

Appropriation 5/10 Do Pass 5/10/91 (p. 1757)  
House " 5/10 Amend (+121), Do Pass 5/10/91

*Reprinted*

SENATE FILE 548  
BY HUTCHINS and RIFE

Passed Senate, Date 5/10/91 (p. 1764) Passed House, Date 5/10/91 (p. 2248)  
Vote: Ayes 48 Nays 1 Vote: Ayes 63 Nays 33  
Approved Stemmelsted 5/31/91

A BILL FOR

1 An Act relating to the compensation and benefits for public  
2 officials and employees by specifying salary rates and ranges,  
3 by providing adjustments for salaries, and making  
4 appropriations, and providing effective dates.

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

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*HF 548*

1 Section 1.

2 1. The salary rates specified in this section are ef-  
3 fective for the fiscal year beginning July 1, 1991, and for  
4 subsequent fiscal years until otherwise provided by the  
5 general assembly. The salaries provided for in this section  
6 shall be paid from funds appropriated to the department or  
7 agency specified in this section pursuant to an Act of the  
8 general assembly or if the appropriation is not sufficient,  
9 from the salary adjustment fund.

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

12 a. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

13 Salary for the secretary of agriculture:

14 ..... \$ 61,200

15 b. DEPARTMENT OF JUSTICE

16 Salary for the attorney general:

17 ..... \$ 75,100

18 c. OFFICE OF THE AUDITOR OF STATE

19 Salary for the auditor of state:

20 ..... \$ 61,200

21 d. OFFICE OF THE SECRETARY OF STATE

22 Salary for the secretary of state:

23 ..... \$ 61,200

24 e. OFFICE OF THE TREASURER OF STATE

25 Salary for the treasurer of state:

26 ..... \$ 61,200

27 f. OFFICE OF THE GOVERNOR

28 Salary for the governor:

29 ..... \$ 78,300

30 g. OFFICE OF THE LIEUTENANT GOVERNOR

31 Salary for the lieutenant governor:

32 ..... \$ 61,200

33 Sec. 2.

34 1. The salary rates specified in this section are effec-  
35 tive for the fiscal year beginning July 1, 1991, and for

1 subsequent fiscal years until otherwise provided by the  
2 general assembly. The salaries provided for in this section  
3 shall be paid from funds appropriated to the department or the  
4 agency specified in this section pursuant to an Act of the  
5 general assembly or if the appropriation is not sufficient,  
6 from the salary adjustment fund.

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

- 9 a. Chief justice of the supreme court:  
10 ..... \$ 89,000
- 11 b. Each justice of the supreme court:  
12 ..... \$ 85,700
- 13 c. Chief judge of the court of appeals:  
14 ..... \$ 85,600
- 15 d. Each associate judge of the court of appeals:  
16 ..... \$ 82,400
- 17 e. Each chief judge of a judicial district:  
18 ..... \$ 81,500
- 19 f. Each district judge except the chief judge of a  
20 judicial district:  
21 ..... \$ 78,300
- 22 g. Each district associate judge:  
23 ..... \$ 68,300
- 24 h. Each judicial magistrate:  
25 ..... \$ 17,200

26 Sec. 3. Persons receiving the salary rates established  
27 under sections 1 and 2 of this Act shall not receive any  
28 additional salary adjustments provided by this Act.

29 Sec. 4. The governor shall establish a salary for  
30 appointed nonelected persons in the executive branch of state  
31 government holding a position enumerated in section 5 of this  
32 Act within the range provided by considering, among other  
33 items, the experience of the individual in the position,  
34 changes in the duties of the position, the incumbent's  
35 performance of assigned duties, the availability of qualified

1 candidates for the position, and subordinates' salaries.  
2 However, a salary increase established under this section  
3 shall not exceed 2 percent of the person's annual salary rate  
4 for the preceding fiscal year and the attorney general shall  
5 establish the salary for the consumer advocate within the  
6 salary range provided in section 5 of this Act. If a 2  
7 percent salary increase for a person exceeds the maximum rate  
8 authorized in section 5 of this Act, the maximum rate in the  
9 range does not apply to that person's position.

10 The governor, in establishing salaries as provided in  
11 section 5 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 pursuant to section 5  
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 by  
19 the governor or authorized by law. However, this provision  
20 does not exclude necessary travel and expenses incurred in the  
21 performance of duties or fringe benefits normally provided to  
22 employees of the state.

23 Sec. 5. The following annual salary ranges are effective  
24 for the positions specified in this section for the fiscal  
25 year beginning July 1, 1991, and for subsequent fiscal years  
26 until otherwise provided by the general assembly. The  
27 governor shall determine the salary to be paid to the person  
28 indicated at a rate within the salary ranges indicated from  
29 funds appropriated by the general assembly for that purpose.

30 1. The following salary ranges are effective for the  
31 fiscal year beginning July 1, 1991, and as otherwise provided  
32 in this section:

	<u>Minimum</u>	<u>Maximum</u>
33		
34 a. Range 1 .....	\$ 7,500	\$22,700
35 b. Range 2 .....	\$27,300	\$45,400

1	c. Range 3 .....	\$37,500	\$53,000
2	d. Range 4 .....	\$45,400	\$60,700
3	e. Range 5 .....	\$53,000	\$68,300

4 2. The following are range 1 positions: part-time members  
5 of the board of parole.

6 3. The following are range 2 positions: administrator of  
7 the criminal and juvenile justice planning division of the  
8 department of human rights, administrator of the arts division  
9 of the department of cultural affairs, administrators of the  
10 division of persons with disabilities, the division on the  
11 status of women, the division on the status of blacks, the  
12 division of deaf services, the division of Latino affairs, and  
13 the division of children, youth, and families of the  
14 department of human rights, administrator of the division of  
15 professional licensing and regulation of the department of  
16 commerce, and administrators of the division of disaster  
17 services and the division of veterans affairs of the  
18 department of public defense.

19 4. The following are range 3 positions: administrator of  
20 the library division of the department of cultural affairs,  
21 administrator of the division of community action agencies of  
22 the department of human rights, and chairperson and members of  
23 the employment appeals board of the department of inspections  
24 and appeals.

25 5. The following are range 4 positions: superintendent of  
26 banking, superintendent of credit unions, superintendent of  
27 savings and loan associations, administrator of the alcoholic  
28 beverages division of the department of commerce, state public  
29 defender, and chairperson and full-time members of the board  
30 of parole.

31 6. The following are range 5 positions: chairperson and  
32 members of the utilities board, consumer advocate, job service  
33 commissioner, labor commissioner, industrial commissioner,  
34 insurance commissioner, administrators of the historical  
35 division and the public broadcasting division of the

1 department of cultural affairs, and administrator of the  
2 racing and gaming commission of the department of inspections  
3 and appeals, and secretary of the state fair board.

4 7. The following salary ranges are effective for the  
5 fiscal year beginning July 1, 1991, and as otherwise provided  
6 in this section:

7 DEPARTMENT DIRECTORS' SALARIES

	<u>Minimum</u>	<u>Maximum</u>
8		
9 a. Range 6 .....	\$41,000	\$55,000
10 b. Range 7 .....	\$56,100	\$68,800
11 c. Range 8 .....	\$60,100	\$80,000
12 d. Range 9 .....	\$67,100	\$95,100

13 8. The following are range 6 positions: department  
14 director of the department of human rights, director of the  
15 Iowa state civil rights commission, executive director of the  
16 college student aid commission, director of the law  
17 enforcement academy, director of the department for the blind,  
18 and executive secretary of the campaign finance disclosure  
19 commission.

20 9. The following are range 7 positions: director of the  
21 department of cultural affairs, director of the department of  
22 personnel, director of the Iowa department of public health,  
23 director of the department of elder affairs, commissioner of  
24 public safety, director of the department of general services,  
25 director of the department of commerce, and director of the  
26 department of inspections and appeals.

27 10. The following are range 8 positions: director of  
28 revenue and finance, director of the department of natural  
29 resources, director of the department of corrections, the  
30 state court administrator, director of the department of  
31 employment services, director of the department of management,  
32 and executive director of the Iowa finance authority.

33 11. The following are range 9 positions: director of the  
34 department of education, director of the department of human  
35 services, director of the department of economic development,

1 executive director of the state board of regents, director of  
2 the state department of transportation, and lottery  
3 commissioner.

4 Sec. 6.

5 1. The salary rates specified in this section are  
6 effective for the fiscal year beginning July 1, 1991, and for  
7 subsequent fiscal years until otherwise provided by the  
8 general assembly. The salaries provided for in this section  
9 shall be paid from funds appropriated to the department or  
10 agency specified in this section.

