

CHAPTER 302

COMPENSATION FOR PUBLIC OFFICIALS, AND OTHER PERSONNEL MATTERS *S.F. 536*

AN ACT relating to the compensation and benefits for public officials by specifying salary rates and ranges and related matters generally relating to the compensation of public officials and employees and providing an effective date.

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, 1989, 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 any 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:

..... \$ 55,700

b. DEPARTMENT OF JUSTICE

Salary for the attorney general:

..... \$ 69,600

c. OFFICE OF THE AUDITOR OF STATE

Salary for the auditor of state:

..... \$ 55,700

d. OFFICE OF THE SECRETARY OF STATE

Salary for the secretary of state:

..... \$ 55,700

e. OFFICE OF THE TREASURER OF STATE

Salary for the treasurer of state:

..... \$ 55,700

f. OFFICE OF THE GOVERNOR

Salary for the governor:

..... \$ 72,500

Sec. 2. The lieutenant governor shall receive an annual salary of \$25,100 for the fiscal year beginning July 1, 1989. Personal expense and travel allowances shall be the same for the lieutenant governor as for a senator. The lieutenant governor while performing administrative duties of the office of lieutenant governor when the general assembly is not in session or serving as the president of the senate during special sessions of the general assembly shall receive \$60 per diem and reimbursement for expenses incurred in performing such duties. The lieutenant governor may elect to become a member of a state group insurance plan for employees of the state established pursuant to chapter 509A and the disability insurance program established pursuant to section 79.20 on the same basis as a full-time state employee excluded from collective bargaining as provided in chapter 20. The lieutenant governor shall authorize a payroll deduction of any premium due. The salary, per diem, and expenses of the lieutenant governor provided for under this section, including office and staff expenses, shall be paid from funds appropriated to the office of the lieutenant governor by the general assembly.

Sec. 3.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1989, 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 any 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:	\$	81,900
b. Each justice of the supreme court:	\$	78,900
c. Chief judge of the court of appeals:	\$	78,800
d. Each associate judge of the court of appeals:	\$	75,800
e. Each chief judge of a judicial district:	\$	75,000
f. Each district judge except the chief judge of a judicial district:	\$	72,000
g. Each district associate judge:	\$	62,800
h. Each judicial magistrate:	\$	15,800

Sec. 4. Persons receiving the salary rates established under sections 1, 2, and 3 of this Act shall not receive any additional salary adjustments provided by this Act.

Sec. 5. The governor shall establish a salary for appointed nonelected persons in the executive branch of state government holding a position enumerated in section 6 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, and subordinates' salaries. However, the attorney general shall establish the salary for the consumer advocate within the salary range provided in section 6 of this Act.

The governor, in establishing salaries as provided in section 6 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 6 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.

Sec. 6. The following annual salary ranges are effective for the positions specified in this section and for the fiscal year indicated. The ranges for the fiscal year beginning July 1, 1989, are effective for subsequent 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.

1. The following salary ranges are effective for the fiscal year beginning July 1, 1989, and as otherwise provided in this section:

	1989-90 FY	
	<u>Minimum</u>	<u>Maximum</u>
a. Range 1	\$ 7,000	\$21,300
b. Range 2	\$25,600	\$42,600
c. Range 3	\$35,200	\$49,700
d. Range 4	\$42,600	\$57,000
e. Range 5	\$49,700	\$64,100

2. The following are range 2 positions: administrator of criminal and juvenile justice planning, 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 for deaf services, the division for Spanish-speaking people, and the division of children, youth, and families of the department of human rights, administrator of the division of professional licensure 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.

3. 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.

4. 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, secretary of the state fair board, and chairperson and members of the board of parole.

5. The following are range 5 positions: chairperson and members of the utilities board, consumer advocate, job services 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 division of the department of inspections and appeals.

