beginning July 1, 1979, \$3,555,000.

8 b. For the fiscal year beginning July 1, 1980, \$7,326,000.

9 2. The amounts appropriated in subsection one (1) of this
10 section shall be used to fund the following annual pay adjust-
11 ments, expense reimbursement and benefits for employees of
12 the state department of transportation not in conflict with
13 the Code:

14 a. The collective bargaining agreement negotiated pursu-
15 ant to chapter twenty (20) of the Code for employees in the
16 blue collar bargaining unit.

17 b. The collective bargaining agreement negotiated pursu-
18 ant to chapter twenty (20) of the Code for employees in the
19 security bargaining unit.

20 c. The collective bargaining agreement negotiated pursu-
21 ant to chapter twenty (20) of the Code for employees in the
22 technical bargaining unit.

23 d. The collective bargaining agreement negotiated pursu-
24 ant to chapter twenty (20) of the Code for employees in the
25 professional fiscal and staff bargaining unit.

26 e. The annual pay adjustments, expense reimbursement and
27 benefits referred to in sections twenty-seven (27), twenty-
28 eight (28), thirty-one (31) and forty-one (41) of this Act and
29 health care benefits for employees not covered by a collective
30 bargaining agreement.

31 Sec. 25. Funds appropriated from the general fund of the
32 state in this Act shall relate to salaries supported from
33 general fund appropriations and shall not be construed to
34 replace revolving, federal, trust or special funds where
35 applicable.

1 Sec. 26. To departmental revolving, trust or special
2 funds, except for primary road fund or the road use tax fund,
3 for which the general assembly has established an operating
4 budget, a supplemental authorization is hereby provided for
5 those funds, unless otherwise provided, in an amount necessary
6 to fund salary adjustments provided in this Act.

7 Sec. 27.

8 1. The merit system pay plan and the executive council
9 exempt pay plan provided for in section nineteen A point nine
10 (19A.9), subsection two (2) of the Code as the pay plans exist
11 for the fiscal years ending June 30, 1979, and June 30, 1980,
12 shall be increased for all employees who are not included
13 in a collective bargaining agreement made final under chapter
14 twenty (20) of the Code by an average amount equal to five
15 and two-tenths percent for the fiscal year beginning July
16 1, 1979, and five and four-tenths percent for the fiscal year
17 beginning July 1, 1980. The merit employment commission shall
18 revise the merit system pay plan and the governor shall revise
19 the executive council pay plan as provided under section
20 nineteen A point nine (19A.9), subsection two (2) of the Code
21 by the percentage increases specified in this subsection and
22 may increase the salary levels for the various grades and
23 steps within the respective plans by different percentages,
24 but the total percentage increase of all salaries included
25 in each plan shall not exceed five and two-tenths percent
26 for the fiscal year beginning July 1, 1979, and five and four-
27 tenths percent for the fiscal year beginning July 1, 1980.
28 The percentage increase authorized for the pay plans in this
29 subsection does not preclude an individual state officer or
30 employee subject to either pay plan from receiving an
31 additional salary increase authorized under merit employment
32 commission rules or policy of the governor as applicable.

33 2. The salaries of state employees who are exempt from
34 chapter nineteen A (19A) of the Code and who are included
35 in the state comptroller's centralized payroll system and

1 the department of transportation payroll system and the office
2 employees of the state board of regents as the salaries exist
3 for the fiscal years ending June 30, 1979, and June 30, 1980,
4 shall be increased by an average amount equal to five
5 and two-tenths percent for the fiscal year beginning July
6 1, 1979, and five and four-tenths percent for the fiscal year
7 beginning July 1, 1980. The appointing authority shall
8 determine the percentage increase of each employee's salary
9 provided for under this subsection and may increase the
10 salaries of employees by different percentages, but the total
11 percentage increase of all salaries of employees under the
12 appointing authority's jurisdiction shall not exceed five
13 and two-tenths percent for the fiscal year beginning July
14 1, 1979, and five and four-tenths percent for the fiscal year
15 beginning July 1, 1980. The percentage increase authorized
16 for salaries under this subsection does not preclude a state
17 officer or employee from receiving an additional salary
18 increase authorized under department policy or policy
19 determined by the appointing authority consistent with this
20 Act or the merit system pay plan and appropriations made by
21 the general assembly.

22 3. This section does not apply to members of the general
23 assembly, board members and commission members, salaries of
24 persons set by the general assembly pursuant to this Act or
25 set by the governor and employees designated under section
26 nineteen A point three (19A.3), subsection six (6) of the
27 Code and employees under the state board of regents' merit
28 system, but subsection two (2) of this section does apply
29 to office employees of the state board of regents.

30 Sec. 28. The funds allocated to the state board of regents
31 for the purpose of providing increases for employees not
32 covered by a collective bargaining agreement shall be used
33 as follows:

34 1. The amount necessary to fund in each fiscal year an
35 average base salary increase of seven percent of base salaries

1 of faculty members paid during the preceding fiscal year,
2 to be allocated to faculty members at the discretion of the
3 state board of regents.

4 2. The amount necessary to fund in each fiscal year a
5 salary increase of four percent of the base salary of each
6 professional and scientific staff member, except board office
7 employees, paid during the preceding fiscal year. The
8 percentage increase authorized for salaries under this
9 subsection does not preclude a professional and scientific
10 staff member from receiving an additional salary increase
11 authorized by the state board of regents consistent with this
12 Act and appropriations made by the general assembly.

13 3. For employees under the state board of regents' merit
14 system who are not included in the collective bargaining
15 agreement made final under chapter twenty (20) of the Code,
16 except board office employees, the amount necessary to increase
17 the state board of regents' merit pay plan as it exists for
18 the fiscal years ending June 30, 1979, and June 30, 1980,
19 an average amount equal to five and two-tenths percent for
20 the fiscal year beginning July 1, 1979, and five and four-
21 tenths percent for the fiscal year beginning July 1, 1980.
22 The percentage increase authorized for the pay plan in this
23 subsection does not preclude an employee under the state board
24 of regents' merit system who is not under a collective
25 bargaining agreement and not board office employee, from
26 receiving any additional salary increase authorized under
27 the state board of regents' merit rules. The merit pay plan
28 adjustment shall be rounded to the nearest whole dollar for
29 the fiscal year beginning July 1, 1979.

30 Sec. 29. All funds appropriated by this Act to the salary
31 adjustment fund for the department of transportation, and
32 for the state agencies paid through the state comptroller's
33 centralized payroll system, shall be used to fund salary and
34 fringe benefit expenditures for the following periods of time:

35 1. For fiscal year July 1, 1979, and ending June 30, 1980,

1 beginning with the bi-weekly paydate of July 13, 1979, and
2 ending with the bi-weekly paydate of July 11, 1980.

3 2. For fiscal year July 1, 1980, and ending June 30, 1981,
4 beginning with the bi-weekly paydate of July 25, 1980, and
5 ending with the bi-weekly paydate of July 10, 1981.

6 Sec. 30. Chapter eight (8), Code 1979, is amended by
7 adding the following new section:

8 NEW SECTION. PAYROLL ACCRUAL ACCOUNT. The state
9 comptroller shall establish a payroll accrual account in the
10 office of the state treasurer. In preparation of budgets
11 for state departments, the state comptroller shall compute
12 an amount for each fiscal year sufficient to provide funds
13 to meet the twenty-seventh biweekly payroll when it occurs
14 and shall deposit the necessary amount each year in the payroll
15 accrual account.

16 Sec. 31. Section eighteen point one hundred seventeen
17 (18.117), Code 1979, is amended to read as follows:

18 18.117 PRIVATE USE--RATE FOR STATE BUSINESS. No A state
19 officer or employee shall not use any state-owned motor vehicle
20 for ~~his-own~~ personal private use, nor shall he the officer
21 or employee be compensated for driving his or her own motor
22 vehicle ~~except-if-such~~ unless it is done on state business
23 with the approval of the state vehicle dispatcher, and in
24 such case he or she shall receive ~~fifteen~~ eighteen cents per
25 mile effective July 1, 1979, and twenty cents per mile
26 effective July 1, 1980. A statutory provision stipulating
27 necessary, mileage, travel, or actual expenses reimbursement
28 to a state officer shall be construed to fall under ~~this~~
29 ~~fifteen-cents~~ the mileage reimbursement limitation provided
30 in this section unless specifically provided otherwise. Any
31 peace officer employed by the state as defined in section
32 ~~748-3~~ eight hundred one point four (801.4) of the Code who
33 is required to use his a private vehicle in the performance
34 of his official duties shall receive reimbursement for mileage
35 expense at the rate ~~of-fifteen-cents-per-mile~~ specified in

1 this section. However, the state vehicle dispatcher may
2 delegate authority to officials of the state, and department
3 heads, for the use of private vehicles on state business up
4 to a yearly mileage figure established by the director of
5 general services and approved by the executive council. When
6 a state motor vehicle has been assigned to a state officer
7 or employee he or she shall not collect mileage for the use
8 of ~~his~~ a personal vehicle unless the state vehicle assigned
9 ~~to-him~~ is not usable.

10 This section shall not apply to ~~elected-officers-of-the~~
11 ~~state,-judges-of-the-district-court,-judges-of-the-supreme~~
12 ~~court,-or~~ officials and employees of the state whose mileage
13 is paid by other than state agencies and, except for the
14 provisions relating to mileage reimbursement, this section
15 shall not apply to elected officers of the state, judges of
16 the district court, judges of the court of appeals or judges
17 of the supreme court.

18 Sec. 32. Section nineteen A point nine (19A.9), subsections
19 eleven (11), fourteen (14), seventeen (17), and eighteen (18),
20 Code 1979, are amended to read as follows:

21 11. For transfer from a position in one department to
22 a similar position in another department involving similar
23 qualifications, duties, responsibilities, and salary ranges.
24 Whenever an employee transfers or is transferred from one
25 state department or agency to another state department or
26 agency, his or her seniority rights, any accumulated sick
27 leave, and accumulated vacation time, as provided in the law,
28 shall be transferred to the new place of employment and
29 credited to him or her. Employees who are subject to contracts
30 negotiated under chapter twenty (20) of the Code which include
31 transfer provisions shall be governed by the contract
32 provisions.

33 14. For layoffs by reason of lack of funds or work, or
34 organization, and for re-employment of employees so laid off,
35 giving primary consideration in both layoffs and re-employment

1 to performance record and secondary consideration to seniority
2 in service. Any employee who has been laid off may keep his
3 or her name on a preferred employment list for one year, which
4 list shall be exhausted by the agency enforcing the layoff
5 before selection of an employee may be made from the register
6 in his or her classification. Employees who are subject to
7 contracts negotiated under chapter twenty (20) of the Code
8 which include layoff provisions shall be governed by the
9 contract provisions.

10 17. For establishment of a uniform plan for resolving
11 employee grievances and complaints. Employees who are subject
12 to contracts negotiated under chapter twenty (20) of the Code
13 which include grievance and complaint provisions shall be
14 governed by the contract provisions.