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

- 13 a. Chairperson of the public employment relations board:
- 14 ..... \$ 54,100
- 15 b. Two members of the public employment relations board:
- 16 ..... \$ 50,200

17 Sec. 7. The annual salary rates or ranges provided in  
18 sections 1, 2, 5, and 6 of this Act become effective for the  
19 fiscal year beginning July 1, 1991, with the pay period  
20 beginning June 21, 1991.

21 Sec. 8. There is appropriated from the general fund of the  
22 state to the salary adjustment fund for distribution by the  
23 department of management to the various state departments,  
24 boards, commissions, councils, and agencies the following  
25 amount, \$23,441,434, or so much thereof as may be necessary,  
26 to fund the following annual pay adjustments, expense  
27 reimbursements, and related benefits:

- 28 1. The collective bargaining agreement negotiated pursuant  
29 to chapter 20 for employees in the blue collar bargaining  
30 unit.
- 31 2. The collective bargaining agreement negotiated pursuant  
32 to chapter 20 for employees in the state police officers  
33 council bargaining unit.
- 34 3. The collective bargaining agreement negotiated pursuant  
35 to chapter 20 for employees in the security bargaining unit.

1 4. The collective bargaining agreement negotiated pursuant  
2 to chapter 20 for employees in the technical bargaining unit.

3 5. The collective bargaining agreement negotiated pursuant  
4 to chapter 20 for employees in the professional fiscal and  
5 staff bargaining unit.

6 6. The collective bargaining agreement negotiated pursuant  
7 to chapter 20 for employees in the clerical bargaining unit.

8 7. The collective bargaining agreement negotiated pursuant  
9 to chapter 20 for employees in the Iowa united professionals  
10 bargaining unit.

11 8. The collective bargaining agreement negotiated pursuant  
12 to chapter 20 for employees in the community-based corrections  
13 bargaining unit.

14 9. The collective bargaining agreement negotiated pursuant  
15 to chapter 20 for employees in the judicial branch of  
16 government bargaining unit.

17 10. The annual pay adjustments, related benefits, and  
18 expense reimbursements referred to in sections 9 and 10 of  
19 this Act for employees not covered by a collective bargaining  
20 agreement.

21 Sec. 9.

22 1. All pay plans provided for in section 19A.9, subsection  
23 2, as they exist for the fiscal year ending June 30, 1991,  
24 shall be increased for employees who are not included in a  
25 bargaining unit under chapter 20 and who are not otherwise  
26 specified in this Act, by not less than nor more than 2  
27 percent for the fiscal year beginning July 1, 1991, effective  
28 with the pay period beginning June 21, 1991. The department  
29 of personnel shall revise the pay plans as provided under  
30 section 19A.9, subsection 2, by increasing the salary levels  
31 for the various grades and steps within the respective plans.  
32 Employees shall not receive merit increases or the equivalent  
33 of a merit increase.

34 2. The pay plans for state employees who are exempt from  
35 chapter 19A and who are included in the department of revenue

1 and finance's centralized payroll system, and the board office  
2 employees of the state board of regents, shall be increased by  
3 the same percent and in the same manner as provided in  
4 subsection 1.

5 3. This section does not apply to members of the general  
6 assembly, board members, commission members, salaries of  
7 persons set by the general assembly pursuant to this Act, or  
8 set by the governor, employees designated under section 19A.3,  
9 subsection 5, and employees under the state board of regents,  
10 but subsection 2 does apply to office employees of the state  
11 board of regents.

12 4. The policies for implementation of this section shall  
13 be approved by the governor.

14 Sec. 10. STATE BOARD OF REGENTS' SALARIES AND BENEFITS.

15 The funds allocated to the state board of regents for the  
16 purpose of providing increases for employees under the state  
17 board of regents' merit system who are not included in the  
18 collective bargaining agreement made final under chapter 20,  
19 except board office employees, shall be used to increase the  
20 state board of regents' merit system pay plans as they exist  
21 for the fiscal year beginning July 1, 1991, and ending June  
22 30, 1992, by increasing the salary levels for each grade and  
23 step within the plans by 2 percent for the fiscal year  
24 beginning July 1, 1991. The employees shall not receive merit  
25 increases or the equivalent of a merit increase.

26 Sec. 11. Of the funds appropriated in section 8 of this  
27 Act, the following amount, or so much thereof as may be  
28 necessary, shall be allocated to fund increases in the judges  
29 and magistrates salaries and related benefits as otherwise  
30 provided by law and for the state's contribution to the  
31 judicial retirement system provided for in chapter 602  
32 required because of the increased salaries:

33 ..... \$ 324,308

34 Sec. 12.

35 1. There is appropriated from the road use tax fund to the

1 salary adjustment fund for the fiscal year beginning July 1,  
2 1991, and ending June 30, 1992, the following amount, or so  
3 much thereof as may be necessary, to be used for the purposes  
4 designated:

5 To supplement other funds appropriated by the general  
6 assembly:  
7 ..... \$ 979,696

8 2. There is appropriated from the primary road fund to the  
9 salary adjustment fund, for the fiscal year beginning July 1,  
10 1991, and ending June 30, 1992, the following amount, or so  
11 much thereof as may be necessary, to be used for the purposes  
12 designated:

13 To supplement other funds appropriated by the general  
14 assembly:  
15 ..... \$ 2,423,428

16 3. Except as otherwise provided in this Act, the amounts  
17 appropriated in subsections 1 and 2 shall be used to fund the  
18 annual pay adjustments, expense reimbursement, and related  
19 benefits for public officials and employees as provided for in  
20 this Act.

21 Sec. 13. Of the funds appropriated in section 8 of this  
22 Act, the following amount, or so much thereof as may be  
23 necessary, shall be allocated to the following agencies or  
24 programs listed:

25 Regional libraries:  
26 ..... \$ 18,000

27 The funds shall be allocated by the department of  
28 management. The funds received by local programs under this  
29 section shall be used to pay the state's share of the  
30 authorized salary increases for local program employees.

31 Sec. 14. To departmental revolving, trust, or special  
32 funds, except for the primary road fund or the road use tax  
33 fund, for which the general assembly has established an  
34 operating budget, a supplemental expenditure authorization is  
35 provided, unless otherwise provided, in an amount necessary to

1 fund salary adjustments as otherwise provided in this Act.

2 Sec. 15. All funds appropriated to the salary adjustment  
3 fund for the state department of transportation and for state  
4 agencies paid through the department of revenue and finance's  
5 centralized payroll system shall be used to fund salary and  
6 fringe benefit expenditures for the fiscal year beginning July  
7 1, 1991, and ending June 30, 1992.

8 Sec. 16. Funds appropriated from the general fund of the  
9 state in this Act relate only to salaries supported from  
10 general fund appropriations of the state.

11 Sec. 17. All federal grants to and the federal receipts of  
12 the agencies affected by this Act which are received and may  
13 be expended for purposes of this Act are appropriated for  
14 those purposes and as set forth in the federal grants or  
15 receipts.

16 Sec. 18. There shall be transferred on or before June 30,  
17 1992, from the moneys deposited in the health insurance  
18 reserve fund the following amount, or so much thereof as is  
19 necessary, to be used for the purpose designated:

20 To supplement other funds appropriated by the general  
21 assembly for salaries:

22 ..... \$ 6,000,000

23 The portion of the transferred funds which reflects the  
24 employee's contribution and the interest that may be earned on  
25 that contribution shall be applied to pay claims and to reduce  
26 the employee's share of health insurance premiums incurred  
27 after July 31, 1992, and before July 30, 1993. It is the  
28 intent of this provision to ensure that the employee will  
29 suffer no diminution of property or benefit.

30 Sec. 19. There is appropriated from the health insurance  
31 reserve fund to the general fund of the state, on or before  
32 June 30, 1991, the following amount:

33 ..... \$ 6,000,000

34 Sec. 20. EFFECTIVE DATES. This section and section 19 of  
35 this Act, being deemed of immediate importance, take effect

1 upon enactment.

2

EXPLANATION

3       The bill increases salaries for elected officials in the  
4 executive branch, department heads, and judges for the fiscal  
5 year beginning July 1, 1991. This bill also contains funding  
6 for salary adjustments or other benefits for employees of the  
7 state board of regents except faculty members. Bargaining  
8 employees receive the salary adjustments and other benefits  
9 negotiated pursuant to chapter 20. Nonbargaining employees  
10 will receive a 2 percent increase for the fiscal year  
11 beginning July 1, 1991. An appropriation from the health  
12 insurance reserve fund to the state general fund is made  
13 effective upon enactment.