6. The following salary ranges are effective for the fiscal year beginning July 1, 1989, and as otherwise provided in this section:

DEPARTMENT DIRECTOR'S SALARIES

	1989-90 FY	
	<u>Minimum</u>	<u>Maximum</u>
a. Range 6	\$38,500	\$51,600
b. Range 7	\$52,700	\$64,700
c. Range 8	\$56,400	\$75,100
d. Range 9	\$63,000	\$89,300

7. The following are department director's salary range 6 positions: department coordinator of the department of human rights, director of the civil rights commission, executive director of the college aid commission, director of the law enforcement academy, director of the department for the blind, and executive director of the campaign finance disclosure commission.

8. The following are department director's salary range 7 positions: director of the department of cultural affairs, director of the department of personnel, director of the department of public health, director of the department of employment services, executive director of the department of elder affairs, commissioner of public safety, director of the department of general services, director of the department of commerce, executive director of the Iowa finance authority, and director of the department of inspections and appeals.

9. The following are department director's salary range 8 positions: director of the department of management, director of revenue and finance, director of the department of natural resources, and director of the department of corrections.

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

Sec. 7.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1989, 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:

	\$	49,800
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- b. Two members of the public employment relations board:

	\$	46,200
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Sec. 8. The following annual salary range is effective for the position specified in this section and for the fiscal year indicated. The range for the fiscal year beginning July 1, 1989, is effective for subsequent fiscal years until otherwise provided by the general assembly. The salary shall be paid to the person indicated at a rate determined as provided by law within the salary range from funds provided for that purpose:

For the state court administrator:	<u>Minimum</u>	<u>Maximum</u>
	\$52,200	\$75,700

Sec. 9. The annual salary rates or ranges provided in sections 1, 2, 3, 6, 7, and 8 of this Act become effective for the fiscal year beginning July 1, 1989, with the pay period beginning June 23, 1989. **An individual salary increase authorized within the salary ranges provided in sections 6 and 8 of this Act shall not exceed five and one-tenth percent for the fiscal year beginning July 1, 1989.**

Sec. 10. Section 2.10, subsection 2, Code 1989, is amended by striking the subsection.

Sec. 11. Section 220.6, subsection 2, Code 1989, is amended to read as follows:

2. The executive director shall advise the authority on matters relating to housing and housing finance, carry out all directives from the authority, and hire and supervise the authority's staff pursuant to its directions ~~and under the merit system provisions of chapter 19A, except that principal administrative assistants with responsibilities in housing development, accounting, mortgage loan processing, and investment portfolio management.~~ All employees of the authority are exempt from the merit system.

Approved May 26, 1989, except the item which I hereby disapprove and which is designated as that portion of section 9, which is herein bracketed in ink and initialed by me. My reason for vetoing this item is delineated in the item veto message pertaining to this Act to the secretary of state this same date a copy of which is attached.

TERRY E. BRANSTAD, Governor

*Item veto; see message at end of the Act

Dear Madam Secretary:

I hereby transmit Senate File 536, an Act relating to the compensation and benefits for public officials by specifying salary rates and ranges and related matters generally relating to the compensation of public officials and employees and providing an effective date.

Senate File 536 is, therefore, approved on this date with the following exception which I hereby disapprove.

I am unable to approve the designated item in Section 9. This section would prevent any individual salary increases for department and division directors from exceeding 5.1 percent for Fiscal Year 1990.

The legislature appropriates funds, and establishes ranges of salaries for department directors and many other directors. These provisions are appropriate and acceptable as rights and responsibilities of the legislature. However, the Governor, in the exercise of the executive branch responsibilities, must retain the flexibility to set specific department and division director salary levels based upon performance. Indeed, I use salary policy to reward outstanding performance and to recognize less than adequate performance. Limiting increases to 5.1 percent would, therefore, negatively impact my ability to manage the executive branch's managerial responsibilities. We should not normalize all salary adjustments as is envisioned in this bill. Instead, they must continue to be performance based.

For the above reason, I respectfully disapprove this item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 536 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*