15 18. For attendance regulations, and special leaves of
16 absence, with or without pay, or reduced pay in the various
17 classes of positions in the classified service. Employees
18 who are subject to contracts negotiated under chapter twenty
19 (20) of the Code which include leave of absence provisions
20 shall be governed by the contract provisions. Annual sick
21 leave and vacation time shall be granted in accordance with
22 section 79.1.

23 Sec. 33. Section nineteen A point twenty-three (19A.23),
24 Code 1979, is amended to read as follows:

25 19A.23 LONGEVITY PAY PROHIBITED--EXCEPTION. No state
26 employee subject to the provisions of this chapter shall be
27 entitled to longevity pay except those employees granted
28 longevity pay pursuant to section ~~313.47-subsection-3~~ three
29 hundred seven A point eight (307A.8) of the Code.

30 Sec. 34. Section thirty-three point two (33.2), Code 1979,
31 is amended to read as follows:

32 33.2 PAID HOLIDAYS. State employees are granted, except
33 as provided in the ~~third~~ fourth paragraph of this section,
34 the following holidays off from employment with pay:

35 1. New Year's Day, January ± first.

- 1 2. Memorial Day, the last Monday in May.
- 2 3. Independence Day, July 4 fourth.
- 3 4. Labor Day, the first Monday in September.
- 4 5. Thanksgiving Day, the fourth Thursday in November.
- 5 6. Friday after Thanksgiving, the Friday following
- 6 Thanksgiving Day.
- 7 7. Christmas Day, December 25 twenty-fifth.
- 8 8. Two other holidays, each to be designated annually
- 9 by the executive council.
- 10 9. Two days of paid leave each year to be added to the
- 11 vacation allowance and accrued under the provisions of section
- 12 seventy-nine point one (79.1) of the Code.

13 The appointing authority shall grant not more than four
14 additional days of paid leave each year as required to
15 implement contract provisions negotiated pursuant to chapter
16 twenty (20) of the Code.

17 The executive council may designate days off from employment
18 with pay in addition to those enumerated in this section for
19 state employees at its discretion.

20 If a holiday enumerated in this section falls on Saturday,
21 the preceding Friday shall be granted and if a holiday
22 enumerated in this section falls on Sunday, the following
23 Monday shall be granted. In those cases, where by nature
24 of the employment a state employee must be required to work
25 on a holiday the provisions of the first paragraph of this
26 section shall not apply, however, compensation shall be made
27 on the basis of the employee's straight time hourly rate for
28 a forty-hour work week and shall be made in either compensatory
29 time off or cash payment, at the discretion of the appointing
30 authority unless otherwise provided for in a collective
31 bargaining agreement.

32 No A holiday or paid leave granted to a state employee
33 by under this section can-be-considered-as shall be in addition
34 to vacation time and-shall-not-be-included-in-the-amount-of
35 vacation-to-which-a-state-employee-is-entitled to which a

1 state employee is entitled under section seventy-nine point
2 one (79.1) of the Code.

3 ~~In-addition-to-the-holidays-enumerated-in-this-section,~~
4 ~~state-employees-are-granted-two-days-of-paid-leave-each-year.~~
5 ~~The-days-of-leave-shall-be-added-to-the-vacation-allowance~~
6 ~~accrued-under-the-provisions-of-section-79-1.~~

7 Sec. 35. Section forty-nine point twenty (49.20), Code
8 1979, is amended to read as follows:

9 49.20 COMPENSATION OF MEMBERS. The members of election
10 boards shall receive-two-dollars-per-hour be deemed temporary
11 state employees who are compensated by the county in which
12 they serve, and shall receive compensation at a rate
13 established by the board of supervisors, which shall be not
14 less than two dollars and fifty cents nor more than three
15 dollars and fifty cents per hour, while engaged in the
16 discharge of their duties and shall be reimbursed for actual
17 and necessary travel expense, except that persons whom the
18 commissioner has been advised prior to their appointment to
19 the election board are willing to serve without pay at
20 elections conducted for any school district or a city of three
21 thousand five hundred or less population shall receive no
22 compensation for service at those elections. Compensation
23 shall be paid to members of election boards only after the
24 vote has been canvassed and it has been determined in the
25 course of such canvass that the election record certificate
26 has been properly executed by the election board.

27 Sec. 36. Section forty-nine point one hundred twenty-five
28 (49.125), Code 1979, is amended to read as follows:

29 49.125 COMPENSATION OF TRAINEES. All election personnel
30 attending such training course shall be paid for attending
31 such course for a period not to exceed two hours, and shall
32 be reimbursed for travel to and from the place where the
33 training is given at the rate specified in section 79.9 if
34 the distance involved is more than five miles. The wages
35 shall be two-dollars-per-hour computed at the hourly rate

1 established pursuant to section forty-nine point twenty (49.20)
2 of the Code and payment of wages and mileage for attendance
3 shall be made at the time that payment is made for duties
4 performed on election day.

5 Sec. 37. Section seventy-nine point one (79.1), unnumbered
6 paragraphs one (1), three (3), four (4), and six (6), Code
7 1979, are amended to read as follows:

8 Salaries specifically provided for in an appropriation
9 Act of the general assembly shall be in lieu of existing
10 statutory salaries, for the positions provided for in any
11 ~~such~~ the Act, and all salaries, including longevity where
12 applicable by express provision in the Code, shall be paid
13 according to the provisions of chapter 91A and shall be in
14 full compensation of all services, including any service on
15 committees, boards, commissions or similar duty for Iowa
16 government, except for members of the general assembly. A
17 state employee on an annual salary shall not be paid for a
18 pay period an amount which exceeds the employee's annual
19 salary transposed into a rate applicable to the pay period
20 by dividing the annual salary by the number of calendar days
21 in the fiscal year, and multiplying the result by the number
22 of calendar days in the pay period. Salaries for state em-
23 ployees other than annual salaries shall be established on
24 an hourly basis.

25 PARAGRAPH DIVIDED. All employees of the state ~~including~~
26 ~~highway-maintenance-employees-of-the-state-department-of~~
27 ~~transportation~~ shall earn two weeks' vacation per year during
28 the first year of employment and through the fourth year of
29 employment, and three weeks' vacation per year during the
30 fifth and through the eleventh year of employment, and four
31 weeks' vacation per year during the twelfth year through the
32 nineteenth year of employment, and four and four-tenths weeks'
33 vacation per year during the twentieth year through the twenty-
34 fourth year of employment, and five weeks' vacation per year
35 during the twenty-fifth year and all subsequent years of

1 employment, with pay. One week vacation shall be equal to
2 the number of hours in the employee's normal work week.
3 Vacation allowances shall be accrued according to the
4 provisions of chapter 91A as provided by the rules of the
5 Iowa merit employment department. ~~Said~~ The vacations shall
6 be granted at the discretion and convenience of the head of
7 the department, agency or commission, except that ~~in no case~~
8 may an employee shall not be granted vacation in excess of
9 the amount earned by the employee. Vacation leave earned
10 under this paragraph shall not be cumulated to an amount in
11 excess of twice the employee's annual rate of accrual. The
12 head of the department, agency or commission shall make every
13 reasonable effort to schedule vacation leave sufficient to
14 prevent any loss of entitlements. In the event that the
15 employment of an employee of the state is terminated the
16 provisions of chapter 91A relating to ~~such~~ the termination
17 shall apply.

18 Payments authorized by this section shall be approved by
19 the department and paid from the appropriation or fund of
20 original certification of the claim.

21 Commencing July 1, ~~1977~~ 1979, permanent full-time and
22 permanent part-time employees of state departments, boards,
23 agencies, and commissions, excluding employees covered under
24 a collective bargaining agreement which provides otherwise,
25 shall accrue sick leave at the rate of one and one-half days
26 for each ~~full~~ complete month of full-time employment. The
27 accrual rate for part-time employees shall be prorated to
28 the accrual rate for full-time employees. Sick leave shall
29 not accrue during any period of absence without pay. Employees
30 may use accrued sick leave for physical or mental personal
31 illness, bodily injury, medically-related disabilities,
32 including disabilities resulting from pregnancy and childbirth,
33 or contagious disease:

- 34 1. Which require the employee's confinement,
- 35 2. Which render the employee unable to perform assigned

1 duties, or

2 3. When performance of assigned duties would jeopardize
3 the employee's health or recovery.

4 ~~The governor is directed to issue an executive order~~
5 ~~implementing a policy which would grant additional vacation~~
6 ~~time, not to exceed one-half day, to state State employees,~~
7 ~~excluding state board of regents' faculty members with nine-~~
8 ~~month appointments, and employees covered under a collective~~
9 ~~bargaining agreement negotiated with the public safety~~
10 ~~bargaining unit who are not covered under a collective~~
11 ~~bargaining agreement negotiated pursuant to chapter 20,~~
12 ~~eligible for accrued vacation benefits and accrued sick leave~~
13 ~~benefits, who have accumulated thirty days of sick leave,~~
14 ~~and who do not use sick leave during a full month of employment~~
15 ~~may elect to accrue up to one-half day of additional vacation.~~
16 ~~The executive order shall remain in effect until the general~~
17 ~~assembly provides a program based upon the state comptroller's~~
18 ~~study for providing credit for the accrual of sick leave.~~
19 The accrual of additional vacation time by an employee for
20 not using sick leave during a month shall be in lieu of the
21 accrual of up to one and one-half days of sick leave for that
22 month. The state comptroller may promulgate the necessary
23 rules and procedures for the implementation of this program
24 for all state employees except employees of the state board
25 of regents. The state board of regents may promulgate
26 necessary rules for the implementation of this program for
27 its employees.

28 Sec. 38. Section seventy-nine point one (79.1), unnumbered
29 paragraph eight (8), Code 1979, is amended by striking the
30 unnumbered paragraph and inserting in lieu thereof the
31 following:

32 Beginning with the pay period which includes July 1, 1981,
33 if a pay period includes days in two fiscal years, the state
34 comptroller shall charge the payroll for that pay period to
35 the latter fiscal year if that year includes half or more

1 of the days in the pay period, and to the former fiscal year
2 if that year includes more than half of the days in the pay
3 period, and a specific annual salary rate or annual salary
4 adjustment commencing with the latter fiscal year shall
5 commence with the first day of the first pay period which
6 is charged to the latter fiscal year.

7 Sec. 39. If a state employee has accrued vacation leave
8 on June 30, 1979, in excess of the limitations on accrual
9 and accumulation provided in section thirty-six (36) of this
10 Act, then the limitation on accrual and accumulation shall
11 not apply to that employee until June 30, 1980, and on that
12 date the employee shall lose any accrued vacation leave in
13 excess of the limitations on accrual and accumulation provided
14 in section thirty-six (36) of this Act.

