

FILED FEB 11 1974

Reprinted 2/28/74  
SENATE FILE 1139

By COMMITTEE ON WAYS AND MEANS

Passed Senate, Date 2-27-74 (553) Passed House, Date \_\_\_\_\_  
Vote: Ayes 37 Nays 9 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved May 10, 1974

## A BILL FOR

1 An Act raising the mileage rate paid to members of the general  
2 assembly and employees of the state or its political sub-  
3 divisions.

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

5 Section 1. Section seventy-nine point nine (79.9), Code  
6 1973, is amended to read as follows:

7 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public offi-  
8 cer or employee ~~7-ether-than-a-state-officer-or-employee~~ of  
9 the state or its political subdivisions, is entitled to be  
10 paid for expenses in performing a public duty, no charge shall  
11 be made, allowed, or paid for the use of an automobile in  
12 excess of ~~ten~~ fifteen cents per mile of actual and necessary  
13 travel except as otherwise provided.

### EXPLANATION

14  
15 This bill raises the mileage rate paid to members of the  
16 general assembly and employees of the state and its political  
17 subdivisions from 10 cents per mile to 15 cents per mile.  
18  
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S-2177

1 Amend the Shaff amendment, S-2168, to Senate  
2 File 1139, page 4, after line 19, by adding the  
3 following new paragraph:

4 However, the state comptroller is empowered  
5 and otherwise authorized to adjust this maximum  
6 fifteen cent reimbursement rate so as to reflect  
7 any actual changes in the general cost of operating  
8 motor vehicles. To this effect, the state comptrol-  
9 ler shall promulgate rules, pursuant to chapter  
10 seventeen A (17A) of the Code, specifying a formula  
11 by which such adjustments shall be made. Such ad-  
12 justments may supersede the provisions of this  
13 section, but shall be in accordance with the rules  
14 promulgated under this section.

S-2177 Filed - *W. J. 2/27/551*  
February 14, 1974

By HANSEN

S-2173

1 Amend the Shaff amendment S-2168 filed February 13,  
2 1974 to Senate File 1139, page 12, by adding after  
3 line 3 the following new section:  
4 Sec. \_\_\_\_\_. This Act shall take effect and be in  
5 force on April 1, 1974, after its publication in  
6 the Clinton Herald, a newspaper published in Clinton,  
7 Iowa, and in the Muscatine Journal, a newspaper  
8 published in Muscatine, Iowa.

S-2173 Filed - *Lot 2/27*  
February 14, 1974

By SHAFF

S-2181

1 Amend the Shaff amendment S-2168 to Senate File  
2 1139 as follows:  
3 1. Page 1, line 12, by striking the word "fifteen"  
4 and inserting in lieu thereof "thirteen".  
5 2. Page 1, line 16, by striking the word "fifteen"  
6 and inserting in lieu thereof "thirteen".  
7 3. Page 4, line 18, by striking the word "fifteen"  
8 and inserting in lieu thereof "thirteen".

S-2181 Filed - *Lot 2/26*  
February 15, 1974

By DE KOSTER and SHAFF

S-2245

1 Amend the Shaff amendment S-2168 to Senate File <sup>1137</sup>~~1129~~  
2 as follows:  
3 1. Page 10, line 2, by striking the words "one thousand"  
4 and inserting in lieu thereof the words "one-thousand  
5 fifteen hundred".

S-2245 Filed - *Adopted 2/27*  
February 26, 1974

By SHAFF

SENATE FILE 1139

S-2168

1 Amend Senate File 1139 as follows:

2 By striking everything after the enacting clause  
3 and inserting in lieu thereof the following:

4 Section 1. Section twenty-one point four (21.4),  
5 unnumbered paragraph one (1), Code 1973, is amended  
6 to read as follows:

7 No state officer or employee shall use any state  
8 owned motor vehicle for his own personal private use,  
9 nor shall he be compensated for driving his own motor  
10 vehicle except if such is done on state business with  
11 the approval of the state vehicle dispatcher, and  
12 in such case he shall not receive ~~more-than-ten~~ fifteen  
13 cents per mile. A statutory provision stipulating  
14 necessary, mileage, travel, or actual expenses  
15 reimbursement to a state officer shall be construed  
16 to fall under this fifteen cents limitation unless  
17 specifically provided otherwise. However, the state  
18 vehicle dispatcher may delegate authority to officials  
19 of the state, and department heads, for the use of  
20 private vehicles on state business up to six thousand  
21 miles per year. When a state motor vehicle has been  
22 assigned to a state officer or employee he shall not  
23 collect mileage for the use of his personal vehicle  
24 unless the state vehicle assigned to him is not usable.