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## SENATE FILE 548

S-3764

1 Amend Senate File 548 as follows:

2 1. Page 1, line 14, by striking the figure  
3 "61,200" and inserting the following: "60,000".

4 2. Page 1, line 17, by striking the figure  
5 "75,100" and inserting the following: "73,600".

6 3. Page 1, line 20, by striking the figure  
7 "61,200" and inserting the following: "60,000".

8 4. Page 1, line 23, by striking the figure  
9 "61,200" and inserting the following: "60,000".

10 5. Page 1, line 26, by striking the figure  
11 "61,200" and inserting the following: "60,000".

12 6. Page 1, line 29, by striking the figure  
13 "78,300" and inserting the following: "76,700".

14 7. Page 1, line 32, by striking the figure  
15 "61,200" and inserting the following: "60,000".

16 8. Page 2, line 10, by striking the figure  
17 "89,000" and inserting the following: "87,200".

18 9. Page 2, line 12, by striking the figure  
19 "85,700" and inserting the following: "84,000".

20 10. Page 2, line 14, by striking the figure  
21 "85,600" and inserting the following: "83,900".

22 11. Page 2, line 16, by striking the figure  
23 "82,400" and inserting the following: "80,700".

24 12. Page 2, line 18, by striking the figure  
25 "81,500" and inserting the following: "79,900".

26 13. Page 2, line 21, by striking the figure  
27 "78,300" and inserting the following: "76,700".

28 14. Page 2, line 23, by striking the figure  
29 "68,300" and inserting the following: "66,900".

30 15. Page 2, line 25, by striking the figure  
31 "17,200" and inserting the following: "16,800".

32 16. Page 3, by striking lines 2 through 9 and  
33 inserting the following: "However, a salary  
34 established under this section shall not exceed the  
35 person's annual salary rate for the preceding fiscal  
36 year."

37 17. Page 6, line 14, by striking the figure  
38 "54,100" and inserting the following: "53,000".

39 18. Page 6, line 16, by striking the figure  
40 "50,200" and inserting the following: "49,200".

41 19. Page 8, lines 28 through 30, by striking the  
42 words "increases in the judges and magistrates  
43 salaries and related benefits as otherwise provided by  
44 law and for".

By MICHAEL E. GRONSTAL  
EMIL J. HUSAK  
RICHARD J. VARN  
JOHN P. KIBBIE  
WILLIAM W. DIELEMAN  
AL STURGEON  
BERL E. PRIEBE  
JOHN A. PETERSON  
GEORGE R. KINLEY

ELAINE SZYMONIAK  
RICHARD V. RUNNING  
DON E. GETTINGS  
BILL HUTCHINS  
JOE J. WELSH  
EUGENE S. FRAISE  
MICHAEL W. CONNOLLY  
BEVERLY A. HANNON

S-3764 FILED MAY 10, 1991  
ADOPTED (p. 1762)

## SENATE FILE 548

S-3762

1 Amend Senate File 548 as follows:  
2 1. Page 4, lines 12 through 14, by striking the  
3 words "and the division of children, youth, and  
4 families of the department of human rights,".  
By FLORENCE BUHR

S-3762 FILED MAY 10, 1991  
ADOPTED (p. 1763)

## SENATE FILE 548

S-3767

1 Amend Senate File 548 as follows:  
2 1. Page 10, by inserting after line 33 the  
3 following:  
4 "Sec. \_\_\_\_ . COMPENSATION AND BENEFITS STUDY. The  
5 director of the department of personnel, the director  
6 of the legislative service bureau, and the executive  
7 director of the state board of regents, or a designee  
8 of each director, shall conduct a study to determine  
9 the impact of the salary adjustment provisions in this  
10 Act and the changes in salary relationships as a  
11 result of the implementation of this Act, and to  
12 identify issues of concern and compensation equity.  
13 The committee shall meet at the call of the director  
14 of the legislative service bureau who shall serve as  
15 temporary chairperson.  
16 The committee shall complete its study and report  
17 its findings and recommendations to the general  
18 assembly by February 1, 1992."

By MARY KRAMER

S-3767 FILED MAY 10, 1991  
ADOPTED (p. 1763)

## SENATE FILE 548

S-3765

1 Amend Senate File 548 as follows:  
2 1. Page 10, by inserting after line 33 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 20.22, Code 1991, is amended by  
5 striking the section and inserting in lieu thereof the  
6 following:  
7 20.22 BINDING REFERENDUMS.  
8 1. If an impasse persists after findings of fact  
9 and recommendations are made public by the factfinder,  
10 the parties may continue to negotiate or, the board  
11 may require, upon the request of either party, the  
12 submission of the impasse items to a vote of the  
13 electorate. The board shall direct the state  
14 commissioner of elections on behalf of the state and  
15 its collective bargaining units and the county  
16 commissioner of elections on behalf of the various  
17 political subdivisions and their respective bargaining  
18 units to submit the impasse items to the qualified  
19 electorate at the next regular election. The total  
20 costs of submitting the impasse items to the  
21 electorate shall be equally shared by the two parties  
22 to the dispute.  
23 2. Each party shall submit the text of its final  
24 offer on each impasse item to the board. The board  
25 shall prepare the ballot proposition allowing the  
26 voter to approve one of the final offers for each  
27 impasse item or the recommendation of the factfinder.  
28 Bargaining may continue before the election is held.  
29 If an agreement is reached before the ballots are  
30 printed, the impasse item shall be removed from the  
31 ballot.  
32 3. The submission of the impasse items to the  
33 electorate shall be limited to those issues that have  
34 been considered by the factfinder and upon which the  
35 parties have not reached an agreement. With respect  
36 to each item, the electorate must select among the two  
37 final offers of the parties and the recommendation of  
38 the factfinder on each impasse item.  
39 4. The impasse item or recommendation receiving  
40 the largest plurality of votes cast on the question  
41 shall be included in the collective bargaining  
42 agreement. The collective bargaining agreement takes  
43 effect on July 1 following the election.  
44 5. As used in this section, "next regular  
45 election" means for the state or a county and its  
46 collective bargaining units, the next general  
47 election; for a city and its collective bargaining  
48 units, the next regular city election; and for a  
49 school district and its collective bargaining units,  
50 the next regular school election."

By RAY TAYLOR

S-3765 FILED MAY 10, 1991  
RULED OUT OF ORDER (p. 1763)

How Approp. 5/10 Amend (4.12), Do Pass 5/10/91

SENATE FILE 548  
BY HUTCHINS and RIFE

(AS AMENDED AND PASSED BY THE SENATE MAY 10, 1991)

- \_\_\_\_\_ - New Language by the Senate
- \* - Language Stricken by the Senate

Re Passed Senate, Date <sup>see 8-3-172</sup> 5/11/91 (p. 1783) Passed House, Date 5/10/91 (p. 3242)  
 Vote: Ayes 39 Nays 11 Vote: Ayes 63 Nays 33  
 Approved Item Veto 5/31/91 (See enrolled copy)

A BILL FOR

1 An Act relating to the compensation and benefits for public  
 2 officials and employees by specifying salary rates and ranges,  
 3 by providing adjustments for salaries, and making  
 4 appropriations, and providing effective dates.

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

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1 Section 1.

2 1. The salary rates specified in this section are ef-  
3 fective for the fiscal year beginning July 1, 1991, and for  
4 subsequent fiscal years until otherwise provided by the  
5 general assembly. The salaries provided for in this section  
6 shall be paid from funds appropriated to the department or  
7 agency specified in this section pursuant to an Act of the  
8 general assembly or if the appropriation is not sufficient,  
9 from the salary adjustment fund.

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

12 a. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP	
13 Salary for the secretary of agriculture:	
14 .....	\$ <u>60,000</u>
15 b. DEPARTMENT OF JUSTICE	
16 Salary for the attorney general:	
17 .....	\$ <u>73,600</u>
18 c. OFFICE OF THE AUDITOR OF STATE	
19 Salary for the auditor of state:	
20 .....	\$ <u>60,000</u>
21 d. OFFICE OF THE SECRETARY OF STATE	
22 Salary for the secretary of state:	
23 .....	\$ <u>60,000</u>
24 e. OFFICE OF THE TREASURER OF STATE	
25 Salary for the treasurer of state:	
26 .....	\$ <u>60,000</u>
27 f. OFFICE OF THE GOVERNOR	
28 Salary for the governor:	
29 .....	\$ <u>76,700</u>
30 g. OFFICE OF THE LIEUTENANT GOVERNOR	
31 Salary for the lieutenant governor:	
32 .....	\$ <u>60,000</u>

33 Sec. 2.

34 1. The salary rates specified in this section are effec-  
35 tive for the fiscal year beginning July 1, 1991, and for

1 subsequent fiscal years until otherwise provided by the  
2 general assembly. The salaries provided for in this section  
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6 from the salary adjustment fund.

