

The County Govt. 2/15

Amend per S 213. De Paul Lee (S. 213)

FILED FEB 1 1980

SENATE FILE 2122

By COMMITTEE ON COUNTY GOVERNMENT

approved 1/28 (p. 273)

(Formerly Senate Study Bill 2031)

Passed Senate, Date 2-12-80 (p. 400) Passed House, Date 3-11-80 (p. 258)

Vote: Ayes 40 Nays 6 Vote: Ayes 93 Nays 0

Approved April 7, 1980
for House Amendment
3/27/80 (p. 1115)
15-0

A BILL FOR

- 1 An Act relating to the compensation of deputy sheriffs.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 2122

H-5424

- 1 Amend amendment H-5313 to Senate File 2122, as
- 2 follows:
- 3 1. By striking lines 25 through 30, and renumbering
- 4 subsection 4 to be subsection 3.

H-5424 FILED
MARCH 10, 1980
Lost 3/11 (p. 257)

BY KIRKENSLAGER of Des Moines
CONNORS of Polk

SENATE FILE 2122

H-5438

- 1 Amend amendment H-5313 to Senate File 2122, as passed
- 2 by the Senate, as follows:
- 3 1. Page 1, line 26, by striking the words "overtime
- 4 pay,".

H-5438 FILED
MARCH 11, 1980
LOST (p. 258)

BY SPEAR of Lee

1 Section 1. Section three hundred forty point eight (340.8),
2 Code 1979, is amended to read as follows:

3 340.8 DEPUTY SHERIFFS.

4 1. Each deputy sheriff shall receive an annual base salary
5 as follows:

6 a. The first deputy sheriff, and the second deputy sheriff
7 if a second deputy sheriff is required, shall receive an
8 annual base salary of not more than eighty-five percent of
9 ~~the amount of~~ the annual salary of the sheriff ~~as fixed by~~
10 ~~the board of supervisors.~~

11 b. In counties over two hundred fifty thousand population
12 where more than ~~two~~ the first and second deputies are required,
13 ~~said~~ the additional deputies shall be paid an ~~amount~~ annual
14 base salary not to exceed seventy-five percent of the annual
15 salary of the sheriff.

16 c. All other deputy sheriffs shall receive an annual base
17 salary ~~as fixed by the board of supervisors, but not to~~ which
18 shall not exceed the annual base salaries of the first or
19 second deputies.

20 2. Upon certification by the sheriff to the board of
21 supervisors of the annual salary for each deputy as above
22 provided in subsection one (1) of this section, the board
23 of supervisors ~~may~~ shall certify to the county auditor of
24 ~~any such~~ the county the annual base salary certified by the
25 sheriff but the board of supervisors shall not certify an
26 annual base salary which exceeds the limitations provided
27 in subsection one (1) of this section. The board of
28 supervisors shall fix all compensation for extra help and
29 clerks.

30 3. As used in this section, "base salary" means the basic
31 compensation excluding overtime pay, longevity pay, shift
32 differential pay, or other forms of supplemental pay and
33 fringe benefits.

34 Sec. 2. This Act takes effective January first following
35 its enactment.

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EXPLANATION

This bill provides that the sheriff shall determine and certify the annual base salaries of the deputy sheriffs within specified salary limitations. The board of supervisors shall certify the salaries received from the sheriff to the county auditor if the base salaries are within the specified limitations. The bill also defines base salary to exclude overtime pay, longevity pay, shift differential pay or other forms of supplemental pay and fringe benefits to which a deputy sheriff may be entitled.

SENATE FILE 2122
FISCAL NOTE

DATE: FEBRUARY 7, 1980
REQUESTED BY: SENATOR BRILES

In compliance with a written request received Feb. 1, 19 80, there is hereby submitted a Fiscal Note for S.F. 2122 pursuant to Joint Rule 16. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the Legislature upon request.

S.F. 2122, An Act relating to compensation of deputy sheriffs.

No additional cost except possibly to larger counties where pay scale of lower paid deputies would be raised.

FILED
FEBRUARY 7, 1980

BY GERRY RANKIN, DIRECTOR
LEGISLATIVE FISCAL BUREAU

SENATE FILE 2122

H-5313

1 Amend Senate File 2122, as passed by the Senate,
2 as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section three hundred forty point
6 eight (340.8), Code 1979, is amended by striking the
7 section and inserting in lieu thereof the following:
8 340.8 COMPENSATION OF DEPUTY SHERIFFS AND OTHER
9 EMPLOYEES OF THE SHERIFF.
10 1. Each deputy sheriff shall receive an annual
11 base salary as determined by the board of supervisors.
12 Upon certification by the sheriff, the board of
13 supervisors shall review, and may modify, the annual
14 base salary of each deputy before certifying it to
15 the county auditor. The annual base salary of a first
16 or second deputy sheriff shall not exceed eighty-five
17 percent of the annual base salary of the sheriff.
18 In counties over two hundred fifty thousand population,
19 the annual base salary of any additional deputies
20 shall not exceed seventy-five percent of the annual
21 base salary of the sheriff.
22 2. The board of supervisors shall determine the
23 compensation for other employees in the sheriff's
24 office.
25 3. The total annual compensation including the
26 annual base salary, overtime pay, longevity pay, shift
27 differential pay or other forms of supplemental pay
28 and fringe benefits received by a deputy sheriff shall
29 be less than the total annual compensation including
30 fringe benefits received by the sheriff.
31 4. As used in this section, "base salary" means
32 the basic compensation excluding overtime pay,
33 longevity pay, shift differential pay, or other
34 supplemental pay and fringe benefits.
35 Sec. 2. This Act becomes effective January first
36 following its enactment."