25 Sec. 2. Section forty-nine point twenty (49.20),

Page 2

1 Code 1973, as amended by Acts of the Sixty-fifth  
2 General Assembly, 1973 Session, chapter one hundred  
3 thirty-six (136), section one hundred twenty-two  
4 (122), is amended to read as follows:

5 49.20 COMPENSATION OF MEMBERS. The members of  
6 election boards shall receive two dollars per hour  
7 while engaged in the discharge of their duties and  
8 ~~ten-cents-per-mile~~ shall be reimbursed for actual  
9 and necessary travel expense. Compensation shall  
10 be paid to members of election boards only after the  
11 vote has been canvassed and it has been determined  
12 in the course of such canvass that the election record  
13 certificate has been properly executed by the election  
14 board.

15 Sec. 3. Section fifty point forty-seven (50.47),  
16 Code 1973, is amended to read as follows:

17 50.47 MESSENGERS FOR ELECTION TALLY LISTS.  
18 Messengers sent for the tally lists of elections shall  
19 be paid from the state or county treasury, ~~as the~~  
20 ~~case may be, ten-cents-a-mile-going-and-returning~~  
21 for necessary travel expense.

22 Sec. 4. Section sixty-eight point fourteen (68.14),  
23 Code 1973, is amended to read as follows:

24 68.14 COMPENSATION--FEES--PAYMENT. The presiding  
25 officer and members of the senate, while sitting as

Page 3

1 a court of impeachment, and the managers elected by  
2 the house of representatives, shall receive the sum  
3 of six dollars each per day, and mileage-at-the-rate  
4 of-five-cents-per-mile shall be reimbursed for mileage  
5 expense in going from and returning to their places  
6 of residence by the ordinary traveled routes; the  
7 secretary, sergeant at arms, and all subordinate  
8 officers, clerks, and reporters, shall receive such  
9 amount as shall be determined upon by a majority vote  
10 of the members of such court. The same fees shall  
11 be allowed to witnesses, to officers, and to other  
12 persons serving process or orders, as are allowed  
13 for like services in criminal cases, but no fees can  
14 be demanded in advance. The state treasurer shall,  
15 upon the presentation of certificates signed by the  
16 presiding officer and secretary of the senate, pay  
17 all of the foregoing compensations and the expenses  
18 of the senate incurred under the provisions of this  
19 chapter.

20 Sec. 5. Section seventy-nine point two (79.2),  
21 Code 1973, is amended to read as follows:

22 79.2 APPRAISERS OF PROPERTY. The compensation  
23 of appraisers appointed by authority of law to appraise  
24 property for any purpose shall be fifty cents per  
25 hour for each appraiser for the time necessarily spent

Page 4

1 in effecting the appraisalment and five-cents-a-mile  
2 the mileage expense for the distance traveled in going  
3 to and returning from the place of appraisalment, which  
4 shall, unless otherwise provided, be paid out of the  
5 property appraised or by the owner thereof.

6 Sec. 6. Section seventy-nine point nine (79.9),  
7 Code 1973, is amended to read as follows:

8 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public  
9 officer or employee, other than a state officer or  
10 employee, is entitled to be paid for expenses in  
11 performing a public duty, no a charge shall be made,  
12 allowed, or and paid for the use of an automobile  
13 in-excess of ten fifteen cents per mile of for actual  
14 and necessary travel except-as-otherwise-provided.  
15 A statutory provision stipulating necessary, mileage,  
16 travel, or actual reimbursement to a public officer  
17 or employee shall be construed to fall within this  
18 fifteen cents limitation unless specifically provided  
19 otherwise.