15 Sec. 40. Section seventy-nine point nine (79.9), Code
16 1979, is amended to read as follows:

17 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public officer
18 or employee, other than a state officer or employee, is
19 entitled to be paid for expenses in performing a public duty,
20 a charge shall be made, allowed and paid for the use of an
21 automobile of ~~fifteen~~ eighteen cents per mile for actual and
22 necessary travel effective July 1, 1979, and twenty cents
23 per mile effective July 1, 1980. A statutory provision
24 stipulating necessary, mileage, travel, or actual reimbursement
25 to a local public officer or employee shall be construed to
26 fall within ~~this-fifteen-cents~~ the mileage reimbursement
27 limitation specified in this section unless specifically
28 provided otherwise. Any peace officer, other than a state
29 officer or employee, as defined in section ~~748-3~~ eight hundred
30 one point four (801.4) of the Code who is required to use
31 ~~his~~ a private vehicle in the performance of ~~his~~ official
32 duties shall receive reimbursement for mileage expense at
33 the rate ~~of-fifteen-cents-per-mile~~ specified in this section.

34 Sec. 41. Section seventy-nine point twenty-three (79.23),
35 Code 1979, is amended to read as follows:

1 79.23 CREDIT FOR ACCRUED SICK LEAVE. Commencing July
2 1, 1977, when an a state employee who is not covered under
3 the provisions of a collective bargaining agreement negotiated
4 under the provisions of chapter 20, excluding an employee
5 covered under a collective bargaining agreement which provides
6 otherwise, retires under the provisions of a retirement system
7 in the state maintained in whole or in part by public
8 contributions or payments, the number of accrued days of
9 active and banked sick leave of the employee shall be credited
10 to the employee. Until the general assembly provides a program
11 of credit for accrued sick leave, the number of accrued days
12 credited to an employee upon retirement shall be the same
13 as at the time of the employee's retirement. When an employee
14 retires, is eligible and has applied for benefits under a
15 retirement system authorized under chapter ninety-seven A
16 (97A) or ninety-seven B (97B) of the Code, including the
17 teachers insurance annuity association (TIAA) and the college
18 retirement equity fund (CREF), the employee shall receive
19 a cash payment for the employee's accumulated, unused sick
20 leave in both the active and banked sick leave accounts except
21 when, in lieu of cash payment, payment is made for monthly
22 premiums for health or life insurance or both as provided
23 in a collective bargaining agreement negotiated under chapter
24 twenty (20) of the Code. The payment shall be calculated
25 by multiplying the number of hours of accumulated, unused
26 sick leave by the employee's hourly rate of pay at the time
27 of retirement. However, the total cash payment for
28 accumulated, unused sick leave shall not exceed two thousand
29 dollars and is payable upon retirement. Banked sick leave
30 is defined as accrued sick leave in excess of ninety days.
31 A state employee who retired on or after July 1, 1977, but
32 before July 1, 1979, may file claims for the employee's accrued
33 sick leave credit authorized in this section. The claim of
34 a state employee paid through the state comptroller's
35 centralized payroll system and the department of transportation

1 payroll system shall be filed with the state comptroller on
2 forms provided by the state comptroller. The claim for an
3 employee of the state board of regents shall be filed with
* 4 the state board of regents on forms provided by the board.

5 Sec. 42. The provisions of section seventy-nine point
6 twenty-three (79.23) of the Code relating to the cash payment
7 to state employees upon retirement for accumulated, unused
8 sick leave shall not apply to persons who were covered under
9 a collective bargaining agreement and who retired on or after July
10 1, 1977, and before July 1, 1979, unless the collective
11 bargaining agreement provides for the cash payment.

12 Sec. 43. Section eighty point eight (80.8), unnumbered
13 paragraph four (4), Code 1979, is amended to read as follows:

14 A collective bargaining agreement entered into between
15 the state and a state employee organization under chapter
16 20 made final after July 1, 1977, shall not include any pay
17 adjustment ~~or-increase~~ to longevity pay authorized under this
18 section.

19 Sec. 44 . Section eighty point fifteen (80.15), Code 1979,
20 is amended to read as follows:

21 80.15 EXAMINATION--OATH--PROBATION--DISMISSAL. No
22 applicant for membership in the department of public safety,
23 except clerical workers and special agents appointed under
24 section 80.7, shall be appointed as a member until he has
25 passed a satisfactory physical and mental examination. In
26 addition, such applicant must be a citizen of the United
27 States, of good moral character, and be not less than twenty-
28 two years of age. The mental examination shall be conducted
29 under the direction or supervision of the commissioner of
30 public safety and may be oral or written or both. Each
31 applicant shall take an oath on becoming a member of the
32 force, to uphold the laws and Constitution of the United
33 States and of the state of Iowa. During the period of twelve
34 months after appointment, any member of the department of
35 public safety, except members of the present Iowa highway

1 safety patrol who have served more than six months, shall
2 be subject to dismissal at the will of the commissioner.
3 After the twelve months' service, no member of the department,
4 who shall have been appointed after having passed the before-
5 mentioned examinations, shall be subject to dismissal unless
6 charges have been filed with the secretary of the executive
7 council and a hearing held before the executive council, if
8 requested by said member of the department, at which he the
9 member shall have an opportunity to present his a defense
10 to such charges. The decision of the executive council by
11 majority vote shall be final, subject to the right of judicial
12 review in accordance with the terms of the Iowa administrative
13 procedure Act. All rules, except employment provisions
14 negotiated pursuant to chapter twenty (20) of the Code,
15 regarding the enlistment, appointment, and employment affecting
16 the personnel of the department shall be established by the
17 commissioner with the approval of the governor.

18 Sec. 45. Section two hundred seventy-nine point thirteen
19 (279.13), Code 1979, is amended by adding the following new
20 subsection:

21 NEW SUBSECTION. If the provisions of a contract executed
22 or automatically renewed under this section conflict with
23 a collective bargaining agreement negotiated under chapter
24 twenty (20) of the Code and effective when the contract is
25 executed or renewed, the provisions of the collective
26 bargaining agreement shall prevail.

27 Sec. 46. Section three hundred seven A point two (307A.2),
28 subsection three (3), Code 1979, is amended to read as follows:

29 3. When in the interest of the state, the commission may
30 allow a subsistence expense to an employee of the highway
31 division of the department for continuous stay in one location
32 while on duty away from established headquarters and place
33 of domicile or either for a period not to exceed forty-five
34 days; allow automobile expenses in accordance with section
35 79+9 eighteen point one hundred seventeen (18.117) of the

1 Code, for moving an employee and his or her family from place
2 of present domicile to new domicile, and actual transportation
3 expense for moving of household goods. Such household goods
4 shall not include pets or animals.

5 Sec. 47. Sections nineteen A point twelve (19A.12), nine-
6 teen A point twenty-two (19A.22), two hundred eighteen point
7 seventy-one (218.71), two hundred nineteen point eleven
8 (219.11) and two hundred forty-six point thirty-three (246.33),
9 Code 1979, are repealed.

10 Sec. 48. The method used by the state comptroller from
11 May, 1975 through June, 1981 in computing the amount paid
12 for each pay period to state employees on an annual salary
13 is legalized.

14 Sec. 49. The amendments to sections forty-nine point
15 twenty (49.20) and forty-nine point one hundred twenty-five
16 (49.125), Code 1979, enacted by this Act are effective July
17 1, 1980.

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4400

1 Amend Senate File 499, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 12, by inserting after line 29, the
4 following sections:

5 "Sec. _____. Section ninety-seven B point forty-
6 one (97B.41), subsection one (1), paragraph a, Code
7 1979, is amended by striking unnumbered paragraph
8 two (2).

9 Sec. _____. Section ninety-seven B point forty-one
10 (97B.41), subsection two (2), Code 1979, is amended
11 to read as follows:

12 2. "Employment for any calendar quarter" means
13 any service performed under an employer-employee
14 relationship under the provisions of this chapter
15 if the remuneration equals or exceeds three hundred
16 dollars in the calendar quarter. For the purposes
17 of this chapter, electd officials, excluding members
18 of the general assembly, are deemed to be in
19 employment.

20 Sec. _____. Section ninety-seven B point forty-one
21 (97B.41), subsection three (3), paragraph b,
22 subparagraphs one (1) and two (2), Code 1979, are
23 amended to read as follows:

24 (1) Elective Members of the general assembly,
25 elective officials in positions for which the
26 compensation is on a fee basis, elective officials
27 of school districts, elective officials of townships,
28 and elective officials of other political subdivisions
29 who are in part-time positions, graduate medical
30 students while serving as interns or resident doctors
31 in training at any hospital, or county medical
32 examiners and deputy county medical examiners under
33 chapter 339.

34 (2) ~~Members of the general assembly of Iowa and~~
35 ~~temporary~~ Temporary employees of the general assembly
36 of Iowa unless such ~~members or~~ employees shall make
37 an application to the department to be covered under
38 the provisions of this chapter.

39 Sec. _____. Section ninety-seven B point seventy-
40 two (97B.72), Code 1979, is repealed.

41 Sec. _____. The department of job service shall
42 return accumulated employee contributions made to
43 the Iowa public employees' retirement system by members
44 of the general assembly to the respective members
45 of the general assembly and shall return employer
46 contributions plus interest and dividends made to
47 the Iowa public employees' retirement system for
48 members of the general assembly to the treasurer of
49 state for deposit in the general fund of the state."

50 2. Page 31, by inserting after line 17 the following

Page Two
H-4400

- 1 section.
- 2 "Sec. _____. The sections of this Act amending
- 3 chapter ninety-seven B (97B) of the Code shall take
- 4 effect upon publication and be retroactive to January
- 5 8, 1979 after its publication in The Cedar Rapids
- 6 Gazette, a newspaper published in Cedar Rapids, Iowa,
- 7 and in the Iowa City Press-Citizen, a newspaper
- 8 published in Iowa City, Iowa."
- 9 3. By numbering and renumbering sections and
- 10 correcting internal references as necessary.

BY TYRRELL of Iowa	SHIMANEK of Jones
McKEAN of Jones	MULLINS of Kossuth
HIBBS of Johnson	LLOYD-JONES of Johnson
CLARK of Cerro Gordo	MENKE of O'Brien
POPE of Polk	VAN MAANEN of Mahaska
SCHNEKLOTH of Scott	JOHNSON of Howard
PELTON of Clinton	SHULL of Warren
RITSEMA of Sioux	DANKER of Pottawattamie
SPEAR of Des Moines	CONLON of Muscatine
COREY of Louisa	HUMMELL of Benton
JOHNSON of Woodbury	SMALLEY of Polk
POFFENBERGER of Dallas	DAGGETT of Taylor
DE GROOT of Lyon	LURA of Marshall
LAGESCHULTE of Bremer	LARSEN of Wapello
HANSON of Delaware	HOLT of Clay
BRUNER of Story	BENNETT of Ida
O'KANE of Woodbury	CRABB of Crawford
JOHNSON of Linn	THOMPSON of Polk
DIEMER of Black Hawk	WELDEN of Hardin
PERKINS of Greene	MAULSBY of Calhoun
RAPP of Black Hawk	HOFFMANN of Muscatine
ANDERSON of Audubon	
BRANSTAD of Winnebago	
LORENZEN of Scott	

H-4400 FILED
MAY 10, 1979

*Revised into general 5/11
(p. 23-3)*

SENATE FILE 499

H-4414

1 Amend Senate File 499 as follows:
2 1. Page 7, by inserting after line 18 the
3 following:
4 NEW SECTION. "Section forty-nine point twenty
5 (49.20), Code 1979, is amended to read as follows:
6 49.20 COMPENSATION OF MEMBERS. The members
7 of election boards shall receive two-dollars-per
8 hour an hourly rate which shall be the hourly
9 rate of pay established for pay grade seven, step
10 one, under the state merit system, while engaged
11 in the discharge of their duties and shall be
12 reimbursed for actual and necessary travel expense,
13 except that persons whom the commissioner has been
14 advised prior to their appointment to the election
15 board are willing to serve without pay at elections
16 conducted for any school district or a city of
17 three thousand five hundred or less population shall
18 receive no compensation for service at those
19 elections. Compensation shall be paid to members
20 of election boards only after the vote has been
21 determined in the course of such canvass that the
22 election record certificate has been properly
23 executed by the election board."

H-4414 FILED *H/S. 5/11 (p. 2369)* BY WOODS of Polk
MAY 10, 1979 BYERLY of Polk
CHIODO of Polk

SENATE FILE 499

H-4419

1 Amend Senate File 499, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 30, by striking lines 18 through 26.

H-4419 FILED, LOST (*p. 2377*) BY STROMER of Hancock
MAY 11, 1979

SENATE FILE 499

H-4440

1 Amend Senate File 499, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 11, line 25, by inserting after the word
4 "county" the words "and those members who commute
5 from their permanent residences on a regular basis".

H-4440 FILED, LOST (*p. 2372*) BY BYERLY of Polk
MAY 11, 1979

MAY 11, 1979
PAGE TWENTY-FOUR

SENATE FILE 499

H-4407

- 1 Amend Senate File 499, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by striking lines 1 through 35.
- 4 2. Page 12, by striking lines 1 through 29.
- 5 3. By renumbering sections as necessary pursuant
- 6 to this amendment.

H-4407 FILED (p. 237)
MAY 10, 1979 Losh

BY LAGESCHULTE of Bremer

SENATE FILE 499

H-4411

- 1 Amend Senate File 499 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 11, by striking line 1 through page
- 4 12, line 3, and inserting in lieu thereof the following:
- 5 "Sec. 19. Section two point ten (2.10),
- 6 subsection one (1), is amended by striking
- 7 subsection one (1) and inserting in lieu thereof
- 8 the following:
- 9 1. Travel expenses shall be paid at the rate
- 10 established by section eighteen point one hundred
- 11 seventeen (18.117) of the Code for actual travel
- 12 to and from the seat of government by the nearest
- 13 traveled route not more than once per week during
- 14 a legislative session. However, any increase in
- 15 the mileage rate established by section eighteen
- 16 point one hundred seventeen (18.117) of the Code
- 17 shall not become effective for members of the
- 18 general assembly until the next general assembly
- 19 following the session in which the increase is
- 20 adopted convenes. This provision shall prevail over
- 21 any inconsistent provision of any present or future
- 22 statute."
- 23 2. Page 12, by striking lines 4 through 29.
- 24 3. By renumbering sections as necessary pursuant
- 25 to this amendment.

H-4411 FILED W. Bremer
MAY 10, 1979 (p. 237)

BY LAGESCHULTE of Bremer

SENATE FILE 499

H-4436

- 1 Amend Senate File 499, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 21, by inserting after line 29 the
4 following:
5 "Sec. ____ . Section twenty point twenty-eight
6 (20.28), Code 1979, is amended to read as follows:
7 20.28 INCONSISTENT STATUTES--EFFECT. A provision
8 of the Code which is inconsistent with any term or
9 condition of a collective bargaining agreement which
10 is made final under this chapter shall supersede the
11 term or condition of the collective bargaining
12 agreement unless otherwise provided by the general
13 assembly. A provision of a proposed collective
14 bargaining agreement negotiated according to this
15 chapter which conflicts with the Code shall not become
16 a provision of the final collective bargaining
17 agreement until the general assembly has amended the
18 Code to remove the conflict."
19 2. By numbering and renumbering sections and
20 correcting internal references to conform to this
21 amendment.

BY WELDEN of Hardin
MILLER of Buchanan
EVANS of Grundy
HANSEN of O'Brien
HARBOR of Mills
WEST of Marshall

H-4436 FILED, ADOPTED (p. 2375)
MAY 11, 1979

SENATE FILE 499

H-4441

- 1 Amend the amendment H-4434, to Senate File 499,
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, line 8, by striking the word "twelve"
5 and inserting in lieu thereof the word "six".
6 2. Page 1, line 11, by striking the word
7 "twelve" and inserting in lieu thereof the word "six".
8 3. Page 1, after line 18 by inserting the
9 following new sentence:
10 "The provisions of this section shall be
11 effective during the collective bargaining agree-
12 ment in effect from July 1, 1979 through June 30,
13 1981."

H-4441 FILED, ADOPTED (p. 2373)
MAY 11, 1979

BY CONNORS of Polk

SENATE FILE 499

H-4435

1 Amend Senate File 499 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by striking lines 14 and 15.
 4 2. Page 3, by striking line 17, and inserting
 5 in lieu thereof the following:
 6 "employment relations board.....\$32,000".
 7 3. Page 3, by striking line 19 and inserting in
 8 lieu thereof the following:
 9 "employment relations board, each.....\$30,000".
 10 4. Page 11, by striking lines 6 through 13 and inserting
 11 in lieu thereof the following: "senate and house shall receive
 12 an annual salary of ~~twelve~~ thirteen thousand dollars for each year
 13 while serving as a member of the general assembly. The majority
 14 and minority floor leaders of the senate and house shall receive
 15 an annual salary of ~~fourteen~~ fifteen thousand dollars for each
 16 year while serving in such capacity. In addition,".
 17 5. Page 12, by striking lines 5 through 7 and inserting
 18 in lieu thereof the words "of ~~eighteen~~ nineteen thousand dollars.
 19 Personal expense and travel allowances shall be".
 20 6. Page 12, by striking lines 20 through 22 and inserting in
 21 lieu thereof the words "of ~~eighteen~~ nineteen thousand dollars
 22 for each year while serving as the speaker of the house."
 23 7. Page 13, by striking line 9 and inserting in lieu thereof
 24 the following:
 25 "b. For the fiscal year
 26 beginning July 1, 1980.....\$51,025,000".
 27 8. Page 19, by striking lines 25 and 26 and
 28 inserting in lieu thereof the following: "mile.
 29 A statutory provision stipulating".
 30 9. Page 27, by striking lines 22 and 23 and
 31 inserting in lieu thereof the following: "necessary
 32 travel. A statutory provision".

BY WELDEN of Hardin
 EVANS of Grundy
 HANSEN of O'Brien
 HARBOR of Mills
 WEST of Marshall
 STROMER of Hancock

H-4435 FILED MAY 11, 1979
 A - LOST (p. 2368)
 B - LOST (p. 2369)
 C - WITHDRAWN (p. 2369)

SENATE FILE 499

H-4438

1 Amend amendment H-4435 to Senate File 499 as
 2 amended, passed, and reprinted by the Senate as
 3 follows:
 4 1. Page 1, line 15 by striking the word
 5 "fifteen" and inserting in lieu thereof the word
 6 "sixteen".

H-4438 FILED MAY 11, 1979 LOST (p. 2368) BY PELTON of Clinton

SENATE FILE 499

H-4434

1 Amend Senate File 499 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 31, by inserting after line 4 the
4 following:
5 "Sec. ____ . NEW SECTION. A supervisory member
6 of any department or agency employed by the state
7 of Iowa shall not be granted a voluntary reduction
8 to a nonsupervisory rank or grade during the twelve
9 months preceding retirement of the member. A member
10 of any department or agency employed by the state
11 of Iowa who retires in less than twelve months after
12 voluntarily requesting and receiving a reduction in
13 rank or grade from a supervisory to a nonsupervisory
14 position shall be ineligible for a benefit to which
15 the member is entitled as a nonsupervisory member
16 but is not entitled as a supervisory member.
17 Bargaining agreements shall be at least equal between
18 supervisory and nonsupervisory personnel."

H-4434 FILED, ADOPTED *as amended* BY MILLER of Buchanan
MAY 11, 1979 *by 4441 & 4443 (p. 2378)*

SENATE FILE 499

H-4443

1 Amend amendment H-4434 to Senate File 499 as
2 amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 17 and 18.

H-4443 FILED, ADOPTED *(p. 2378)* BY POPE of Polk
MAY 11, 1979

SENATE FILE 499

H-4418

1 Amend Senate File 499 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 11, line 25, by striking the words
4 "from Polk county" and inserting in lieu thereof
5 the words "from-Polk-county who commute from their
6 permanent residences on a regular basis".

H-4418 FILED, LOST *(p. 2310)* BY WOODS of Polk
MAY 11, 1979

HOUSE AMENDMENT TO SENATE FILE 499

S-3819

1 Amend Senate File 499 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 21, by inserting after line 29 the
4 following:

5 "Sec. _____. Section twenty point twenty-eight
6 (20.28), Code 1979, is amended to read as follows:
7 20.28 INCONSISTENT STATUTES--EFFECT. A provision
8 of the Code which is inconsistent with any term or
9 condition of a collective bargaining agreement which
10 is made final under this chapter shall supersede the
11 term or condition of the collective bargaining
12 agreement unless otherwise provided by the general
13 assembly. A provision of a proposed collective
14 bargaining agreement negotiated according to this
15 chapter which conflicts with the Code shall not become
16 a provision of the final collective bargaining
17 agreement until the general assembly has amended the
18 Code to remove the conflict."

19 2. Page 31, by inserting after line 4 the
20 following:

21 "Sec. _____. NEW SECTION. A supervisory member
22 of any department or agency employed by the state
23 of Iowa shall not be granted a voluntary reduction
24 to a nonsupervisory rank or grade during the six
25 months preceding retirement of the member. A member
26 of any department or agency employed by the state
27 of Iowa who retires in less than six months after
28 voluntarily requesting and receiving a reduction in
29 rank or grade from a supervisory to a nonsupervisory
30 position shall be ineligible for a benefit to which
31 the member is entitled as a nonsupervisory member
32 but is not entitled as a supervisory member.

33 The provisions of this section shall be effective
34 during the collective bargaining agreement in effect
35 from July 1, 1979 through June 30, 1981."

36 3. Renumbering sections and correcting internal
37 references to conform to this amendment.

S-3819 FILED
MAY 11, 1979

RECEIVED FROM THE HOUSE

Senate concurred 5/10 (p. 1723)

SENATE FILE 499

AN ACT

RELATING TO COMPENSATION AND BENEFITS FOR STATE OFFICIALS
AND EMPLOYERS BY SPECIFYING SALARY RATES AND RANGES
AND PROVIDING SALARY ADJUSTMENTS, INCREASING MILEAGE
REIMBURSEMENT RATES FOR PUBLIC OFFICERS AND EMPLOYERS,
MAKING COORDINATING AMENDMENTS TO THE CODE, AND
APPROPRIATING FUNDS.

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

Section 1. The salary rates specified in this section shall be in effect for the fiscal year beginning July 1, 1979, and shall be effective for subsequent fiscal years until otherwise provided by the general assembly. Salaries provided for in this section shall be paid from funds appropriated to the department or agency specified in this section pursuant to any Act of the general assembly or if such an appropriation is not sufficient, from the salary adjustment fund.

The following annual salary rates shall be paid to the person holding the position indicated:

1. DEPARTMENT OF AGRICULTURE
Salary for the secretary of
agriculture \$ 33,000

2. OFFICE OF THE ATTORNEY
GENERAL
Salary of the attorney
general \$ 43,500
3. OFFICE OF THE AUDITOR
OF STATE
Salary of the auditor of
state \$ 33,000
4. OFFICE OF THE GOVERNOR
Salary of the governor \$ 60,000
5. OFFICE OF THE SECRETARY
OF STATE
Salary of the secretary of
state \$ 33,000
6. OFFICE OF THE TREASURER
OF STATE
Salary of the treasurer of
state \$ 33,000

Sec. 2. The salary rates established in this section shall be in effect for the fiscal year beginning July 1, 1979, and shall be effective for subsequent fiscal years until otherwise provided by the general assembly. Salaries provided for in this section shall be paid from funds appropriated to the department which the person represents and from funds appropriated by section three (3) of this Act.

The following annual salary rates shall be paid to the persons holding the positions indicated:

1. Chief justice of the
supreme court \$ 54,000
2. Each justice of the
supreme court \$ 49,000
3. Chief justice of the
appellate court \$ 47,500
4. Each justice of the
appellate court \$ 46,500
5. Each chief judge of
a judicial district \$ 45,500

6. Each district court judge except the chief judge of a judicial district	\$	43,500
7. Each district associate judge	\$	36,000
8. Each full-time judicial magistrate	\$	36,000
9. Each part-time judicial magistrate	\$	10,000

Sec. 3. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, the following amounts, or so much thereof as is necessary, to be used to fund increases in judicial salaries as provided in section two (2) of this Act and for the state's contribution to the judicial retirement system provided for in chapter six hundred five A (605A) of the Code required because of the increased salaries

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	\$ 650,000	\$ 650,000

Sec. 4. The salary rates specified in this section shall be in effect for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981. Salaries provided for in this section shall be paid from funds appropriated to the department or agency specified in this section or pursuant to this Act.

The following annual salary rates shall be paid to the persons holding the positions indicated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. Chairperson of the public employment relations board	\$ 41,850	\$ 34,086

2. Two members of the public employment relations board, each ... \$ 29,510 \$ 31,564

Sec. 5. Persons receiving the salary rates established under section one (1) or four (4) of this Act shall not receive any additional salary adjustments provided by this Act. The salary rates specified in section four (4) of this Act shall be in effect for the fiscal years indicated and the salary rates for the fiscal year beginning July 1, 1980, shall be effective for subsequent years until otherwise provided by the general assembly. If the funds of the agency which have been appropriated for salaries are insufficient to pay the salaries fixed by section one (1) or four (4) of this Act because of increases in the salaries, funds may be allocated from funds appropriated by this Act to the salary adjustment fund. In addition, if federal funds are available for any position provided for in section four (4) of this Act, the federal funds may be expended if the combined federal and state funds do not exceed the rates provided for in section four (4) of this Act.

Sec. 6. The governor may establish a salary for appointed non-elected persons in the executive branch of state government holding a position enumerated in section seven (7) of this Act within the range provided by considering, among other things, the experience of the individual in the position, changes in the duties of the position, the incumbent's performance of assigned duties, the availability of qualified candidates for the position, and subordinates' salaries.

The governor in establishing salaries as provided in section seven (7) of this Act shall take into consideration other employee benefits which may be provided for an individual including but not limited to housing.

A person whose salary is established by section seven (7) of this Act and who is a full-time permanent employee of the state shall not receive any other remuneration from the state or from any other source for the performance of that person's duties unless the additional remuneration is first approved by the governor or authorized by law; however, this provision

shall not be construed to exclude necessary travel and expenses incurred in the performance of duties or fringe benefits normally provided to employees of the state.

Sec. 7. The following annual salary ranges shall be in effect for the fiscal year beginning July 1, 1979, for the positions specified and for each fiscal year after that fiscal year the salary range shall be the same as the range specified for that fiscal year unless otherwise specified by the general assembly. The governor shall determine the salary to be paid to the person indicated at a rate within the salary ranges indicated from funds appropriated by the general assembly for such purposes.

1. If a person is in:

a. Range one, the person shall receive a salary of not less than five thousand (5,000) dollars or more than fifteen thousand (15,000) dollars.

b. Range two, the person shall receive a salary of not less than eighteen thousand (18,000) dollars or more than thirty thousand (30,000) dollars.

c. Range three, the person shall receive a salary of not less than twenty-five thousand (25,000) dollars or more than thirty-five thousand (35,000) dollars.

d. Range four, the person shall receive a salary of not less than thirty thousand (30,000) dollars or more than forty thousand (40,000) dollars.

e. Range five, the person shall receive a salary of not less than thirty-five thousand (35,000) dollars or more than forty-five thousand (45,000) dollars.

2. The following are range one positions: members of the board of parole, members of the state health facilities council, and members of the transportation commission of the department of transportation.

3. The following are range two positions: executive director of the commission on aging, director of the Iowa state arts council, director of the Iowa civil rights commission, executive director of the college aid commission, executive secretary of the Iowa crime commission, executive

secretary of the committee on employment of the handicapped, members of the appeal board of the Iowa department of job service, director of the historical society of the state historical department, director of museum and archives of the state historical department, director of historical preservation of the state historical department, director of the Iowa law enforcement academy, state librarian, director of the Iowa natural resources council, director of disaster services of the department of public defense, director of the real estate commission, director of the department of substance abuse, and each member of the transportation regulation board of the department of transportation.

4. The following are range three positions: director of the commission for the blind, administrator of the credit union department, director of the energy policy council, executive director of the department of environmental quality, secretary of the state fair board, state geologist, commissioner of insurance, industrial commissioner, labor commissioner, director of the Iowa merit employment commission, and director of the department of soil conservation.

5. The following are range four positions: superintendent of banking, director of the Iowa beer and liquor control department, chairperson and members of the Iowa state commerce commission, director of the state conservation commission, director of the Iowa development commission, director of the educational radio and television facility board, director of the Iowa department of job service, director of the department of general services, commissioner of health, director of the office for planning and programming, and commissioner of public safety.

6. The following are range five positions: state comptroller, superintendent of public instruction, executive secretary of the state board of regents, director of the department of revenue, commissioner of social services, and director of the department of transportation.

Sec. 8. The salary rates established by the governor under sections six (6) and seven (7) of this Act for the persons

indicated shall be the total salary paid to the persons for whom established. Any other salary rates or adjustments to salaries provided for by this Act shall not apply to the positions specified in section seven (7) of this Act; however, funds appropriated to the salary adjustment fund by this Act may be expended to fund salaries established pursuant to sections six (6) and seven (7) of this Act if funds appropriated to the agencies represented by or employing the persons holding the positions specified in section seven (7) of this Act are insufficient to pay salaries provided for in section seven (7) of this Act. The governor shall report to the legislative fiscal committee the salary rates established pursuant to section seven (7) of this Act.

Sec. 9. Section twenty point five (20.5), subsection three (3), Code 1979, is amended to read as follows:

3. In selecting the members of the board, consideration shall be given to their knowledge, ability, and experience in the field of labor-management relations. ~~The chairman shall receive an annual salary of twenty-four thousand dollars. The chairperson and the remaining two members shall each receive an annual salary equal to ninety percent of the salary received by the chairman as set by the general assembly.~~

Sec. 10. Section four hundred seventy-four point one (474.1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

On the second Tuesday of July of each year, the Iowa state commerce commission shall organize by electing one of its members as ~~chairman~~ chairperson, and appointing a an executive secretary, who shall take the same oath as the commissioners. The commission shall set the salary of the executive secretary within the limits of the pay plan for exempt positions provided for in subsection two (2) of section nineteen A point nine (19A.9) of the Code unless otherwise provided by the general assembly. The commission may employ ~~such~~ additional personnel as it may find necessary.

Sec. 11. Section six hundred five point eight (605.8), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

The base starting salary of a full-time certified shorthand reporter shall be fourteen thousand seven hundred dollars. The base salary may be increased by an amount not to exceed ~~six-hundred-thirty-dollars~~ seven percent for each year of experience as a shorthand reporter. The maximum salary shall not exceed ~~nineteen~~ twenty-one thousand ~~seven one~~ hundred forty twenty-one dollars except as provided in this section.

Sec. 12.

1. There is appropriated from the general fund of the state to the state comptroller for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts to be allocated to the counties for the purpose of providing average pay increases of not more than seven percent to the full-time shorthand reporters of the district court:

- a. For the fiscal year beginning July 1, 1979, \$150,849.
- b. For the fiscal year beginning July 1, 1980, \$161,409.

2. The state comptroller shall allocate and distribute the amount to each county in the same proportion that the county's annual payroll for full-time shorthand reporters for the fiscal year ending June 30, 1979 was to the annual payroll for full-time shorthand reporters for all counties for that fiscal year. Moneys received by a county under this section shall be deposited in the fund for ordinary county revenue under section four hundred forty-four point nine (444.9), subsection two (2) of the Code or in the court expense fund under section four hundred forty-four point ten (444.10) of the Code, as applicable.

Sec. 13. Section six hundred two point thirty-one (602.31), Code 1979, is amended to read as follows:

602.31 SALARY, EXPENSES, RETIREMENT. The annual salary of each district associate judge, payable from the general fund of the state of Iowa, shall be a sum of ~~nineteen-thousand five-hundred-dollars~~ set by the general assembly. District associate judges shall also receive from the state their actual and necessary expenses in the performance of their duties away from the city of their residence, in accordance

with section 605.2. District associate judges who are members of the judicial retirement system under chapter 605A shall remain members thereof; but the state of Iowa, instead of the city and county, shall deduct four percent from their salaries for the judicial retirement fund and shall contribute the public's portion to the judicial retirement fund.

Sec. 14. Section six hundred two point fifty-four (602.54), Code 1979, is amended to read as follows:

602.54 SALARY, EXPENSES. Each judicial magistrate shall receive a salary payable from the general fund of the state and also his or her actual and necessary expenses in the performance of his or her duties while away from the city of his or her residence, in accordance with section 605.2. The salary of judicial magistrates, except as otherwise provided herein, shall be the sum of ~~four thousand eight hundred dollars annually set by the general assembly.~~ The judicial magistrates serving pursuant to section 602.51 shall receive an annual salary of ~~nineteen thousand five hundred dollars in an amount set by the general assembly.~~ Judicial magistrates appointed pursuant to section 602.51 except district associate judges shall be members of the Iowa public employees' retirement system. Judicial magistrates appointed pursuant to either section 602.50 or section 602.58 may elect to be members of the Iowa public employees' retirement system upon filing notice in writing with the Iowa department of job service and the court administrator of the judicial department.