H-5313 FILED

BY COMMITTEE ON COUNTY GOVERNMENT

FEBRUARY 26, 1980

DANKER, Chair

*Adopted as amended by 5-4-87
31.1.87 (p. 758)*

SENATE FILE 2122

H-5427

1 Amend the Committee amendment, H-5313, to Senate
2 File 2122, as passed by the Senate, as follows:
3 1. Page 1, line 18, by striking the word "In"
4 and inserting in lieu thereof the following: "The
5 annual base salary of any other deputy sheriff shall
6 not exceed the annual base salary of the first or
7 second deputy sheriff except that in".

H-5427 FILED

BY SMALLEY of Polk

MARCH 11, 1980

LAGESCHULTE of Bremer

ADOPTED (p. 758)

OXLEY of Linn

SENATE FILE 2122

H-5415

1 Amend the Committee amendment, H-5313, to Senate
2 File 2122, as passed by the Senate, as follows:

3 1. Page 1, by striking lines 5 through 34 and
4 inserting in lieu thereof the following:

5 "Section 1. Section three hundred forty point
6 four (340.4), Code 1979, is amended by striking the
7 section and inserting in lieu thereof the following:

8 340.4 COMPENSATION OF DEPUTIES AND OTHER EMPLOYEES.

9 1. Each deputy officer of the county auditor,
10 county treasurer, county recorder and clerk of the
11 district court shall receive an annual salary as
12 determined by the board of supervisors. Upon
13 certification by the principal officer, the board
14 of supervisors shall review, and may modify, the
15 annual salary of each deputy before certifying it
16 to the county auditor.

17 2. The board of supervisors shall determine the
18 compensation for other employees of the county auditor,
19 county treasurer, county recorder and clerk of the
20 district court.

21 Sec. 2. Section three hundred forty point five
22 (340.5), Code 1979, is amended to read as follows:

23 340.5 RESIDENT TAX COLLECTORS IN CERTAIN CITIES.

24 In any county in which there exists a city, not the
25 county seat, having a population of six thousand or
26 over, the treasurer may appoint a resident deputy
27 collector of taxes for such the city and vicinity
28 under bond as provided for other deputies, and his
29 compensation shall be the same percentage of the
30 treasurer's salary as the chief deputy and second
31 deputy in such county. The compensation of a resident
32 deputy shall be determined by the board of supervisors
33 as provided in section three hundred forty point four
34 (340.4) of the Code. Such The resident deputy collector
35 shall maintain an office in such the city for a period
36 of approximately five weeks each spring and fall,
37 such the periods to terminate on April 1 and October
38 1 respectively or as soon thereafter as possible.
39 The treasurer in such case shall prepare the necessary
40 books and records for such the deputy each year, and
41 the board of supervisors is authorized to may allow
42 payment of incidental expenses pertaining to the
43 operations of such the office, not to exceed one
44 hundred dollars per year.

45 Sec. 3. Section three hundred forty point eight
46 (340.8), Code 1979, is amended by striking the section
47 and inserting in lieu thereof the following:

48 340.8 COMPENSATION OF DEPUTY SHERIFFS AND OTHER
49 EMPLOYEES.

50 1. Each deputy sheriff shall receive an annual

1 salary as determined by the board of supervisors.
2 Upon certification by the sheriff, the board of
3 supervisors shall review, and may modify, the annual
4 salary of each deputy before certifying it to the
5 county auditor.

6 2. The board of supervisors shall determine the
7 compensation for other employees in the sheriff's
8 office.

9 Sec. 4. Section three hundred forty point ten
10 (340.10), unnumbered paragraph one (1), Code 1979,
11 is amended by striking the unnumbered paragraph and
12 inserting in lieu thereof the following:

13 The annual salary of each assistant county attorney
14 shall be determined by the board of supervisors.
15 Upon certification by the county attorney, the board
16 of supervisors shall review, and may modify, the
17 annual salary of each assistant county attorney before
18 certifying it to the county auditor.