20 Sec. 7. Section one hundred point thirty-four  
21 (100.34), Code 1973, is amended to read as follows:

22 100.34 FEE FOR FIRES REPORTED. Every official  
23 reporting a fire to the state fire marshal as required  
24 by section 100.3 shall be paid the sum of one dollar  
25 for each fire so reported to the satisfaction of the

Page 5

1 state fire marshal and mileage ~~at-the-rate-of-ten~~  
2 ~~cents-per-mile~~ expenses for each mile traveled to  
3 and from the place of fire when the vehicle used is  
4 not owned by a governmental unit. Said allowances  
5 shall be paid by the state fire marshal out of any  
6 funds appropriated for the use of the office of said  
7 state fire marshal, provided that such fees shall  
8 not be paid to any full-time salaried public official  
9 who is paid for full time at such duties.

10 Sec. 8. Section one hundred fifty-nine point  
11 twenty-five (159.25), unnumbered paragraph three (3),  
12 Code 1973, is amended to read as follows:

13 Appointive members of the board shall receive  
14 actual necessary expenses and mileage ~~at-the-rate~~  
15 ~~of-seven-cents-per-mile~~ expenses incurred while engaged  
16 in the business of the agriculture marketing board.

17 Sec. 9. Section one hundred seventy-nine point  
18 two (179.2), unnumbered paragraph three (3), Code  
19 1973, is amended to read as follows:

20 The board of directors of the Iowa state dairy  
21 association shall on or before the fifteenth day of  
22 May of each odd-numbered year nominate for the office  
23 of commissioners three persons from each congressional  
24 district within the state, as constituted January  
25 1, 1941, all of whom shall be actual milk or cream

Page 6

1 producers, which list shall on or before the first  
2 day of June following, be certified to the secretary  
3 of agriculture of the state by the president and  
4 secretary of the Iowa state dairy association and  
5 the said secretary of agriculture shall, on or before  
6 the second Tuesday in June of each odd-numbered  
7 calendar year, appoint one of said nominees so  
8 certified from each of said districts as a member  
9 of Iowa dairy industry commission who shall serve  
10 for a period of two years from July 1 following his  
11 appointment and until his successor is duly appointed  
12 and qualified. Any vacancy occurring in said Iowa  
13 dairy industry commission shall be filled by the said  
14 secretary of agriculture from nominations made by  
15 the board of directors of the Iowa state dairy asso-  
16 ciation in the manner heretofore provided. The  
17 appointive members of the commission shall receive  
18 the sum of five dollars per day for each day spent  
19 in actual attendance on meetings of the commission  
20 not exceeding one hundred dollars per annum, together  
21 with actual and necessary expenses ~~and-mileage-at~~  
22 ~~the-rate-of-five-cents-per-mile~~.

23 Sec. 10. Section two hundred seventeen point four  
24 (217.4), Code 1973, is amended to read as follows:

25 217.4 MEETINGS OF COUNCIL. The council shall

Page 7

1 meet at least four times a year. Special meetings  
2 shall be called by the chairman or upon written request  
3 of any three members thereof. The chairman shall  
4 preside at all meetings or in his absence the vice-  
5 chairman shall preside. The members of the council  
6 shall be paid a per diem or forty dollars per day  
7 while in session, ~~ten-cents-a-mile-for-travel~~, and  
8 their reasonable and necessary expenses while attending  
9 such meetings. The amount of per diem any one member  
10 may receive in any fiscal year beginning with the  
11 date of employment shall not exceed eight hundred  
12 dollars.

13 Sec. 11. Acts of the Sixty-fifth General Assembly,  
14 1973 Session, chapter one hundred eighty-two (182),  
15 section one (1), amending section two hundred twenty-  
16 eight point nine (228.9), subsection two (2), Code  
17 1973, is amended to read as follows:

18 2. To the examining physician, compensation as  
19 fixed by a majority of the judges of the district  
20 court in the judicial district in which the hearing  
21 is held and in addition mileage ~~of-ten-cents-per-mile~~  
22 each-way expenses.