Sec. 15. Section six hundred eighty-four point twenty-three (684.23), Code 1979, is amended to read as follows:

684.23 CLERKS FOR SUPREME COURT JUSTICES. The supreme court shall have authority to appoint not more than nine attorneys or graduates of a reputable law school as defined in section 519.2, to act as legal assistants to the judges of the supreme court, such assistants to serve at a salary ~~not to exceed seven thousand dollars per year~~ of not less than fifteen thousand or more than twenty-five thousand dollars annually as set by the court administrator and approved by

the supreme court and shall render these services in such manner as may be prescribed by the court.

Sec. 16. Section six hundred eighty-five point one (685.1), Code 1979, is amended to read as follows:

685.1 APPOINTMENT. ~~Within ninety days prior to the first meeting day in January, 1927, and every four years thereafter,~~ The judges of the supreme court shall appoint a clerk of the supreme court who shall hold office for four years and until ~~his~~ a successor ~~has been~~ is appointed and qualified qualifies. The judges of the supreme court shall set the salary of the clerk of the supreme court which salary shall not be less than twenty thousand or more than thirty thousand dollars annually. In case a vacancy occurs, the ~~same~~ vacancy shall be filled by appointment for the unexpired portion of the term only.

Sec. 17. Section six hundred eighty-five point six (685.6), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

The court shall fix the compensation of the administrator, deputy administrator, and research director and the employees of the office. The salary of the administrator, deputy administrator, and research director shall be set at a rate of not less than twenty-five thousand or more than thirty-five thousand dollars annually. The supreme court is authorized to accept federal funds to supplement the funds appropriated to the court.

Sec. 18. Section six hundred eighty-five point seven (685.7), Code 1979, is amended to read as follows:

685.7 ASSISTANTS. The court administrator, with the approval of the supreme court, shall appoint such and set the salaries of assistants as are necessary to enable him to perform the powers and duties vested in him the court administrator. The salaries of the assistants, except the court fiscal director, shall be set at a rate of not less than fifteen thousand or more than twenty-five thousand dollars annually. The court fiscal director shall receive a salary at a rate of not less than twenty thousand dollars or more

than thirty thousand dollars. While holding ~~such~~ the position, neither the court administrator nor his assistants shall practice law in any of the courts of this state.

Sec. 19. Section two point ten (2.10), subsections one (1), two (2), and three (3), Code 1979, are amended to read as follows:

1. Every member of the general assembly except the speaker of the house and majority and minority floor leaders of the senate and house shall receive an annual salary of twelve thousand eight hundred dollars for each the year 1981 and thirteen thousand seven hundred dollars for the year 1982 while serving as a member of the general assembly. The majority and minority floor leaders of the senate and house shall receive an annual salary of fourteen fifteen thousand dollars for each the year 1981 and sixteen thousand dollars for the year 1982 while serving in such capacity. In addition, each such member shall receive the sum of thirty dollars per day for expenses of office, except travel, for each day the general assembly is in session commencing with the first day of a legislative session and ending with the day of final adjournment of each legislative session as indicated by the journals of the house and senate, except that in the event the length of the first regular session of the general assembly exceeds one hundred twenty calendar days and the second regular session exceeds one hundred calendar days, such payments shall be made only for one hundred twenty calendar days for the first session and one hundred calendar days for the second session. However, members from Polk county shall receive fifteen dollars per day. Travel expenses shall be paid at the rate established by section 79-9 eighteen point one hundred seventeen (18.117) of the Code for actual travel in going to and returning from the seat of government by the nearest traveled route for not more than one time per week during a legislative session. However, any increase from time to time in the mileage rate established by section 79-9 eighteen point one hundred seventeen (18.117) of the Code shall not become effective for members of the general assembly until

the convening of the next general assembly following the session in which the increase is adopted; and this provision shall prevail over any inconsistent provision of any present or future statute.

2. The lieutenant governor shall receive an annual salary of eighteen nineteen thousand two hundred dollars for the year 1981 and twenty thousand five hundred dollars for the year 1982. Personal expense and travel allowances shall be the same for the lieutenant governor as for a senator. The lieutenant governor while performing administrative duties of the office of lieutenant governor when the general assembly is not in session or serving as the president of the senate during special sessions of the general assembly shall receive sixty dollars per diem and reimbursement for expenses incurred in performing such duties. The salary, per diem, and expenses of the lieutenant governor provided for under this subsection, including office and staff expenses, shall be paid from funds appropriated to the office of the lieutenant governor by the general assembly.

3. The speaker of the house shall receive an annual salary of eighteen nineteen thousand two hundred dollars for each the year 1981 and twenty thousand five hundred dollars for the year 1982 while serving as the speaker of the house. Expense and travel allowances shall be the same for the speaker of the house as provided for other members of the general assembly.

Sec. 20. Section nineteen (19) of this Act is effective January 12, 1981. The salary rates established in section nineteen (19) for the year 1982 shall remain in effect until otherwise provided by the general assembly.

Sec. 21. All federal grants to and the federal receipts of the agencies affected by the provisions of this Act which are received and may be expended for purposes of this Act, are appropriated for such purposes and as set forth in such federal grants or receipts.

Sec. 22.

1. There is appropriated from the general fund of the state to the salary adjustment fund provided for in section eight point forty-three (8.43) of the Code, for the fiscal years beginning July 1, 1979, and July 1, 1980, the following amounts or so much as may be necessary, to be distributed to the various departments to supplement other funds appropriated by the general assembly:

- a. For the fiscal year beginning July 1, 1979, \$25,700,000.
- b. For the fiscal year beginning July 1, 1980, \$51,300,000.

2. The amounts appropriated in subsection one (1) of this section shall be used to fund the following annual pay adjustments, expense reimbursement and benefits not in conflict with the Code:

a. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the blue collar bargaining unit.

b. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the professional social services bargaining unit.

c. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the public safety bargaining unit.

d. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the security bargaining unit.

e. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the technical bargaining unit.

f. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the professional fiscal and staff bargaining unit.

g. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the university of northern Iowa faculty bargaining unit.

h. The annual pay adjustments, expense reimbursement and benefits referred to in sections twenty-seven (27), twenty-eight (28), thirty-one (31) and forty-two (42) of this Act

and health care benefits for employees not covered by a collective bargaining agreement.

Sec. 23.

1. There is appropriated from the road use tax fund of the state to the state department of transportation, for the fiscal years beginning July 1, 1979, and July 1, 1980, the following amounts or so much as may be necessary, to be distributed to supplement other funds appropriated by the general assembly:

- a. For the fiscal year beginning July 1, 1979, \$315,700.
- b. For the fiscal year beginning July 1, 1980, \$652,000.

2. The amounts appropriated in subsection one (1) of this section shall be used to fund the following annual pay adjustments, expense reimbursement and benefits for employees of the state department of transportation not in conflict with the Code:

a. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the blue collar bargaining unit.

b. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the security bargaining unit.

c. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the technical bargaining unit.

d. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the professional fiscal and staff bargaining unit.

e. The annual pay adjustments, expense reimbursement and benefits referred to in sections twenty-seven (27), twenty-eight (28), thirty-one (31) and forty-two (42) of this Act and health care benefits for employees not covered by a collective bargaining agreement.

Sec. 24.

1. There is appropriated from the primary road fund to the state department of transportation the following amounts for the fiscal years beginning July 1, 1979, and July 1, 1980.

or so much as may be necessary, to supplement other funds appropriated by the general assembly:

- a. For the fiscal year beginning July 1, 1979, \$3,555,000.
- b. For the fiscal year beginning July 1, 1980, \$7,326,000.
2. The amounts appropriated in subsection one (1) of this section shall be used to fund the following annual pay adjustments, expense reimbursement and benefits for employees of the state department of transportation not in conflict with the Code:
 - a. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the blue collar bargaining unit.
 - b. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the security bargaining unit.
 - c. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the technical bargaining unit.
 - d. The collective bargaining agreement negotiated pursuant to chapter twenty (20) of the Code for employees in the professional fiscal and staff bargaining unit.
 - e. The annual pay adjustments, expense reimbursement and benefits referred to in sections twenty-seven (27), twenty-eight (28), thirty-one (31) and forty-two (42) of this Act and health care benefits for employees not covered by a collective bargaining agreement.

Sec. 25. Funds appropriated from the general fund of the state in this Act shall relate to salaries supported from general fund appropriations and shall not be construed to replace revolving, federal, trust or special funds where applicable.

Sec. 26. To departmental revolving, trust or special funds, except for primary road fund or the road use tax fund, for which the general assembly has established an operating budget, a supplemental authorization is hereby provided for those funds, unless otherwise provided, in an amount necessary to fund salary adjustments provided in this Act.

Sec. 27.

1. The merit system pay plan and the executive council exempt pay plan provided for in section nineteen A point nine (19A.9), subsection two (2) of the Code as the pay plans exist for the fiscal years ending June 30, 1979, and June 30, 1980, shall be increased for all employees who are not included in a collective bargaining agreement made final under chapter twenty (20) of the Code by an average amount equal to five and two-tenths percent for the fiscal year beginning July 1, 1979, and five and four-tenths percent for the fiscal year beginning July 1, 1980. The merit employment commission shall revise the merit system pay plan and the governor shall revise the executive council pay plan as provided under section nineteen A point nine (19A.9), subsection two (2) of the Code by the percentage increases specified in this subsection and may increase the salary levels for the various grades and steps within the respective plans by different percentages, but the total percentage increase of all salaries included in each plan shall not exceed five and two-tenths percent for the fiscal year beginning July 1, 1979, and five and four-tenths percent for the fiscal year beginning July 1, 1980. The percentage increase authorized for the pay plans in this subsection does not preclude an individual state officer or employee subject to either pay plan from receiving an additional salary increase authorized under merit employment commission rules or policy of the governor as applicable.

2. The salaries of state employees who are exempt from chapter nineteen A (19A) of the Code and who are included in the state comptroller's centralized payroll system and the department of transportation payroll system and the office employees of the state board of regents as the salaries exist for the fiscal years ending June 30, 1979, and June 30, 1980, shall be increased by an average amount equal to five and two-tenths percent for the fiscal year beginning July 1, 1979, and five and four-tenths percent for the fiscal year beginning July 1, 1980. The appointing authority shall determine the percentage increase of each employee's salary provided for

under this subsection and may increase the salaries of employees by different percentages, but the total percentage increase of all salaries of employees under the appointing authority's jurisdiction shall not exceed five and two-tenths percent for the fiscal year beginning July 1, 1979, and five and four-tenths percent for the fiscal year beginning July 1, 1980. The percentage increase authorized for salaries under this subsection does not preclude a state officer or employee from receiving an additional salary increase authorized under department policy or policy determined by the appointing authority consistent with this Act or the merit system pay plan and appropriations made by the general assembly.

