

February 24, 1969

Judiciary, *Pass 1-12-70, adopted 1-14*
Sen. " 1-14, Jan 2-20

HOUSE FILE 357

By VAN DRIE

Passed House, Date 1-14-70 Passed Senate, Date 2-27-70

Vote: Ayes 115 Nays 0 Vote: Ayes 24 Nays 0

Approved 3-13-70

Passed as amended 3/4
106-1

A BILL FOR

- 1 An Act relating to the disability of municipal judges.
- 2 *Be It Enacted by the General Assembly of the State of Iowa:*
- 3 Section 1. Section six hundred five A point twelve
- 4 (605A.12), Code 1966, is hereby amended as follows:
- 5 1. By striking from line one (1) the word "or" and
- 6 inserting in lieu thereof a comma.
- 7 2. By inserting in line one (1) after the word "district"
- 8 the words "or municipal".

EXPLANATION OF HOUSE FILE 357

This bill provides for including municipal judges under the disability provision of the judicial retirement law. Municipal judges are otherwise included under this retirement system.

SENATE AMENDMENT TO HOUSE FILE 357

- 1 Amend House File 357 as follows:
2 1. By inserting after line 8, the following new section:
3 "Sec. 2. Section six hundred five A point fourteen
4 (605A.14), Code 1966, is hereby amended by striking from
5 line two (2) the words 'or district' and inserting in lieu
6 thereof the words ', district, or municipal'.
7 2. Line 1, by striking the words "the disability of" and
8 inserting in lieu thereof the words "retirement benefits for".

*House
concurred
3/4*

Received from the Senate
March 2, 1970

- 1 Amend House File 357 as follows:
2 1. By inserting after line eight (8) the following new
3 section:
4 "Sec. 2. Section six hundred five A point fourteen
5 (605A.14), Code 1966, is hereby amended by striking from line
6 two (2) the words 'or district' and inserting in lieu thereof
7 the words ', district, or municipal'.
8 2. By striking the explanation and inserting the following
9 in lieu thereof:

10 "EXPLANATION

11 Chapter 605A of the Code originated when the judges were
12 removed from IPERS. In every section in which judges are men-
13 tioned the municipal judges are included, except for sections
14 605A.12 and 605A.14. Section 1 of the bill allows a municipal
15 court judge to voluntarily retire after becoming permanently
16 physically or mentally incapacitated. Section 2 of the bill
17 allows a municipal court judge who is removed for cause other
18 than for permanent disability to be refunded the total amount
19 of his contribution to the retirement fund. Sections 605A.12
20 and 605A.14 were added to the Code by the Sixtieth General
21 Assembly. The Sixtieth General Assembly also adopted an
22 amendment to the Constitution to provide for the appointment
23 of district and supreme court judges. Since the municipal
24 court judges continue to be elected, they were not included in
25 the provisions of these sections. It is now obvious that for
26 disability retirement and also for a refund of benefits in
27 case of nonelection or removal the municipal judges should be
28 included. It is ironic that a judge who has given long ser-
29 vice to the city, county, and state should not be able to
30 retire when he is stricken by a crippling disability or that
31 he should forfeit the many thousands of dollars that he has
32 paid into the fund because he is not reelected."
33 3. By striking from the title the words "the disability
34 of" and inserting in lieu thereof the words "retirement bene-
35 fits for".

Filed - adopted 2-27
January 16, 1970

Sullivan

By SULLIVAN