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

9	a. Chief justice of the supreme court:	
10	.....	\$ <u>87,200</u>
11	b. Each justice of the supreme court:	
12	.....	\$ <u>84,000</u>
13	c. Chief judge of the court of appeals:	
14	.....	\$ <u>83,900</u>
15	d. Each associate judge of the court of appeals:	
16	.....	\$ <u>80,700</u>
17	e. Each chief judge of a judicial district:	
18	.....	\$ <u>79,900</u>
19	f. Each district judge except the chief judge of a	
20	judicial district:	
21	.....	\$ <u>76,700</u>
22	g. Each district associate judge:	
23	.....	\$ <u>66,900</u>
24	h. Each judicial magistrate:	
25	.....	\$ <u>16,800</u>

26 Sec. 3. Persons receiving the salary rates established  
27 under sections 1 and 2 of this Act shall not receive any  
28 additional salary adjustments provided by this Act.

29 Sec. 4. The governor shall establish a salary for  
30 appointed nonelected persons in the executive branch of state  
31 government holding a position enumerated in section 5 of this  
32 Act within the range provided by considering, among other  
33 items, the experience of the individual in the position,  
34 changes in the duties of the position, the incumbent's  
35 performance of assigned duties, the availability of qualified

1 candidates for the position, and subordinates' salaries.  
2 However, a salary established under this section shall not  
3 exceed the person's annual salary rate for the preceding  
4 fiscal year.

5 The governor, in establishing salaries as provided in  
6 section 5 of this Act, shall take into consideration other  
7 employee benefits which may be provided for an individual  
8 including, but not limited to, housing.

9 A person whose salary is established pursuant to section 5  
10 of this Act and who is a full-time permanent employee of the  
11 state shall not receive any other remuneration from the state  
12 or from any other source for the performance of that person's  
13 duties unless the additional remuneration is first approved by  
14 the governor or authorized by law. However, this provision  
15 does not exclude necessary travel and expenses incurred in the  
16 performance of duties or fringe benefits normally provided to  
17 employees of the state.

18 Sec. 5. The following annual salary ranges are effective  
19 for the positions specified in this section for the fiscal  
20 year beginning July 1, 1991, and for subsequent fiscal years  
21 until otherwise provided by the general assembly. The  
22 governor shall determine the salary to be paid to the person  
23 indicated at a rate within the salary ranges indicated from  
24 funds appropriated by the general assembly for that purpose.

25 1. The following salary ranges are effective for the  
26 fiscal year beginning July 1, 1991, and as otherwise provided  
27 in this section:

	<u>Minimum</u>	<u>Maximum</u>
28 a. Range 1 .....	\$ 7,500	\$22,700
29 b. Range 2 .....	\$27,300	\$45,400
30 c. Range 3 .....	\$37,500	\$53,000
31 d. Range 4 .....	\$45,400	\$60,700
32 e. Range 5 .....	\$53,000	\$68,300

33  
34 2. The following are range 1 positions: part-time members  
35 of the board of parole.

1 3. The following are range 2 positions: administrator of  
2 the criminal and juvenile justice planning division of the  
3 department of human rights, administrator of the arts division  
4 of the department of cultural affairs, administrators of the  
5 division of persons with disabilities, the division on the  
6 status of women, the division on the status of blacks, the  
7 division of deaf services, the division of Latino affairs,  
\*8 administrator of the division of professional licensing and  
9 regulation of the department of commerce, and administrators  
10 of the division of disaster services and the division of  
11 veterans affairs of the department of public defense.

12 4. The following are range 3 positions: administrator of  
13 the library division of the department of cultural affairs,  
14 administrator of the division of community action agencies of  
15 the department of human rights, and chairperson and members of  
16 the employment appeals board of the department of inspections  
17 and appeals.

18 5. The following are range 4 positions: superintendent of  
19 banking, superintendent of credit unions, superintendent of  
20 savings and loan associations, administrator of the alcoholic  
21 beverages division of the department of commerce, state public  
22 defender, and chairperson and full-time members of the board  
23 of parole.

24 6. The following are range 5 positions: chairperson and  
25 members of the utilities board, consumer advocate, job service  
26 commissioner, labor commissioner, industrial commissioner,  
27 insurance commissioner, administrators of the historical  
28 division and the public broadcasting division of the  
29 department of cultural affairs, and administrator of the  
30 racing and gaming commission of the department of inspections  
31 and appeals, and secretary of the state fair board.

32 7. The following salary ranges are effective for the  
33 fiscal year beginning July 1, 1991, and as otherwise provided  
34 in this section:

35 DEPARTMENT DIRECTORS' SALARIES

	<u>Minimum</u>	<u>Maximum</u>
1		
2 a. Range 6 .....	\$41,000	\$55,000
3 b. Range 7 .....	\$56,100	\$68,800
4 c. Range 8 .....	\$60,100	\$80,000
5 d. Range 9 .....	\$67,100	\$95,100

6 8. The following are range 6 positions: department  
7 director of the department of human rights, director of the  
8 Iowa state civil rights commission, executive director of the  
9 college student aid commission, director of the law  
10 enforcement academy, director of the department for the blind,  
11 and executive secretary of the campaign finance disclosure  
12 commission.

13 9. The following are range 7 positions: director of the  
14 department of cultural affairs, director of the department of  
15 personnel, director of the Iowa department of public health,  
16 director of the department of elder affairs, commissioner of  
17 public safety, director of the department of general services,  
18 director of the department of commerce, and director of the  
19 department of inspections and appeals.

20 10. The following are range 8 positions: director of  
21 revenue and finance, director of the department of natural  
22 resources, director of the department of corrections, the  
23 state court administrator, director of the department of  
24 employment services, director of the department of management,  
25 and executive director of the Iowa finance authority.

26 11. The following are range 9 positions: director of the  
27 department of education, director of the department of human  
28 services, director of the department of economic development,  
29 executive director of the state board of regents, director of  
30 the state department of transportation, and lottery  
31 commissioner.

32 Sec. 6.

33 1. The salary rates specified in this section are  
34 effective for the fiscal year beginning July 1, 1991, and for  
35 subsequent fiscal years until otherwise provided by the

1 general assembly. The salaries provided for in this section  
2 shall be paid from funds appropriated to the department or  
3 agency specified in this section.

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

6 a. Chairperson of the public employment relations board:  
7 ..... \$ 53,000

8 b. Two members of the public employment relations board:  
9 ..... \$ 49,200

10 Sec. 7. The annual salary rates or ranges provided in  
11 sections 1, 2, 5, and 6 of this Act become effective for the  
12 fiscal year beginning July 1, 1991, with the pay period  
13 beginning June 21, 1991.

14 Sec. 8. There is appropriated from the general fund of the  
15 state to the salary adjustment fund for distribution by the  
16 department of management to the various state departments,  
17 boards, commissions, councils, and agencies the following  
18 amount, \$23,441,434, or so much thereof as may be necessary,  
19 to fund the following annual pay adjustments, expense  
20 reimbursements, and related benefits:

21 1. The collective bargaining agreement negotiated pursuant  
22 to chapter 20 for employees in the blue collar bargaining  
23 unit.

24 2. The collective bargaining agreement negotiated pursuant  
25 to chapter 20 for employees in the state police officers  
26 council bargaining unit.

27 3. The collective bargaining agreement negotiated pursuant  
28 to chapter 20 for employees in the security bargaining unit.

29 4. The collective bargaining agreement negotiated pursuant  
30 to chapter 20 for employees in the technical bargaining unit.

31 5. The collective bargaining agreement negotiated pursuant  
32 to chapter 20 for employees in the professional fiscal and  
33 staff bargaining unit.

34 6. The collective bargaining agreement negotiated pursuant  
35 to chapter 20 for employees in the clerical bargaining unit.

1 7. The collective bargaining agreement negotiated pursuant  
2 to chapter 20 for employees in the Iowa united professionals  
3 bargaining unit.

4 8. The collective bargaining agreement negotiated pursuant  
5 to chapter 20 for employees in the community-based corrections  
6 bargaining unit.