23 Sec. 12. Section two hundred forty-nine point  
24 twelve (249.12), Code 1973, is amended to read as  
25 follows:

Page 8

1 249.12 WITNESSES. For the purpose of any such  
2 investigation, the state director and the county board  
3 shall have the power to compel, by subpoena, the  
4 attendance and testimony of witnesses and the  
5 production of books and papers. All witnesses shall  
6 be examined on oath, and the state director or his  
7 authorized employee or any member of the county board  
8 may administer said oath. The costs incurred in  
9 connection with any such hearing or examination shall  
10 be paid by the state director or county board,  
11 whichever issues the subpoenas; and the witnesses  
12 shall be entitled to claim a two-dollar fee and mileage  
13 expense ~~at-a-rate-of-five-cents-per-mile~~, except that  
14 responsible relatives as defined in sections 252.2,  
15 252.5 and 600.6 shall not be entitled to claim wit-  
16 ness fees and mileage expense.

17 Sec. 13. Section three hundred twenty-one point  
18 one hundred forty-one (321.141), Code 1973, is amended  
19 to read as follows:

20 321.141 FEES AND MILEAGE. The sheriff shall be  
21 entitled to receive as costs the sum of two dollars  
22 for serving the writ or warrant of seizure and ~~five~~  
23 cents mileage expense for each mile actually traveled  
24 by him in collecting the fee and penalties, which  
25 shall be collected from the owner of such delinquent

Page 9

1 motor vehicle, and shall be retained by him in full  
2 for his services. He shall also collect from said  
3 owner the sum of fifty cents per day for care of the  
4 motor vehicle while in his possession which sum shall  
5 be accounted for by the sheriff as fees are accounted  
6 for, as provided in chapter 342.

7 Sec. 14. Section three hundred thirty-one point  
8 twenty-two (331.22), unnumbered paragraph three (3),  
9 Code 1973, as amended by Acts of the Sixty-fifth  
10 General Assembly, 1973 Session, chapter two hundred  
11 twenty-four (224), section two (2), is amended to  
12 read as follows:

13 In counties of forty thousand population or less,  
14 the board of supervisors may on their own motion elect  
15 to receive their compensation on a per diem basis.  
16 If they so elect, the members of the board of  
17 supervisors shall each receive forty dollars per day  
18 for each day actually in session or employed on  
19 committee service or as a ditch or drainage board  
20 considering drainage matters. No such member shall  
21 receive per diem pay in excess of five thousand five  
22 hundred dollars in any one calendar year. In addition,  
23 he shall receive ten-cents mileage expense for every  
24 mile traveled in going to and from sessions and in  
25 going to and from the place of performing committee

Page 10

1 service, however, such mileage payment shall not  
2 exceed the aggregate of one thousand dollars per  
3 supervisor per year.

4 Sec. 15. Section three hundred thirty-seven point  
5 eleven (337.11), subsection ten (10), Code 1973, is  
6 amended to read as follows:

7 10. Mileage in all cases required by law, going  
8 and returning, seven-ten-cents-per-mile, provided that this  
9 subsection shall not apply where provision is made  
10 for expenses, and in no case shall the law be construed  
11 to allow both mileage and expenses for the same  
12 services and for the same trip. In case the sheriff  
13 transports by auto, one or more persons to any state  
14 institution or any other destination required by law,  
15 or in case one or more legal papers are served on  
16 the same trip, he shall be entitled to but one mileage  
17 at the rate prescribed herein, the mileage cost thereof  
18 to be prorated to the respective persons transported  
19 and also in the case of separate papers served.  
20 Provided, however, that in the serving of original  
21 notices in civil cases the sheriff shall be allowed  
22 mileage at the rate of ten-cents-per-mile expenses  
23 in each action wherein such original notices are  
24 served, and, he may refuse to serve original notices  
25 in civil cases until the statutory fees and mileage

Page 11

1 for service have been paid.  
2 Sec. 16. Section six hundred seven point five  
3 (607.5), Code 1973, is amended to read as follows:  
4 607.5 FEES OF JURORS. Petit jurors shall receive  
5 the following fees: For each day's service or  
6 attendance in courts of record, including jurors  
7 summoned on special venire, five dollars, and mileage  
8 expenses for each mile traveled from his residence  
9 to the place of trial for each day's service and  
10 attendance, ~~seven-cents~~.  
11 Grand jurors shall receive for each day's service  
12 or attendance, seven dollars, and mileage expenses  
13 for each mile traveled each day from his residence  
14 to the place of attendance and in the performance  
15 of their duties, ~~seven-cents~~, provided, however, that  
16 grand jurors shall be entitled to mileage for travel  
17 from the place of their residence to the county seat  
18 for the purpose of being impaneled. No grand juror  
19 shall receive mileage for travel in the performance  
20 of his duties when he travels in a vehicle for which  
21 another juror is receiving mileage.  
22 Sec. 17. Section six hundred twenty-two point  
23 sixty-nine (622.69), Code 1973, is amended to read  
24 as follows:  
25 622.69 WITNESS FEES. Witnesses shall receive

Page 12

1 three dollars for each day's attendance and ~~ten-cents~~  
2 per-mile mileage expenses for each mile actually  
3 traveled.