3. This section does not apply to members of the general assembly, board members and commission members, salaries of persons set by the general assembly pursuant to this Act or set by the governor and employees designated under section nineteen A point three (19A.3), subsection six (6) of the Code and employees under the state board of regents' merit system, but subsection two (2) of this section does apply to office employees of the state board of regents.

Sec. 28. The funds allocated to the state board of regents for the purpose of providing increases for employees not covered by a collective bargaining agreement shall be used as follows:

1. The amount necessary to fund in each fiscal year an average base salary increase of seven percent of base salaries of faculty members paid during the preceding fiscal year, to be allocated to faculty members at the discretion of the state board of regents.

2. The amount necessary to fund in each fiscal year a salary increase of four percent of the base salary of each professional and scientific staff member, except board office employees, paid during the preceding fiscal year. The percentage increase authorized for salaries under this subsection does not preclude a professional and scientific staff member from receiving an additional salary increase

authorized by the state board of regents consistent with this Act and appropriations made by the general assembly.

3. For employees under the state board of regents' merit system who are not included in the collective bargaining agreement made final under chapter twenty (20) of the Code, except board office employees, the amount necessary to increase the state board of regents' merit pay plan as it exists for the fiscal years ending June 30, 1979, and June 30, 1980, an average amount equal to five and two-tenths percent for the fiscal year beginning July 1, 1979, and five and four-tenths percent for the fiscal year beginning July 1, 1980. The percentage increase authorized for the pay plan in this subsection does not preclude an employee under the state board of regents' merit system who is not under a collective bargaining agreement and not board office employee, from receiving any additional salary increase authorized under the state board of regents' merit rules. The merit pay plan adjustment shall be rounded to the nearest whole dollar for the fiscal year beginning July 1, 1979.

Sec. 29. All funds appropriated by this Act to the salary adjustment fund for the department of transportation, and for the state agencies paid through the state comptroller's centralized payroll system, shall be used to fund salary and fringe benefit expenditures for the following periods of time:

1. For fiscal year July 1, 1979, and ending June 30, 1980, beginning with the bi-weekly payday of July 13, 1979, and ending with the bi-weekly payday of July 11, 1980.

2. For fiscal year July 1, 1980, and ending June 30, 1981, beginning with the bi-weekly payday of July 25, 1980, and ending with the bi-weekly payday of July 10, 1981.

Sec. 30. Chapter eight (8), Code 1979, is amended by adding the following new section:

NEW SECTION. PAYROLL ACCRUAL ACCOUNT. The state comptroller shall establish a payroll accrual account in the office of the state treasurer. In preparation of budgets for state departments, the state comptroller shall compute an amount for each fiscal year sufficient to provide funds

to meet the twenty-seventh biweekly payroll when it occurs and shall deposit the necessary amount each year in the payroll accrual account.

Sec. 31. Section eighteen point one hundred seventeen (18.117), Code 1979, is amended to read as follows:

18.117 PRIVATE USE--RATE FOR STATE BUSINESS. No A state officer or employee shall not use any state-owned motor vehicle for ~~his-own~~ personal private use, nor shall he ~~be~~ the officer or employee be compensated for driving his or her own motor vehicle ~~except-if-such~~ unless it is done on state business with the approval of the state vehicle dispatcher, and in such case he or she shall receive ~~fifteen~~ eighteen cents per mile effective July 1, 1979, and twenty cents per mile effective July 1, 1980. A statutory provision stipulating necessary, mileage, travel, or actual expenses reimbursement to a state officer shall be construed to fall under ~~this~~ fifteen-cents ~~the~~ the mileage reimbursement limitation provided in this section unless specifically provided otherwise. Any peace officer employed by the state as defined in section ~~248-3~~ eight hundred one point four (801.4) of the Code who is required to use his a private vehicle in the performance of his official duties shall receive reimbursement for mileage expense at the rate of ~~fifteen-cents-per-mile~~ specified in this section. However, the state vehicle dispatcher may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to a yearly mileage figure established by the director of general services and approved by the executive council. When a state motor vehicle has been assigned to a state officer or employee he or she shall not collect mileage for the use of ~~his~~ a personal vehicle unless the state vehicle assigned ~~to-him~~ is not usable.

This section shall not apply to ~~elected-officers-of-the-state-judges-of-the-district-court-judges-of-the-supreme-court~~ or officials and employees of the state whose mileage is paid by other than state agencies and, except for the provisions relating to mileage reimbursement, this section

shall not apply to elected officers of the state, judges of the district court, judges of the court of appeals or judges of the supreme court.

Sec. 32. Section nineteen A point nine (19A.9), subsections eleven (11), fourteen (14), seventeen (17), and eighteen (18), Code 1979, are amended to read as follows:

11. For transfer from a position in one department to a similar position in another department involving similar qualifications, duties, responsibilities, and salary ranges. Whenever an employee transfers or is transferred from one state department or agency to another state department or agency, his or her seniority rights, any accumulated sick leave, and accumulated vacation time, as provided in the law, shall be transferred to the new place of employment and credited to him or her. Employees who are subject to contracts negotiated under chapter twenty (20) of the Code which include transfer provisions shall be governed by the contract provisions.

14. For layoffs by reason of lack of funds or work, or organization, and for re-employment of employees so laid off, giving primary consideration in both layoffs and re-employment to performance record and secondary consideration to seniority in service. Any employee who has been laid off may keep his or her name on a preferred employment list for one year, which list shall be exhausted by the agency enforcing the layoff before selection of an employee may be made from the register in his or her classification. Employees who are subject to contracts negotiated under chapter twenty (20) of the Code which include layoff provisions shall be governed by the contract provisions.

17. For establishment of a uniform plan for resolving employee grievances and complaints. Employees who are subject to contracts negotiated under chapter twenty (20) of the Code which include grievance and complaint provisions shall be governed by the contract provisions.

18. For attendance regulations, and special leaves of absence, with or without pay, or reduced pay in the various

classes of positions in the classified service. Employees who are subject to contracts negotiated under chapter twenty (20) of the Code which include leave of absence provisions shall be governed by the contract provisions. Annual sick leave and vacation time shall be granted in accordance with section 79.1.

Sec. 33. Section nineteen A point twenty-three (19A.23), Code 1979, is amended to read as follows:

19A.23 LONGEVITY PAY PROHIBITED--EXCEPTION. No state employee subject to the provisions of this chapter shall be entitled to longevity pay except those employees granted longevity pay pursuant to section ~~313-47-subsection-3~~ three hundred seven A point eight (307A.8) of the Code.

Sec. 34. Section twenty point twenty-eight (20.28), Code 1979, is amended to read as follows:

20.28 INCONSISTENT STATUTES--EFFECT. A provision of the Code which is inconsistent with any term or condition of a collective bargaining agreement which is made final under this chapter shall supersede the term or condition of the collective bargaining agreement unless otherwise provided by the general assembly. A provision of a proposed collective bargaining agreement negotiated according to this chapter which conflicts with the Code shall not become a provision of the final collective bargaining agreement until the general assembly has amended the Code to remove the conflict.

Sec. 35. Section thirty-three point two (33.2), Code 1979, is amended to read as follows:

33.2 PAID HOLIDAYS. State employees are granted, except as provided in the ~~third~~ fourth paragraph of this section, the following holidays off from employment with pay:

1. New Year's Day, January 1 first.
2. Memorial Day, the last Monday in May.
3. Independence Day, July 4 fourth.
4. Labor Day, the first Monday in September.
5. Thanksgiving Day, the fourth Thursday in November.
6. Friday after Thanksgiving, the Friday following Thanksgiving Day.
7. Christmas Day, December 25 twenty-fifth.

8. Two other holidays, each to be designated annually by the executive council.

9. Two days of paid leave each year to be added to the vacation allowance and accrued under the provisions of section seventy-nine point one (79.1) of the Code.

The appointing authority shall grant not more than four additional days of paid leave each year as required to implement contract provisions negotiated pursuant to chapter twenty (20) of the Code.

The executive council may designate days off from employment with pay in addition to those enumerated in this section for state employees at its discretion.

If a holiday enumerated in this section falls on Saturday, the preceding Friday shall be granted and if a holiday enumerated in this section falls on Sunday, the following Monday shall be granted. In those cases, where by nature of the employment a state employee must be required to work on a holiday the provisions of the first paragraph of this section shall not apply, however, compensation shall be made on the basis of the employee's straight time hourly rate for a forty-hour work week and shall be made in either compensatory time off or cash payment, at the discretion of the appointing authority unless otherwise provided for in a collective bargaining agreement.

~~No~~ A holiday or paid leave granted to a state employee by under this section ~~can be considered as~~ shall be in addition to vacation time and shall not be included in the amount of vacation to which a state employee is entitled to which a state employee is entitled under section seventy-nine point one (79.1) of the Code.

~~in addition to the holidays enumerated in this section, state employees are granted two days of paid leave each year. The days of leave shall be added to the vacation allowance accrued under the provisions of section 79.1.~~

Sec. 36. Section forty-nine point twenty (49.20), Code 1979, is amended to read as follows:

49.20 COMPENSATION OF MEMBERS. The members of election boards shall ~~receive two dollars per hour~~ be deemed temporary state employees who are compensated by the county in which they serve, and shall receive compensation at a rate established by the board of supervisors, which shall be not less than two dollars and fifty cents nor more than three dollars and fifty cents per hour, while engaged in the discharge of their duties and shall be reimbursed for actual and necessary travel expense, except that persons whom the commissioner has been advised prior to their appointment to the election board are willing to serve without pay at elections conducted for any school district or a city of three thousand five hundred or less population shall receive no compensation for service at those elections. Compensation shall be paid to members of election boards only after the vote has been canvassed and it has been determined in the course of such canvass that the election record certificate has been properly executed by the election board.

Sec. 37. Section forty-nine point one hundred twenty-five (49.125), Code 1979, is amended to read as follows:

49.125 COMPENSATION OF TRAINERS. All election personnel attending such training course shall be paid for attending such course for a period not to exceed two hours, and shall be reimbursed for travel to and from the place where the training is given at the rate specified in section 79.9 if the distance involved is more than five miles. The wages shall be ~~two dollars per hour~~ computed at the hourly rate established pursuant to section forty-nine point twenty (49.20) of the Code and payment of wages and mileage for attendance shall be made at the time that payment is made for duties performed on election day.

Sec. 38. Section seventy-nine point one (79.1), unnumbered paragraphs one (1), three (3), four (4), and six (6), Code 1979, are amended to read as follows:

Salaries specifically provided for in an appropriation Act of the general assembly shall be in lieu of existing statutory salaries, for the positions provided for in any

~~such~~ the Act, and all salaries, including longevity where applicable by express provision in the Code, shall be paid according to the provisions of chapter 91A and shall be in full compensation of all services, including any service on committees, boards, commissions or similar duty for Iowa government, except for members of the general assembly. A state employee on an annual salary shall not be paid for a pay period an amount which exceeds the employee's annual salary transposed into a rate applicable to the pay period by dividing the annual salary by the number of calendar days in the fiscal year, and multiplying the result by the number of calendar days in the pay period. Salaries for state employees other than annual salaries shall be established on an hourly basis.