7 9. The collective bargaining agreement negotiated pursuant  
8 to chapter 20 for employees in the judicial branch of  
9 government bargaining unit.

10 10. The annual pay adjustments, related benefits, and  
11 expense reimbursements referred to in sections 9 and 10 of  
12 this Act for employees not covered by a collective bargaining  
13 agreement.

14 Sec. 9.

15 1. All pay plans provided for in section 19A.9, subsection  
16 2, as they exist for the fiscal year ending June 30, 1991,  
17 shall be increased for employees who are not included in a  
18 bargaining unit under chapter 20 and who are not otherwise  
19 specified in this Act, by not less than nor more than 2  
20 percent for the fiscal year beginning July 1, 1991, effective  
21 with the pay period beginning June 21, 1991. The department  
22 of personnel shall revise the pay plans as provided under  
23 section 19A.9, subsection 2, by increasing the salary levels  
24 for the various grades and steps within the respective plans.  
25 Employees shall not receive merit increases or the equivalent  
26 of a merit increase.

27 2. The pay plans for state employees who are exempt from  
28 chapter 19A and who are included in the department of revenue  
29 and finance's centralized payroll system, and the board office  
30 employees of the state board of regents, shall be increased by  
31 the same percent and in the same manner as provided in  
32 subsection 1.

33 3. This section does not apply to members of the general  
34 assembly, board members, commission members, salaries of  
35 persons set by the general assembly pursuant to this Act, or

1 set by the governor, employees designated under section 19A.3,  
2 subsection 5, and employees under the state board of regents,  
3 but subsection 2 does apply to office employees of the state  
4 board of regents.

5 4. The policies for implementation of this section shall  
6 be approved by the governor.

7 Sec. 10. STATE BOARD OF REGENTS' SALARIES AND BENEFITS.

8 The funds allocated to the state board of regents for the  
9 purpose of providing increases for employees under the state  
10 board of regents' merit system who are not included in the  
11 collective bargaining agreement made final under chapter 20,  
12 except board office employees, shall be used to increase the  
13 state board of regents' merit system pay plans as they exist  
14 for the fiscal year beginning July 1, 1991, and ending June  
15 30, 1992, by increasing the salary levels for each grade and  
16 step within the plans by 2 percent for the fiscal year  
17 beginning July 1, 1991. The employees shall not receive merit  
18 increases or the equivalent of a merit increase.

19 Sec. 11. Of the funds appropriated in section 8 of this  
20 Act, the following amount, or so much thereof as may be

\* 21 necessary, shall be allocated to fund the state's contribution  
22 to the judicial retirement system provided for in chapter 602  
23 required because of the increased salaries:

24 ..... \$ 324,308

25 Sec. 12.

26 1. There is appropriated from the road use tax fund to the  
27 salary adjustment fund for the fiscal year beginning July 1,  
28 1991, and ending June 30, 1992, the following amount, or so  
29 much thereof as may be necessary, to be used for the purposes  
30 designated:

31 To supplement other funds appropriated by the general  
32 assembly:

33 ..... \$ 979,696

34 2. There is appropriated from the primary road fund to the  
35 salary adjustment fund, for the fiscal year beginning July 1,

1 1991, and ending June 30, 1992, the following amount, or so  
2 much thereof as may be necessary, to be used for the purposes  
3 designated:

4 To supplement other funds appropriated by the general  
5 assembly:  
6 ..... \$ 2,423,428

7 3. Except as otherwise provided in this Act, the amounts  
8 appropriated in subsections 1 and 2 shall be used to fund the  
9 annual pay adjustments, expense reimbursement, and related  
10 benefits for public officials and employees as provided for in  
11 this Act.

12 Sec. 13. Of the funds appropriated in section 8 of this  
13 Act, the following amount, or so much thereof as may be  
14 necessary, shall be allocated to the following agencies or  
15 programs listed:

16 Regional libraries:  
17 ..... \$ 18,000

18 The funds shall be allocated by the department of  
19 management. The funds received by local programs under this  
20 section shall be used to pay the state's share of the  
21 authorized salary increases for local program employees.

22 Sec. 14. To departmental revolving, trust, or special  
23 funds, except for the primary road fund or the road use tax  
24 fund, for which the general assembly has established an  
25 operating budget, a supplemental expenditure authorization is  
26 provided, unless otherwise provided, in an amount necessary to  
27 fund salary adjustments as otherwise provided in this Act.

28 Sec. 15. All funds appropriated to the salary adjustment  
29 fund for the state department of transportation and for state  
30 agencies paid through the department of revenue and finance's  
31 centralized payroll system shall be used to fund salary and  
32 fringe benefit expenditures for the fiscal year beginning July  
33 1, 1991, and ending June 30, 1992.

34 Sec. 16. Funds appropriated from the general fund of the  
35 state in this Act relate only to salaries supported from

1 general fund appropriations of the state.

2 Sec. 17. All federal grants to and the federal receipts of  
3 the agencies affected by this Act which are received and may  
4 be expended for purposes of this Act are appropriated for  
5 those purposes and as set forth in the federal grants or  
6 receipts.

7 Sec. 18. There shall be transferred on or before June 30,  
8 1992, from the moneys deposited in the health insurance  
9 reserve fund the following amount, or so much thereof as is  
10 necessary, to be used for the purpose designated:

11 To supplement other funds appropriated by the general  
12 assembly for salaries:

13 ..... \$ 6,000,000

14 The portion of the transferred funds which reflects the  
15 employee's contribution and the interest that may be earned on  
16 that contribution shall be applied to pay claims and to reduce  
17 the employee's share of health insurance premiums incurred  
18 after July 31, 1992, and before July 30, 1993. It is the  
19 intent of this provision to ensure that the employee will  
20 suffer no diminution of property or benefit.

21 Sec. 19. There is appropriated from the health insurance  
22 reserve fund to the general fund of the state, on or before  
23 June 30, 1991, the following amount:

24 ..... \$ 6,000,000

25 Sec. 20. COMPENSATION AND BENEFITS STUDY. The director of  
26 the department of personnel, the director of the legislative  
27 service bureau, and the executive director of the state board  
28 of regents, or a designee of each director, shall conduct a  
29 study to determine the impact of the salary adjustment  
30 provisions in this Act and the changes in salary relationships  
31 as a result of the implementation of this Act, and to identify  
32 issues of concern and compensation equity. The committee  
33 shall meet at the call of the director of the legislative  
34 service bureau who shall serve as temporary chairperson.

35 The committee shall complete its study and report its,

1 findings and recommendations to the general assembly by  
2 February 1, 1992.

3       Sec. 21. EFFECTIVE DATES. This section and section 19 of  
4 this Act, being deemed of immediate importance, take effect  
5 upon enactment.

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SENATE FILE 548

H-4122

1 Amend Senate File 548, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 6, by inserting after line 13 the  
4 following:

5 "Sec. \_\_\_\_\_. HIRING FREEZE FOR MIDDLE MANAGEMENT  
6 POSITIONS.

7 1. For the purposes of this section, unless the  
8 context otherwise requires:

9 a. "Department" means an executive, legislative,  
10 or judicial branch department, commission, board,  
11 institution, bureau, office, or other agency of state  
12 government that uses, expends, or receives state  
13 funds.

14 b. "Middle management position" means a  
15 supervisory or management position within a department  
16 which is not filled pursuant to an appointment by the  
17 governor, is not an office filled by election, is not  
18 a position as a justice of the supreme court or judge  
19 of the court of appeals, is not a position as head of  
20 a department, is not a position as a member of a  
21 board, commission, committee, or council, is not  
22 represented by a bargaining unit, or is not, as of May  
23 7, 1991, a confidential employee position.

24 2. If a vacancy occurs in a middle management  
25 position, the department shall not fill the vacancy.  
26 A department shall not create new middle management  
27 positions. The hiring freeze shall continue until  
28 further action is taken by the general assembly, or  
29 the legislative council suspends the applications of  
30 the hiring freeze."

31 2. By renumbering as necessary.

By HIBBARD of Madison	BAKER of Polk
JESSE of Jasper	MURPHY of Dubuque
BROWN of Lucas	IVERSON of Wright
BEATTY of Warren	SHONING of Woodbury
MERTZ of Kossuth	McNEAL of Hardin
FOGARTY of Palo Alto	TEAFORD of Black Hawk
MUHLBAUER of Crawford	BLANSHAN of Greene
KOENIGS of Mitchell	PETERSON of Carroll
SHEARER of Louisa	KNAPP of Dubuque
GRUEN of Dickinson	ADAMS of Hamilton

H-4122 FILED MAY 10, 1991

NOT GERMANE (p. 2247)

SENATE FILE 548

H-4123

1 Amend Senate File 548, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 10, by striking lines 7 through 12 and  
4 inserting the following:

5 "Sec. \_\_\_\_\_. There is appropriated from the health  
6 insurance reserve fund to the general fund of the  
7 state, on or before June 30, 1992, the following  
8 amount:".