S-2168 Filed - *adopted as amended* By SHAFF  
February 13, 1974 *by 2245 2/27(553)*

#### EXPLANATION

This bill allows all mileage, as prescribed by law, to be paid at a rate of fifteen cents per mile. The bill inserts into the broad provisions of sections 21.4 and 79.9 of the Code a provision that states where a specific mileage rate is not stipulated by a statutory mileage statute, the mileage paid shall be at a rate of fifteen cents per mile. The bill then changes all specific references to mileage rate in the Code to general references, thus making them subject to either section 21.4 or 79.9

S-2244

- 1 Amend the Shaff amendment S-2168 to Senate File 1139  
2 as follows:  
3 1. Page 1, line 17, by inserting after the word "otherwise."  
4 the words "Any peace officer as defined in section seven  
5 hundred forty-eight point three (748.3) of the code who is  
6 required to use his private vehicle in the performance of  
7 his official duties shall receive reimbursement for mileage  
8 expense at the rate of three cents per mile more than other  
9 officials included in the provisions of this act."  
10 2. Page 4, line 19, by inserting after the word "otherwise."  
11 the words "Any peace officer as defined in section seven  
12 hundred forty-eight point three (748.3) of the Code who is  
13 required to use his private vehicle in the performance of  
14 his official duties shall receive reimbursement for mil-  
15 age expense at the rate of three cents per mile more than  
16 other officials included in the provisions of this act."

S-2244 Filed and lost  
February 26, 1974

By SHAFF

S-2253

- 1 Amend the Shaff amendment S-2168 to Senate File  
2 1139, page 12, by adding after line 3 the following  
3 new section:  
4 Sec. \_\_\_\_\_. NEW SECTION. The state comptroller is  
5 empowered and otherwise authorized to adjust this  
6 maximum fifteen cent reimbursement rate as provided  
7 by this Act so as to reflect any actual changes  
8 in the general cost of operating motor vehicles.  
9 To this effect, the state comptroller shall  
10 promulgate rules, pursuant to chapter seventeen A  
11 (17A) of the Code, specifying a formula by which  
12 such adjustments shall be made. Such adjustments  
13 may supersede the provisions of this Act, but  
14 shall be in accordance with the rules promulgated  
15 under this Act.

S-2253 Filed - *Lost 2/27 (552)*  
February 26, 1974

By HANSEN

S-2158

- 1 Amend Senate File 1139 by adding the following  
2 new section:  
3 Sec. 2. This Act, being deemed of immediate  
4 importance, shall take effect and be in force from  
5 and after its publication in the Council Bluffs  
6 Nonpareil, a newspaper published in Council Bluffs,  
7 Iowa, and in the Times-Democrat, a newspaper pub-  
8 lished in Davenport, Iowa.

S-2158 Filed - *Revised out of order by*  
February 12, 1974 *repealed of 2/173*  
*2/27*

By GRIFFIN

S-2161

- 1 Amend Senate File 1139, line 12, by striking the  
2 word "fifteen" and inserting in lieu thereof  
3 the word "twelve".

S-2161 Filed - *Revised out of order*  
February 12, 1974 *by substitution*  
*of 2168 2/27*

By SHAFF and DE KOSTER

February 28, 1974

SENATE FILE 1139

BY COMMITTEE ON WAYS AND MEANS

SENATE AMENDMENTS  
SHOWN IN BOLD FACE

(AS PASSED BY THE SENATE)

*Substituted for H. 7, 1210*

*as amended  
House 4-5-74*

Passed Senate, Date 4-5-74 (1210) Passed House, Date 3-29-74 (1243)

Vote: Ayes 40 Nays 2 Vote: Ayes 87 Nays 2

Approved.....