19 Sec. 5. Section three hundred forty-one point
20 nine (341.9), Code 1979, is amended to read as follows:

21 341.9 FULL-TIME COUNTY PROSECUTORS. The county
22 attorney may appoint, with the approval of the board
23 of supervisors, assistant county attorneys to serve
24 as full-time prosecutors who shall refrain from the
25 private practice of law. The compensation paid to
26 ~~such~~ the assistant county attorneys shall be determined
27 by the ~~county-attorney-within-the-budget-set-for-the~~
28 ~~county-attorney's-office-by-the~~ board of supervisors.
29 ~~The-salary-of-an-assistant-county-attorney-shall-not~~
30 ~~exceed-eighty-five-percent-of-the-maximum-salary-of~~
31 ~~a-full-time-county-attorney."~~

32 2. Page 1, by inserting after line 36 the
33 following:

34 "2. By renumbering sections to conform to this
35 amendment."

36 3. Amend the title, line 1, by striking the word
37 "sheriffs" and inserting in lieu thereof the words
38 "county officers and other employees of the county".

H-5415 FILED BY HOWELL of Floyd

MARCH 10, 1980

Revised not germane 2/11 (p. 857)

SENATE FILE 2122

H-5417

1 Amend the Committee amendment, H-5313, to Senate
2 File 2122, as passed by the Senate, as follows:

3 1. Page 1, by striking lines 10 through 21 and
4 inserting in lieu thereof the following:

5 "1. Each deputy sheriff shall receive an annual
6 salary as determined by the board of supervisors.
7 Upon certification by the sheriff, the board of
8 supervisors shall review, and may modify, the annual
9 salary of each deputy before certifying it to the
10 county auditor."

11 2. Page 1, by striking lines 25 through 34.

H-5417 FILED *Last 2/11 (p. 857)* BY HOWELL of Floyd
MARCH 10, 1980 DIELEMAN of Marion

HOUSE AMENDMENT TO SENATE FILE 2122

S-5365

1 Amend Senate File 2122, as passed by the Senate,
2 as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section three hundred forty point
6 eight (340.8), Code 1979, is amended by striking the
7 section and inserting in lieu thereof the following:
8 340.8 COMPENSATION OF DEPUTY SHERIFFS AND OTHER
9 EMPLOYEES OF THE SHERIFF.

10 1. Each deputy sheriff shall receive an annual
11 base salary as determined by the board of supervisors.
12 Upon certification by the sheriff, the board of
13 supervisors shall review, and may modify, the annual
14 base salary of each deputy before certifying it to
15 the county auditor. The annual base salary of a first
16 or second deputy sheriff shall not exceed eighty-five
17 percent of the annual base salary of the sheriff.
18 The annual base salary of any other deputy sheriff
19 shall not exceed the annual base salary of the first
20 or second deputy sheriff except that in counties over
21 two hundred fifty thousand population, the annual
22 base salary of any additional deputies shall not
23 exceed seventy-five percent of the annual base salary
24 of the sheriff.

25 2. The board of supervisors shall determine the
26 compensation for other employees in the sheriff's
27 office.

28 3. The total annual compensation including the
29 annual base salary, overtime pay, longevity pay, shift
30 differential pay or other forms of supplemental pay
31 and fringe benefits received by a deputy sheriff shall
32 be less than the total annual compensation including
33 fringe benefits received by the sheriff.

34 4. As used in this section, "base salary" means
35 the basic compensation excluding overtime pay,
36 longevity pay, shift differential pay, or other
37 supplemental pay and fringe benefits.

38 Sec. 2. This Act becomes effective January first
39 following its enactment."

S-5365 FILED
MARCH 13, 1980

RECEIVED FROM THE HOUSE

Senate concurred 2/27 (p. 1114)

SENATE FILE 2122

differential pay, or other supplemental pay and fringe benefits.

Sec. 2. This Act becomes effective January first following its enactment.

AN ACT

RELATING TO THE COMPENSATION OF DEPUTY SHERIFFS.

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

Section 1. Section three hundred forty point eight (340.8), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

340.8 COMPENSATION OF DEPUTY SHERIFFS AND OTHER EMPLOYEES OF THE SHERIFF.

1. Each deputy sheriff shall receive an annual base salary as determined by the board of supervisors. Upon certification by the sheriff, the board of supervisors shall review, and may modify, the annual base salary of each deputy before certifying it to the county auditor. The annual base salary of a first or second deputy sheriff shall not exceed eighty-five percent of the annual base salary of the sheriff. The annual base salary of any other deputy sheriff shall not exceed the annual base salary of the first or second deputy sheriff except that in counties over two hundred fifty thousand population, the annual base salary of any additional deputies shall not exceed seventy-five percent of the annual base salary of the sheriff.

2. The board of supervisors shall determine the compensation for other employees in the sheriff's office.

The total annual compensation including the annual base salary, overtime pay, longevity pay, shift differential pay or other forms of supplemental pay and fringe benefits received by a deputy sheriff shall be less than the total annual compensation including fringe benefits received by the sheriff.

4. As used in this section, "base salary" means the basic compensation excluding overtime pay, longevity pay, shift

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2122, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor