

Sec. 15. Section 235C.3, subsection 7, unnumbered paragraph 1, Code 1997, is amended by striking the unnumbered paragraph.

Sec. 16. Section 272C.4, subsection 2, paragraph b, Code 1997, is amended by striking the paragraph.

Sec. 17. 1993 Iowa Acts, chapter 158, section 3, subsection 1, paragraph f, is amended by striking the paragraph.

Sec. 18. Section 135.77, Code 1997, is repealed.

Sec. 19. Section 135L.4, Code 1997, is repealed.

Sec. 20. NEW SECTION. 144.45A COMMEMORATIVE BIRTH AND MARRIAGE CERTIFICATES.

Upon application and payment of a thirty-five dollar fee, the director may issue a commemorate\* copy of a certificate of birth or a certificate of marriage. Fees collected pursuant to this section shall be deposited in the emergency medical services fund established in section 135.25 to support the development and enhancement of emergency medical services systems and emergency medical services for children.

Sec. 21. CONTINGENT PROVISION. Appropriations to the department of human rights for the fiscal year beginning July 1, 1997, and ending June 30, 1998, are contingent upon repeal or amendment of section 216A.5 to extend the repeal of the department.

Sec. 22. EFFECTIVE DATE. Section 9 of this Act, relating to the vital records modernization project, being deemed of immediate importance, shall take effect upon enactment.

Approved May 2, 1997

**CHAPTER 204**

**COMPENSATION FOR PUBLIC EMPLOYEES**

*S.F. 551*

**AN ACT** relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. STATE COURTS — JUSTICES, JUDGES, AND MAGISTRATES.

1. The salary rates specified in subsection 2 are for the fiscal year beginning July 1, 1997, effective for the pay period beginning June 27, 1997, 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 judicial department from the salary adjustment fund or if the appropriation is not sufficient, from the funds appropriated to the judicial department pursuant to any Act of the general assembly.

2. The following annual salary rates shall be paid to the persons holding the judicial positions indicated during the fiscal year beginning July 1, 1997, effective with the pay period beginning June 27, 1997, and for subsequent pay periods.

a. Chief justice of the supreme court:

..... \$ 107,500

\* The word "commemorative" probably intended

b. Each justice of the supreme court:	\$	103,600
c. Chief judge of the court of appeals:	\$	103,500
d. Each associate judge of the court of appeals:	\$	99,600
e. Each chief judge of a judicial district:	\$	98,700
f. Each district judge except the chief judge of a judicial district:	\$	94,800
g. Each district associate judge:	\$	82,500
h. Each judicial magistrate:	\$	21,600
i. Each senior judge:	\$	5,400

Sec. 2. SALARY RATE LIMITS. Persons receiving the salary rates established under section 1 of this Act shall not receive any additional salary adjustments provided by this Act.

Sec. 3. APPOINTED STATE OFFICERS. The governor shall establish a salary for appointed nonelected persons in the executive branch of state government holding a position enumerated in section 4 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, the chief justice of the state supreme court shall establish the salary for the state court administrator, the ethics and campaign disclosure board shall establish the salary of the executive director, and the state fair board shall establish the salary of the secretary of the state fair board, each within the salary range provided in section 4 of this Act.

The governor, in establishing salaries as provided in section 4 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 4 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 the reimbursement for necessary travel and expenses incurred in the performance of duties or fringe benefits normally provided to employees of the state.

Sec. 4. STATE OFFICERS — SALARY RATES AND RANGES. The following annual salary ranges are effective for the positions specified in this section for the fiscal year beginning July 1, 1997, and for subsequent fiscal years until otherwise provided by the general assembly. The governor or other person designated in section 3 of this Act 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 are salary ranges 1 through 5 for the fiscal year beginning July 1, 1997, effective with the pay period beginning June 27, 1997:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
(1) Range 1	\$ 8,500	\$26,600
(2) Range 2	\$ 31,300	\$53,500
(3) Range 3	\$ 42,800	\$62,400

(4) Range 4

..... \$ 51,600 \$ 71,400

(5) Range 5

..... \$ 60,600 \$ 80,300

2. The following are range 1 positions: There are no range 1 positions for the fiscal year beginning July 1, 1997.

3. The following are range 2 positions: 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 African-Americans, the division of deaf services, and the division of Latino affairs of the department of human rights, administrator of the division of professional licensing and regulation of the department of commerce, and executive director of the commission of veterans affairs.

4. The following are range 3 positions: administrator of the division of emergency management of the department of public defense, administrator of the division of criminal and juvenile justice planning of the department of human rights, administrator of the division of community action agencies of the department of human rights, and chairperson and members of the employment appeal board of the department of inspections and appeals.

5. The following are range 4 positions: superintendent of banking, superintendent of credit unions, drug abuse prevention coordinator, 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: consumer advocate, labor commissioner, industrial commissioner, administrator of the historical division of the department of cultural affairs, administrator of the public broadcasting division of the department of education, and commandant of the veterans home.

7. The following are salary ranges 6 through 9 for the fiscal year beginning July 1, 1997, effective with the pay period beginning June 27, 1997:

**SALARY RANGES**

Minimum Maximum

(1) Range 6

..... \$ 46,800 \$ 71,400

(2) Range 7

..... \$ 64,100 \$ 81,000

(3) Range 8

..... \$ 68,700 \$ 94,000

(4) Range 9

..... \$ 76,700 \$ 112,000

8. The following are range 6 positions: 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 department for the blind, and executive director of the ethics and campaign disclosure board.

9. The following are range 7 positions: director of the department of cultural affairs, director of the department of elder affairs, director of the department of commerce, director of the law enforcement academy, and director of the department of inspections and appeals.

10. The following are range 8 positions: the administrator of the state racing and gaming commission of the department of inspections and appeals, director of the department of general services, director of the department of personnel, director of public health, commissioner of public safety, commissioner of insurance, executive director of the Iowa finance authority, director of revenue and finance, director of the department of natural resources, director of the department of corrections, and chairperson of the utilities board. The other members of the utilities board shall receive an annual salary within a range of not less than ninety percent but not more than ninety-five percent of the annual salary of the chairperson of the utilities board.

11. The following are range 9 positions: director of the department of education, director 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, director of the department of workforce development, lottery commissioner, the state court administrator, secretary of the state fair board, and the director of the department of management.

**Sec. 5. PUBLIC EMPLOYMENT RELATIONS BOARD.**

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1997, with the pay period beginning June 27, 1997, 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 public employment relations board from the salary adjustment fund, or if the appropriation is not sufficient from funds appropriated to the public employment relations board pursuant to any other Act of the general assembly.

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

a. Chairperson of the public employment relations board:

..... \$ 62,900

b. Two members of the public employment relations board:

..... \$ 58,500

**Sec. 6. COLLECTIVE BARGAINING AGREEMENTS FUNDED — GENERAL FUND.** 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, including the state board of regents, for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the amount of \$47,455,091, or so much thereof as may be necessary, to fully 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 public safety 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.

6. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the university of northern Iowa faculty bargaining unit.

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

8. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the professional social services bargaining unit.

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

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

11. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the patient care bargaining unit.

12. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the science bargaining unit.

13. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the state university of Iowa graduate student bargaining unit.

14. The annual pay adjustments, related benefits, and expense reimbursements referred to in sections 7 and 8 of this Act for employees not covered by a collective bargaining agreement.

Sec. 7. NONCONTRACT STATE EMPLOYEES — GENERAL.

1. a. For the fiscal year beginning July 1, 1997, the maximum salary levels of all pay plans provided for in section 19A.9, subsection 2, as they exist for the fiscal year ending June 30, 1997, shall be increased by 3 percent for the pay period beginning June 27, 1997.

b. In addition to the increases specified in this subsection, for the fiscal year beginning July 1, 1997, employees may receive a step increase or the equivalent of a step 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 shall be increased 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 set by the governor, employees designated under section 19A.3, subsection 5, and employees covered by 581 IAC 4.5(17).

4. The pay plans for the bargaining eligible employees of the state shall be increased in the same manner as provided in subsection 1. As used in this section, “bargaining eligible employee” means an employee who is eligible to organize under chapter 20, but has not done so.

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

Sec. 8. STATE EMPLOYEES — STATE BOARD OF REGENTS. Funds from the appropriation in section 6 of this Act shall be allocated to the state board of regents for the purposes of providing increases for state board of regents employees covered by section 6 of this Act and for employees not covered by a collective bargaining agreement as follows:

1. For regents merit system employees and merit supervisory employees to fund for the fiscal year, increases comparable to those provided for similar contract-covered employees in this Act.

2. For faculty members and professional and scientific employees to fund for the fiscal year, percentage increases comparable to those provided for contract-covered employees in section 6, subsection 6, of this Act.

Sec. 9. APPROPRIATIONS FROM ROAD FUNDS.

1. There is appropriated from the road use tax fund to the salary adjustment fund for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

To supplement other funds appropriated by the general assembly:  
..... \$ 864,802

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

To supplement other funds appropriated by the general assembly:  
..... \$ 4,163,835

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 reimbursements, and related benefits for public employees as provided in this Act.

Sec. 10. SPECIAL FUNDS — AUTHORIZATION. 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. 11. GENERAL FUND SALARY MONEYS. Funds appropriated from the general fund of the state in this Act relate only to salaries supported from general fund appropriations of the state except for employees of the state board of regents. The funds appropriated

from the general fund of the state for employees of the state board of regents shall exclude general university indirect costs and general university federal funds.

Sec. 12. **FEDERAL FUNDS APPROPRIATED.** 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. 13. **USE OF SURPLUS HEALTH INSURANCE FUNDS.** The executive council shall expend moneys from surplus funds in the health insurance reserve operating or terminal liability account to decrease state employee health insurance premium costs for the fiscal period beginning August 1997 and ending August 1998. However, the amount of the surplus expended shall not exceed \$4,000,000 for the fiscal period beginning August 1997 and ending August 1998 and shall only be expended to reduce the insurance premium costs that would otherwise be paid for by moneys from the general fund of the state during the fiscal period.

Sec. 14. **STATE TROOPER MEAL ALLOWANCE.** The sworn peace officers in the department of public safety who are not covered by a collective bargaining agreement negotiated pursuant to chapter 20, excluding capitol police supervisors, shall receive the same per diem meal allowance as the sworn peace officers in the department of public safety who are covered by a collective bargaining agreement negotiated pursuant to chapter 20.

The department of management shall estimate the cost of providing per diem meal allowances as provided in this section and shall allocate the funding for the allowance from the salary adjustment fund.

Sec. 15. **SALARY MODEL ADMINISTRATOR/COORDINATOR.** Of the funds appropriated by section 6 of this Act, \$56,209 for the fiscal year beginning July 1, 1997, is allocated to the department of management for salary and support of the salary model administrator/coordinator who shall work in conjunction with the legislative fiscal bureau to maintain the state's salary model used for analyzing, comparing, and projecting state employee salary and benefit information, including information relating to employees of the state board of regents. The information shall be used in collective bargaining processes under chapter 20 and in calculating the funding needs contained within the annual salary adjustment legislation. A state employee organization as defined in section 20.3, subsection 4, may request information produced by the model, but the information provided shall not contain information attributable to individual employees.

Sec. 16. Section 2.10, Code 1997, is amended by adding the following new subsection:

**NEW SUBSECTION. 8.** Commencing upon the convening of the Seventy-eighth General Assembly in January 1999, the annual salaries of members and officers of the general assembly, as the annual salaries existed during the preceding calendar year, shall be adjusted by an amount equal to the average of the annual cost-of-living pay adjustments negotiated for the members of the collective bargaining units represented by the state police officers council labor union, the American federation of state, county, and municipal employees, and the Iowa united professionals for the fiscal year beginning July 1, 1997. For the calendar year 2000, during the month of January, the annual salaries of members and officers of the general assembly shall be adjusted by an amount equal to the average of the annual cost-of-living pay adjustments received by the members of those collective bargaining units for the fiscal year beginning July 1, 1998. The annual salaries determined for the members and officers as provided in this section for the calendar year 2000 shall remain in effect for subsequent calendar years until otherwise provided by the general assembly.

Sec. 17. **NEW SECTION. 7H.1 ANNUAL SALARIES OF ELECTED STATE OFFICERS.** For the fiscal years beginning July 1, 1997, and July 1, 1998, the annual salaries of the

governor, lieutenant governor, attorney general, auditor of state, secretary of agriculture, secretary of state, and treasurer of state shall be determined as provided in this section. Commencing with the first pay period which ends during the new fiscal year in July, the annual salaries of the elected state officers enumerated in this section, as their annual salaries existed during the preceding fiscal year, shall be adjusted by an amount equal to the average of the annual cost-of-living pay adjustments negotiated for the members of the collective bargaining units represented by the state police officers council labor union, the American federation of state, county, and municipal employees, and the Iowa united professionals for the same fiscal year. The annual salaries determined for the elected state officers as provided in this section for the fiscal year beginning July 1, 1998, shall remain in effect for subsequent fiscal years until otherwise provided by the general assembly.

Approved May 9, 1997

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**CHAPTER 205**

**APPROPRIATIONS — JUSTICE SYSTEM**

*S.F. 533*

**AN ACT** relating to and making appropriations to the justice system and providing effective dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. DEPARTMENT OF JUSTICE. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the general office of attorney general for salaries, support, maintenance, miscellaneous purposes including odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	6,995,561
.....	FTEs	177.50

2. Prosecuting attorney training program for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	269,392
.....	FTEs	6.00

a. In addition to the funds appropriated in this subsection for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the attorney general shall provide up to \$41,000 in state matching funds from moneys retained by the attorney general from property forfeited pursuant to section 809A.17, for the prosecuting attorney training program, the prosecuting intern program, or both. Counties participating in the prosecuting intern program shall match the state funds.

b. In addition to the funds appropriated in this subsection for the fiscal year beginning July 1, 1997, and ending June 30, 1998, and the moneys retained by the attorney general pursuant to paragraph "a", the attorney general shall provide up to \$10,000 in state matching funds from moneys retained by the attorney general from property forfeited pursuant to section 809A.17, for the office of the prosecuting attorneys training coordinator to use for continuation of the domestic violence response enhancement program established in accordance with 1992 Iowa Acts, chapter 1240, section 1, subsection 2, paragraph "b".