PARAGRAPH DIVIDED. All employees of the state ~~including highway maintenance employees of the state department of transportation~~ shall earn two weeks' vacation per year during the first year of employment and through the fourth year of employment, and three weeks' vacation per year during the fifth and through the eleventh year of employment, and four weeks' vacation per year during the twelfth year through the nineteenth year of employment, and four and four-tenths weeks' vacation per year during the twentieth year through the twenty-fourth year of employment, and five weeks' vacation per year during the twenty-fifth year and all subsequent years of employment, with pay. One week vacation shall be equal to the number of hours in the employee's normal work week. Vacation allowances shall be accrued according to the provisions of chapter 91A as provided by the rules of the Iowa merit employment department. ~~Said~~ The vacations shall be granted at the discretion and convenience of the head of the department, agency or commission, except that ~~in no case may an employee shall not~~ be granted vacation in excess of the amount earned by the employee. Vacation leave earned under this paragraph shall not be cumulated to an amount in excess of twice the employee's annual rate of accrual. The head of the department, agency or commission shall make every

reasonable effort to schedule vacation leave sufficient to prevent any loss of entitlements. In the event that the employment of an employee of the state is terminated the provisions of chapter 91A relating to such the termination shall apply.

Payments authorized by this section shall be approved by the department and paid from the appropriation or fund of original certification of the claim.

Commencing July 1, ~~1977~~ 1979, permanent full-time and permanent part-time employees of state departments, boards, agencies, and commissions, excluding employees covered under a collective bargaining agreement which provides otherwise, shall accrue sick leave at the rate of one and one-half days for each ~~full~~ complete month of full-time employment. The accrual rate for part-time employees shall be prorated to the accrual rate for full-time employees. Sick leave shall not accrue during any period of absence without pay. Employees may use accrued sick leave for physical or mental personal illness, bodily injury, medically-related disabilities, including disabilities resulting from pregnancy and childbirth, or contagious disease:

1. Which require the employee's confinement,
2. Which render the employee unable to perform assigned duties, or
3. When performance of assigned duties would jeopardize the employee's health or recovery.

~~The governor is directed to issue an executive order implementing a policy which would grant additional vacation time, not to exceed one-half day, to state State employees, excluding state board of regents' faculty members with nine-month appointments, and employees covered under a collective bargaining agreement negotiated with the public safety bargaining unit who are not covered under a collective bargaining agreement negotiated pursuant to chapter 20, eligible for accrued vacation benefits and accrued sick leave benefits, who have accumulated thirty days of sick leave, and who do not use sick leave during a full month of employment~~

~~may elect to accrue up to one-half day of additional vacation. The executive order shall remain in effect until the general assembly provides a program based upon the state comptroller's study for providing credit for the accrual of sick leave.~~ The accrual of additional vacation time by an employee for not using sick leave during a month shall be in lieu of the accrual of up to one and one-half days of sick leave for that month. The state comptroller may promulgate the necessary rules and procedures for the implementation of this program for all state employees except employees of the state board of regents. The state board of regents may promulgate necessary rules for the implementation of this program for its employees.

Sec. 39. Section seventy-nine point one (79.1), unnumbered paragraph eight (8), Code 1979, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

Beginning with the pay period which includes July 1, 1981, if a pay period includes days in two fiscal years, the state comptroller shall charge the payroll for that pay period to the latter fiscal year if that year includes half or more of the days in the pay period, and to the former fiscal year if that year includes more than half of the days in the pay period, and a specific annual salary rate or annual salary adjustment commencing with the latter fiscal year shall commence with the first day of the first pay period which is charged to the latter fiscal year.

Sec. 40. If a state employee has accrued vacation leave on June 30, 1979, in excess of the limitations on accrual and accumulation provided in section thirty-eight (38) of this Act, then the limitation on accrual and accumulation shall not apply to that employee until June 30, 1980, and on that date the employee shall lose any accrued vacation leave in excess of the limitations on accrual and accumulation provided in section thirty-eight (38) of this Act.

Sec. 41. Section seventy-nine point nine (79.9), Code 1979, is amended to read as follows:

79.9 CHARGE FOR USE OF AUTOMOBILE. When a public officer or employee, other than a state officer or employee, is entitled to be paid for expenses in performing a public duty, a charge shall be made, allowed and paid for the use of an automobile of fifteen eighteen cents per mile for actual and necessary travel effective July 1, 1979, and twenty cents per mile effective July 1, 1980. A statutory provision stipulating necessary, mileage, travel, or actual reimbursement to a local public officer or employee shall be construed to fall within ~~this fifteen-cent~~ the mileage reimbursement limitation specified in this section unless specifically provided otherwise. Any peace officer, other than a state officer or employee, as defined in section 740-4 eight hundred one point four (801.4) of the Code who is required to use ~~his~~ a private vehicle in the performance of his official duties shall receive reimbursement for mileage expense at the rate of ~~fifteen cents per mile~~ specified in this section.

Sec. 42. Section seventy-nine point twenty-three (79.23), Code 1979, is amended to read as follows:

79.23 CREDIT FOR ACCRUED SICK LEAVE. Commencing July 1, 1977, when an ~~a state employee who is not covered under the provisions of a collective bargaining agreement negotiated under the provisions of chapter 20, excluding an employee covered under a collective bargaining agreement which provides otherwise,~~ retires under the provisions of a retirement system in the state maintained in whole or in part by public contributions or payments, the number of accrued days of active and banked sick leave of the employee shall be credited to the employee. ~~Until the general assembly provides a program of credit for accrued sick leave, the number of accrued days credited to an employee upon retirement shall be the same as at the time of the employee's retirement.~~ When an employee retires, is eligible and has applied for benefits under a retirement system authorized under chapter ninety-seven A (97A) or ninety-seven B (97B) of the Code, including the Teachers Insurance Annuity Association (TIAA) and the college retirement equity fund (CREF), the employee shall receive

a cash payment for the employee's accumulated, unused sick leave in both the active and banked sick leave accounts except when, in lieu of cash payment, payment is made for monthly premiums for health or life insurance or both as provided in a collective bargaining agreement negotiated under chapter twenty (20) of the Code. The payment shall be calculated by multiplying the number of hours of accumulated, unused sick leave by the employee's hourly rate of pay at the time of retirement. However, the total cash payment for accumulated, unused sick leave shall not exceed two thousand dollars and is payable upon retirement. Banked sick leave is defined as accrued sick leave in excess of ninety days. A state employee who retired on or after July 1, 1977, but before July 1, 1979, may file claims for the employee's accrued sick leave credit authorized in this section. The claim of a state employee paid through the state comptroller's centralized payroll system and the department of transportation payroll system shall be filed with the state comptroller on forms provided by the state comptroller. The claim for an employee of the state board of regents shall be filed with the state board of regents on forms provided by the board.

Sec. 43. The provisions of section seventy-nine point twenty-three (79.23) of the Code relating to the cash payment to state employees upon retirement for accumulated, unused sick leave shall not apply to persons who were covered under a collective bargaining agreement and who retired on or after July 1, 1977, and before July 1, 1979, unless the collective bargaining agreement provides for the cash payment.

Sec. 44. Section eighty point eight (80.8), unnumbered paragraph four (4), Code 1979, is amended to read as follows:

A collective bargaining agreement entered into between the state and a state employee organization under chapter 20 made final after July 1, 1977, shall not include any pay adjustment ~~or increase~~ to longevity pay authorized under this section.

Sec. 45. Section eighty point fifteen (80.15), Code 1979, is amended to read as follows:

80.15 EXAMINATION--OATH--PROBATION--DISMISSAL. No applicant for membership in the department of public safety, except clerical workers and special agents appointed under section 80.7, shall be appointed as a member until he has passed a satisfactory physical and mental examination. In addition, such applicant must be a citizen of the United States, of good moral character, and be not less than twenty-two years of age. The mental examination shall be conducted under the direction or supervision of the commissioner of public safety and may be oral or written or both. Each applicant shall take an oath on becoming a member of the force, to uphold the laws and Constitution of the United States and of the state of Iowa. During the period of twelve months after appointment, any member of the department of public safety, except members of the present Iowa highway safety patrol who have served more than six months, shall be subject to dismissal at the will of the commissioner. After the twelve months' service, no member of the department, who shall have been appointed after having passed the before-mentioned examinations, shall be subject to dismissal unless charges have been filed with the secretary of the executive council and a hearing held before the executive council, if requested by said member of the department, at which he the member shall have an opportunity to present his a defense to such charges. The decision of the executive council by majority vote shall be final, subject to the right of judicial review in accordance with the terms of the Iowa administrative procedure Act. All rules, except employment provisions negotiated pursuant to chapter twenty (20) of the Code, regarding the enlistment, appointment, and employment affecting the personnel of the department shall be established by the commissioner with the approval of the governor.

Sec. 46. Section two hundred seventy-nine point thirteen (279.13), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. If the provisions of a contract executed or automatically renewed under this section conflict with

a collective bargaining agreement negotiated under chapter twenty (20) of the Code and effective when the contract is executed or renewed, the provisions of the collective bargaining agreement shall prevail.

Sec. 47. Section three hundred seven A point two (307A.2), subsection three (3), Code 1979, is amended to read as follows:

3. When in the interest of the state, the commission may allow a subsistence expense to an employee of the highway division of the department for continuous stay in one location while on duty away from established headquarters and place of domicile or either for a period not to exceed forty-five days; allow automobile expenses in accordance with section 79-9 eighteen point one hundred seventeen (18.117) of the Code, for moving an employee and his or her family from place of present domicile to new domicile, and actual transportation expense for moving of household goods. Such household goods shall not include pets or animals.

Sec. 48. NEW SECTION. A supervisory member of any department or agency employed by the state of Iowa shall not be granted a voluntary reduction to a nonsupervisory rank or grade during the six months preceding retirement of the member. A member of any department or agency employed by the state of Iowa who retires in less than six months after voluntarily requesting and receiving a reduction in rank or grade from a supervisory to a nonsupervisory position shall be ineligible for a benefit to which the member is entitled as a nonsupervisory member but is not entitled as a supervisory member.

The provisions of this section shall be effective during the collective bargaining agreement in effect from July 1, 1979 through June 30, 1981.

Sec. 49. Sections nineteen A point twelve (19A.12), nineteen A point twenty-two (19A.22), two hundred eighteen point seventy-one (218.71), two hundred nineteen point eleven (219.11) and two hundred forty-six point thirty-three (246.33), Code 1979, are repealed.

Sec. 50. The method used by the state comptroller from May, 1975 through June, 1981 in computing the amount paid for each pay period to state employees on an annual salary is legalized.

Sec. 51. The amendments to sections forty-nine point twenty (49.20) and forty-nine point one hundred twenty-five (49.125), Code 1979, enacted by this Act are effective July 1, 1980.

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 499, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved *June 10*, 1979

ROBERT D. RAY
Governor