By SHERZAN of Polk

H-4123 FILED MAY 10, 1991

ADOPTED (p. 2247)

## SENATE FILE 548

H-4121

1 Amend Senate File 548, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 11, by inserting after line 2, the  
 4 following:  
 5 "Sec. \_\_\_\_ . Section 99D.5, subsection 4, Code 1991,  
 6 is amended to read as follows:  
 7 4. Commission members are each entitled to receive  
 8 an annual salary of six thousand dollars. Members  
 9 shall also be reimbursed for actual expenses incurred  
 10 in the performance of their duties to a maximum of ~~six~~  
 11 thirty thousand dollars per year for ~~each-member the~~  
 12 commission. Each member shall post a bond in the  
 13 amount of ten thousand dollars, with sureties to be  
 14 approved by the governor, to guarantee the proper  
 15 handling and accounting of moneys and other properties  
 16 required in the administration of this chapter. The  
 17 premiums on the bonds shall be paid as other expenses  
 18 of the commission."  
 19 2. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS  
 JOCHUM of Dubuque, Chairperson

H-4121 FILED MAY 10, 1991

ADOPTED (p. 2245)

## SENATE FILE 548

H-4120

1 Amend Senate File 548, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 2, line 10, by striking the figure  
 4 "87,200" and inserting the following: "89,000".  
 5 2. Page 2, line 12, by striking the figure  
 6 "84,000" and inserting the following: "85,700".  
 7 3. Page 2, line 14, by striking the figure  
 8 "83,900" and inserting the following: "85,600".  
 9 4. Page 2, line 16, by striking the figure  
 10 "80,700" and inserting the following: "82,400".  
 11 5. Page 2, line 18, by striking the figure  
 12 "79,900" and inserting the following: "81,500".  
 13 6. Page 2, line 21, by striking the figure  
 14 "76,700" and inserting the following: "78,300".  
 15 7. Page 2, line 23, by striking the figure  
 16 "66,900" and inserting the following: "68,300".  
 17 8. Page 2, line 25, by striking the figure  
 18 "16,800" and inserting the following: "17,200".  
 19 9. Page 3, by striking lines 34 and 35, and  
 20 inserting the following:  
 21 "2. The following are range 1 positions: There  
 22 are no range 1 positions as of the fiscal year  
 23 beginning July 1, 1991."  
 24 10. Page 4, line 22, by striking the word "full-  
 25 time".

By SHERZAN of Polk

H-4120 FILED MAY 10, 1991

A-ADOPTED B-ADOPTED (p. 2246)

## SENATE FILE 548

H-4124

1 Amend Senate File 548, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Sec. 100. Section 2.10, subsections 1 and 3, Code  
6 1991, are amended to read as follows:

7 1. Every member of the general assembly except the  
8 presiding officer of the senate, the speaker of the  
9 house, and majority and minority floor leader of each  
10 house shall receive an annual salary of ~~eighteen~~  
11 ~~seventeen~~ thousand ~~one~~ eight hundred sixty dollars for  
12 the year 1991 and subsequent years while serving as a  
13 member of the general assembly. The minority floor  
14 leader of each house shall receive an annual salary of  
15 twenty-seven thousand ~~nine~~ six hundred sixty dollars  
16 for the year 1991 and subsequent years while serving  
17 in the capacity. In addition, each such member shall  
18 receive the sum of fifty dollars per day for expenses  
19 of office, except travel, for each day the general  
20 assembly is in session commencing with the first day  
21 of a legislative session and ending with the day of  
22 final adjournment of each legislative session as  
23 indicated by the journals of the house and senate,  
24 except that in the event the length of the first  
25 regular session of the general assembly exceeds one  
26 hundred ten calendar days and the second regular  
27 session exceeds one hundred calendar days, such  
28 payments shall be made only for one hundred ten  
29 calendar days for the first session and one hundred  
30 calendar days for the second session. However,  
31 members from Polk county shall receive thirty-five  
32 dollars per day. Each member shall receive a seventy-  
33 five dollar per month allowance for legislative  
34 district constituency postage, travel, telephone  
35 costs, and other expenses. Travel expenses shall be  
36 paid at the rate established by section 18.117 for  
37 actual travel in going to and returning from the seat  
38 of government by the nearest traveled route for not  
39 more than one time per week during a legislative  
40 session. However, any increase from time to time in  
41 the mileage rate established by section 18.117 shall  
42 not become effective for members of the general  
43 assembly until the convening of the next general  
44 assembly following the session in which the increase  
45 is adopted; and this provision shall prevail over any  
46 inconsistent provision of any present or future  
47 statute.

48 3. The speaker of the house, presiding officer of  
49 the senate, and majority floor leader of each house  
50 shall receive an annual salary of twenty-seven

H-4124

Page 2

1 thousand ~~nine~~ six hundred sixty dollars for the year  
2 1991 and subsequent years while serving in that  
3 capacity. The president pro tempore of the senate and  
4 the speaker pro tempore of the house shall receive an  
5 annual salary of ~~nineteen~~ eighteen thousand ~~one~~ eight  
6 hundred sixty dollars for the year 1991 and subsequent  
7 years while serving in that capacity. Expense and  
8 travel allowances shall be the same for the speaker of  
9 the house and the presiding officer of the senate, the  
10 president pro tempore of the senate and the speaker  
11 pro tempore of the house, and the majority and  
12 minority leader of each house as provided for other  
13 members of the general assembly.

14 Sec. \_\_\_\_ . Section 100 of this Act is repealed on  
15 January 1, 1993."

16 2. By renumbering as necessary.

By SPEAR of Lee

H-4124 FILED MAY 10, 1991

WITHDRAWN (p. 2248)

SENATE FILE 548

H-4126

1 Amend Senate File 548, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 8, line 21, by inserting after the word  
4 "fund" the following: "increases in the judges' and  
5 magistrates' salaries and related benefits as  
6 otherwise provided by law and for".

By DODERER of Johnson

SHERZAN of Polk

H-4126 FILED MAY 10, 1991

ADOPTED (p. 2248)

HOUSE AMENDMENT TO  
SENATE FILE 548

S-3772

1 Amend Senate File 548, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 2, line 10, by striking the figure  
4 "87,200" and inserting the following: "89,000".  
5 2. Page 2, line 12, by striking the figure  
6 "84,000" and inserting the following: "85,700".  
7 3. Page 2, line 14, by striking the figure  
8 "83,900" and inserting the following: "85,600".  
9 4. Page 2, line 16, by striking the figure  
10 "80,700" and inserting the following: "82,400".  
11 5. Page 2, line 18, by striking the figure  
12 "79,900" and inserting the following: "81,500".  
13 6. Page 2, line 21, by striking the figure  
14 "76,700" and inserting the following: "78,300".  
15 7. Page 2, line 23, by striking the figure  
16 "66,900" and inserting the following: "68,300".  
17 8. Page 2, line 25, by striking the figure  
18 "16,800" and inserting the following: "17,200".  
19 9. Page 3, by striking lines 34 and 35, and  
20 inserting the following:  
21 "2. The following are range 1 positions: There  
22 are no range 1 positions as of the fiscal year  
23 beginning July 1, 1991."  
24 10. Page 4, line 22, by striking the word "full-  
25 time".  
26 11. Page 8, line 21, by inserting after the word  
27 "fund" the following: "increases in the judges' and  
28 magistrates' salaries and related benefits as  
29 otherwise provided by law and for".  
30 12. Page 10, by striking lines 7 through 12 and  
31 inserting the following:  
32 "Sec. \_\_\_\_\_. There is appropriated from the health  
33 insurance reserve fund to the general fund of the  
34 state, on or before June 30, 1992, the following  
35 amount:".  
36 13. Page 11, by inserting after line 2, the  
37 following:  
38 "Sec. \_\_\_\_\_. Section 99D.5, subsection 4, Code 1991,  
39 is amended to read as follows:  
40 4. Commission members are each entitled to receive  
41 an annual salary of six thousand dollars. Members  
42 shall also be reimbursed for actual expenses incurred  
43 in the performance of their duties to a maximum of six  
44 thirty thousand dollars per year for each-member the  
45 commission. Each member shall post a bond in the  
46 amount of ten thousand dollars, with sureties to be  
47 approved by the governor, to guarantee the proper  
48 handling and accounting of moneys and other properties  
49 required in the administration of this chapter. The  
50 premiums on the bonds shall be paid as other expenses

S-3772

Page 2

1 of the commission."

2 14. By renumbering, relettering, or redesignating  
3 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3772 FILED MAY 10, 1991

*Senate concurred 4/11/91 (p. 1783)*



## OFFICE OF THE GOVERNOR

STATE CAPITOL  
DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD  
GOVERNOR

May 31, 1991

The Honorable Elaine Baxter  
Secretary of State  
State Capitol Building  
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 548, an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, by providing adjustments for salaries, and making appropriations, and providing effective dates.

Senate File 548 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, and 20 in their entirety; the designated portion of Section 9, subsection 1; Section 9, subsections 2, 3 and 4 in their entirety; and the designated portion of Section 10.

Section 8 would provide for wage increases for contract-covered state employees in variable amounts, ranging from two percent to nine percent, at a cost to the state of \$23.4 million in general funds. Sections 2, 9 and 10 would provide for a two percent increase for most non-contract covered state employees. By vetoing these sections, state employee salaries for the next fiscal year will be frozen, and \$34 million of spending on salaries that we cannot afford will be avoided.

Approval of these sections would conflict with existing statutory and Constitutional responsibilities to balance the budget and to adhere to any statutory limitations on the state's funds and spending. Further, these sections would conflict with the state's statutory responsibility to maintain the orderly and efficient operation of governmental services. And, finally, the implementation of these sections would not allow for the continuance of pay equity based upon principles of comparable worth (Iowa Constitution and Iowa Code Sections 8.3(3), 20.7(4) and 79.18, respectively).

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With legislative action just completed, Iowa is already facing a known deficit of at least \$75 million for the fiscal year covered by the proposed wage increases. As Governor, it is my responsibility to make the difficult decisions necessary to balance the budget in a way that avoids major disruptions in service. Clearly, \$23.4 million for salary increases, particularly when paired with the \$10.6 million for salary increases contained in House File 479 for employees of the Board of Regents, is far beyond what the state can afford under these difficult fiscal circumstances. In fact, even after making a substantial amount of cuts through item veto, further reductions in spending will be necessary to assure a balanced budget. Thus, I have indicated my intentions to make an across-the-board cut in spending in fiscal year 1992.

Implementation of the arbitrators' decisions, without the corresponding appropriation, would likewise result in a violation of existing statutory provisions providing for the efficient and orderly provision of governmental services (Iowa Code Section 20.7(4)). In order to maintain pay equity for state employees if the arbitrators' awards are implemented, layoffs of the magnitude required to fund the wage increases provided for in Senate File 548 would significantly impair the state's ability to provide the level of services necessary to meet its statutory duties and responsibilities. In fiscal year 1992, implementation would result in over 1,500 layoffs of state employees. That number increases to over an additional 1,900 layoffs in fiscal year 1993 if the across-the-board wage increases suggested by the arbitrators were implemented.

It is important to note that the state's collective bargaining law mandates that when terms of a proposed collective bargaining agreement are inconsistent with other Code provisions, I am bound to adhere to existing statutes unless action is taken to remove the conflict (Iowa Code Section 20.28). In other words, an arbitrator's decision is final only insofar as it can be implemented without statutory conflict (Iowa Code Sections 20.22(3) and 20.17(6)). The arbitrators' decisions funded by Senate File 548 simply cannot be implemented without violating Iowa law.

Since the issuance of the arbitrators' awards, there has been a significant change of circumstance. The arbitrators' awards were premised on estimated revenue growths of a 6.1 percent increase for fiscal year 1992 and a 5 percent increase for fiscal year 1993. Those estimates have been revised downward twice by the Revenue Estimating Conference since the awards were issued resulting in a total reduction in projected revenues of over \$125 million. For this reason and because the implementation of the arbitrators' awards is inconsistent with statutory

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limitations on the state's funds, spending and budget, and because the implementation would substantially impair and limit the performance of our statutory duties, I have proposed that the state and the unions go back to the bargaining table and renegotiate the wage provisions for the 1991-93 labor agreements. To date, the unions have verbally declined my offer.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 548 are hereby approved as of this date.

Sincerely,



Terry E. Branstad  
Governor

TEB/ps

cc: Secretary of the Senate  
Chief Clerk of the House

SENATE FILE 548

AN ACT  
RELATING TO THE COMPENSATION AND BENEFITS FOR PUBLIC OFFICIALS  
AND EMPLOYEES BY SPECIFYING SALARY RATES AND RANGES, BY  
PROVIDING ADJUSTMENTS FOR SALARIES, AND MAKING APPROPRIA-  
TIONS, AND PROVIDING EFFECTIVE DATES.

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

Section 1.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1991, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the department or agency specified in this section pursuant to an Act of the general assembly or if the appropriation is not sufficient, from the salary adjustment fund.

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

a. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP Salary for the secretary of agriculture:	\$ 60,000
b. DEPARTMENT OF JUSTICE Salary for the attorney general:	\$ 73,600
c. OFFICE OF THE AUDITOR OF STATE Salary for the auditor of state:	\$ 60,000
d. OFFICE OF THE SECRETARY OF STATE Salary for the secretary of state:	\$ 60,000
e. OFFICE OF THE TREASURER OF STATE Salary for the treasurer of state:	

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.....	\$ 60,000
f. OFFICE OF THE GOVERNOR Salary for the governor:	
.....	\$ 76,700
g. OFFICE OF THE LIEUTENANT GOVERNOR Salary for the lieutenant governor:	
.....	\$ 60,000

Sec. 2.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1991, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the department or the agency specified in this section pursuant to an Act of the general assembly or if the appropriation is not sufficient, from the salary adjustment fund.

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

a. Chief justice of the supreme court:	\$ 89,000
b. Each justice of the supreme court:	\$ 85,700
c. Chief judge of the court of appeals:	\$ 85,600
d. Each associate judge of the court of appeals:	\$ 82,400
e. Each chief judge of a judicial district:	\$ 81,500
f. Each district judge except the chief judge of a judicial district:	\$ 78,300
g. Each district associate judge:	\$ 68,300
h. Each judicial magistrate:	\$ 17,200

Sec. 3. Persons receiving the salary rates established under sections 1 and 2 of this Act shall not receive any additional salary adjustments provided by this Act.

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Sec. 4. The governor shall establish a salary for appointed nonelected persons in the executive branch of state government holding a position enumerated in section 5 of this Act within the range provided by considering, among other items, 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. However, a salary established under this section shall not exceed the person's annual salary rate for the preceding fiscal year.

The governor, in establishing salaries as provided in section 5 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 pursuant to section 5 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 does not exclude necessary travel and expenses incurred in the performance of duties or fringe benefits normally provided to employees of the state.

*Vetoed*

Sec. 5. The following annual salary ranges are effective for the positions specified in this section for the fiscal year beginning July 1, 1991, and for subsequent fiscal years until otherwise provided 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 that purpose.

*Vetoed*

1. The following salary ranges are effective for the fiscal year beginning July 1, 1991, and as otherwise provided in this section:

	<u>Minimum</u>	<u>Maximum</u>
a. Range 1 .....	\$ 7,500	\$22,700
b. Range 2 .....	\$27,300	\$45,400

- c. Range 3 ..... \$37,500     \$53,000
- d. Range 4 ..... \$45,400     \$60,700
- e. Range 5 ..... \$53,000     \$68,300

2. The following are range 1 positions: There are no range 1 positions as of the fiscal year beginning July 1, 1991.

3. The following are range 2 positions: administrator of the criminal and juvenile justice planning division of the department of human rights, administrator of the arts division of the department of cultural affairs, administrators of the division of persons with disabilities, the division on the status of women, the division on the status of blacks, the division of deaf services, the division of Latino affairs, administrator of the division of professional licensing and regulation of the department of commerce, and administrators of the division of disaster services and the division of veterans affairs of the department of public defense.

4. The following are range 3 positions: administrator of the library division of the department of cultural affairs, administrator of the division of community action agencies of the department of human rights, and chairperson and members of the employment appeals board of the department of inspections and appeals.

*Vetoed*

5. The following are range 4 positions: superintendent of banking, superintendent of credit unions, superintendent of savings and loan associations, administrator of the alcoholic beverages division of the department of commerce, state public defender, and chairperson and members of the board of parole.

6. The following are range 5 positions: chairperson and members of the utilities board, consumer advocate, job service commissioner, labor commissioner, industrial commissioner, insurance commissioner, administrators of the historical division and the public broadcasting division of the department of cultural affairs, and administrator of the racing and gaming commission of the department of inspections and appeals, and secretary of the state fair board.

7. The following salary ranges are effective for the fiscal year beginning July 1, 1991, and as otherwise provided in this section:

DEPARTMENT DIRECTORS' SALARIES

	<u>Minimum</u>	<u>Maximum</u>
a. Range 6 .....	\$41,000	\$55,000
b. Range 7 .....	\$56,100	\$68,800
c. Range 8 .....	\$60,100	\$80,000
d. Range 9 .....	\$67,100	\$95,100

8. The following are range 6 positions: department director of the department of human rights, director of the Iowa state civil rights commission, executive director of the college student aid commission, director of the law enforcement academy, director of the department for the blind, and executive secretary of the campaign finance disclosure commission.

9. The following are range 7 positions: director of the department of cultural affairs, director of the department of personnel, director of the Iowa department of public health, director of the department of elder affairs, commissioner of public safety, director of the department of general services, director of the department of commerce, and director of the department of inspections and appeals.

10. The following are range 8 positions: director of revenue and finance, director of the department of natural resources, director of the department of corrections, the state court administrator, director of the department of employment services, director of the department of management, and executive director of the Iowa finance authority.

11. The following are range 9 positions: director of the department of education, director of the department of human services, director of the department of economic development, executive director of the state board of regents, director of the state department of transportation, and lottery commissioner.

Sec. 6.

*Vetoed*

*Vetoed*

*Vetoed*

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1991, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the department or agency specified in this section.

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

- a. Chairperson of the public employment relations board: ..... \$ 53,000
- b. Two members of the public employment relations board: ..... \$ 49,200

Sec. 7. The annual salary rates or ranges provided in sections 1, 2, 5, and 6 of this Act become effective for the fiscal year beginning July 1, 1991, with the pay period beginning June 21, 1991.

Sec. 8. There is appropriated from the general fund of the state to the salary adjustment fund for distribution by the department of management to the various state departments, boards, commissions, councils, and agencies the following amount, \$23,441,434, or so much thereof as may be necessary, to fund the following annual pay adjustments, expense reimbursements, and related benefits:

- 1. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the blue collar bargaining unit.
- 2. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the state police officers council bargaining unit.
- 3. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the security bargaining unit.
- 4. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the technical bargaining unit.
- 5. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the professional fiscal and staff bargaining unit.

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6. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the clerical bargaining unit.

7. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the Iowa united professionals bargaining unit.

8. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the community-based corrections bargaining unit.

9. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the judicial branch of government bargaining unit.

10. The annual pay adjustments, related benefits, and expense reimbursements referred to in sections 9 and 10 of this Act for employees not covered by a collective bargaining agreement.

Sec. 9.

1. All pay plans provided for in section 19A.9, subsection 2, as they exist for the fiscal year ending June 30, 1991, shall be increased for employees who are not included in a bargaining unit under chapter 20 and who are not otherwise specified in this Act, by not less than nor more than 2 percent for the fiscal year beginning July 1, 1991, effective with the pay period beginning June 21, 1991. The department of personnel shall revise the pay plans as provided under section 19A.9, subsection 2, by increasing the salary levels for the various grades and steps within the respective plans. Employees shall not receive merit increases or the equivalent of a merit increase.

2. The pay plans for state employees who are exempt from chapter 19A and who are included in the department of revenue and finance's centralized payroll system, and the board office employees of the state board of regents, shall be increased by the same percent and in the same manner as provided in subsection 1.

3. This section does not apply to members of the general assembly, board members, commission members, salaries of persons set by the general assembly pursuant to this Act, or

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set by the governor, employees designated under section 19A.3, subsection 5, and employees under the state board of regents, but subsection 2 does apply to office employees of the state board of regents.

4. The policies for implementation of this section shall be approved by the governor.

Sec. 10. STATE BOARD OF REGENTS' SALARIES AND BENEFITS.

The funds allocated to the state board of regents for the purpose of providing increases for employees under the state board of regents' merit system who are not included in the collective bargaining agreement made final under chapter 20, except board office employees, shall be used to increase the state board of regents' merit system pay plans as they exist for the fiscal year beginning July 1, 1991, and ending June 30, 1992, by increasing the salary levels for each grade and step within the plans by 2 percent for the fiscal year beginning July 1, 1991. The employees shall not receive merit increases or the equivalent of a merit increase.

Sec. 11. Of the funds appropriated in section 8 of this Act, the following amount, or so much thereof as may be necessary, shall be allocated to fund increases in the judges' and magistrates' salaries and related benefits as otherwise provided by law and for the state's contribution to the judicial retirement system provided for in chapter 602 required because of the increased salaries:

..... \$ 324,308

Sec. 12.

1. There is appropriated from the road use tax fund to the salary adjustment fund for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

To supplement other funds appropriated by the general assembly:

..... \$ 979,696

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1,

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1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

To supplement other funds appropriated by the general assembly:

..... \$ 2,423,428

3. Except as otherwise provided in this Act, the amounts appropriated in subsections 1 and 2 shall be used to fund the annual pay adjustments, expense reimbursement, and related benefits for public officials and employees as provided for in this Act.

Sec. 13. Of the funds appropriated in section 8 of this Act, the following amount, or so much thereof as may be necessary, shall be allocated to the following agencies or programs listed:

Regional libraries:

..... \$ 18,000

The funds shall be allocated by the department of management. The funds received by local programs under this section shall be used to pay the state's share of the authorized salary increases for local program employees.

Sec. 14. To departmental revolving, trust, or special funds, except for the primary road fund or the road use tax fund, for which the general assembly has established an operating budget, a supplemental expenditure authorization is provided, unless otherwise provided, in an amount necessary to fund salary adjustments as otherwise provided in this Act.

Sec. 15. All funds appropriated to the salary adjustment fund for the state department of transportation and for state agencies paid through the department of revenue and finance's centralized payroll system shall be used to fund salary and fringe benefit expenditures for the fiscal year beginning July 1, 1991, and ending June 30, 1992.

Sec. 16. Funds appropriated from the general fund of the state in this Act relate only to salaries supported from general fund appropriations of the state.

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Sec. 17. All federal grants to and the federal receipts of the agencies affected by this Act which are received and may be expended for purposes of this Act are appropriated for those purposes and as set forth in the federal grants or receipts.

Sec. 18. There is appropriated from the health insurance reserve fund to the general fund of the state, on or before June 30, 1992, the following amount:

..... \$ 6,000,000

The portion of the transferred funds which reflects the employee's contribution and the interest that may be earned on that contribution shall be applied to pay claims and to reduce the employee's share of health insurance premiums incurred after July 31, 1992, and before July 30, 1993. It is the intent of this provision to ensure that the employee will suffer no diminution of property or benefit.

Sec. 19. There is appropriated from the health insurance reserve fund to the general fund of the state, on or before June 30, 1991, the following amount:

..... \$ 6,000,000

Sec. 20. COMPENSATION AND BENEFITS STUDY. The director of the department of personnel, the director of the legislative service bureau, and the executive director of the state board of regents, or a designee of each director, shall conduct a study to determine the impact of the salary adjustment provisions in this Act and the changes in salary relationships as a result of the implementation of this Act, and to identify issues of concern and compensation equity. The committee shall meet at the call of the director of the legislative service bureau who shall serve as temporary chairperson.

The committee shall complete its study and report its findings and recommendations to the general assembly by February 1, 1992.

Sec. 21. Section 990.5, subsection 4, Code 1991, is amended to read as follows:

4. Commission members are each entitled to receive an annual salary of six thousand dollars. Members shall also be

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reimbursed for actual expenses incurred in the performance of their duties to a maximum of ~~six~~ thirty thousand dollars per year for ~~each-member~~ the commission. Each member shall post a bond in the amount of ten thousand dollars, with sureties to be approved by the governor, to guarantee the proper handling and accounting of moneys and other properties required in the administration of this chapter. The premiums on the bonds shall be paid as other expenses of the commission.

Sec. 22. EFFECTIVE DATES. This section and section 19 of this Act, being deemed of immediate importance, take effect upon enactment.

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JOE J. WELSH  
President of the Senate

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ROBERT C. ARNOULD  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 548, Seventy-fourth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

*John F. Dwyer*  
Approved 5/31, 1991

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TERRY E. BRANSTAD  
Governor