*Motion to reconsider filed 4-5 (1211) passed  
Passed Senate per House amendment as amended  
4-24-74 (1576)  
42-2*

*Passed House per Senate amendment  
4-29-74 (2185)  
80-7*

# A BILL FOR

- 1 An Act raising the mileage rate paid to members of the general
- 2 assembly and employers of the state or its political sub-
- 3 divisions.

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

5 Section 1. Section twenty-one point four (21.4),  
 6 unnumbered paragraph one (1), Code 1973, is amended to  
 7 read as follows:

8 No state officer or employee shall use any state-  
 9 owned motor vehicle for his own personal private use,  
 10 nor shall he be compensated for driving his own motor  
 11 vehicle except if such is done on state business with  
 12 the approval of the state vehicle dispatcher, and in  
 13 such case he shall [not] receive [more than ten] *fifteen*  
 14 cents per mile. *A statutory provision stipulating*  
 15 *necessary, mileage, travel, or actual expenses reim-*  
 16 *bursement to a state officer shall be construed to*  
 17 *fall under this fifteen cents limitation unless specifi-*  
 18 *cally provided otherwise. However, the state vehicle*  
 19 *dispatcher may delegate authority to officials of the*  
 20 *state, and department heads, for the use of private*  
 21 *vehicles on state business up to six thousand miles per*  
 22 *year. When a state motor vehicle has been assigned to*  
 23 *a state officer or employee he shall not collect mileage*

1 for the use of his personal vehicle unless the state  
2 vehicle assigned to him is not usable.

3 Sec. 2. Section forty-nine point twenty (49.20),  
4 Code 1973, as amended by Acts of the Sixty-fifth General  
5 Assembly, 1973 Session, chapter one hundred thirty-six  
6 (136), section one hundred twenty-two (122), is amended  
7 to read as follows:

8 49.20 COMPENSATION OF MEMBERS. The members of election  
9 boards shall receive two dollars per hour while engaged in  
10 the discharge of their duties and [ten cents per mile] *shall*  
11 *be reimbursed* for actual and necessary travel *expense*. Com-  
12 pensation shall be paid to members of election boards only  
13 after the vote has been canvassed and it has been determined  
14 in the course of such canvass that the election record certifi-  
15 cate has been properly executed by the election board.

16 Sec. 3. Section fifty point forty-seven (50.47), Code 1973,  
17 is amended to read as follows:

18 50.47 MESSENGERS FOR ELECTION TALLY LISTS. Messen-  
19 sent for the tally lists of elections shall be paid from the <sup>gers</sup>  
20 state or county treasury[, as the case may be, ten cents a mile  
21 going and returning] *for necessary travel expense*.

22 Sec. 4. Section sixty-eight point fourteen (68.14),  
23 Code 1973, is amended to read as follows:

24 68.14 COMPENSATION—FEES—PAYMENT. The presiding  
25 and members of the senate, while sitting as a court of impeach-  
26 ment, and the managers elected by the house of representatives,  
27 shall receive the sum of six dollars each day, and [mileage  
28 at the rate of five cents per mile] *shall be reimbursed for*  
29 *mileage expense* in going from and returning to their places  
30 of residence by the ordinary traveled routes; the secretary,  
31 sergeant at arms, and all subordinate officers, clerks, and  
32 reporters, shall receive such amount as shall be determined  
33 upon by a majority vote of the members of such court. The  
34 same fees shall be allowed to witnesses, to officers, and to  
35 other persons serving process or orders, as are allowed for

1 like services in criminal cases, but no fees can be de-  
2 manded in advance. The state treasurer shall, upon the  
3 presentation of certificates signed by the presiding  
4 officer and secretary of the senate, pay all of the fore-  
5 going compensations and the expenses of the senate incurred  
6 under the provisions of this chapter.

7 Sec. 5. Section seventy-nine point two (79.2), Code 1973,  
8 is amended to read as follows:

9 79.2 APPRAISERS OF PROPERTY. The compensation of apprais-  
10 ers appointed by authority of law to appraise property for any  
11 purpose shall be fifty cents per hour for each appraiser for  
12 the time necessarily spent in effecting the appraisal and  
13 [five cents a mile] *the mileage expense* for the distance traveled  
14 in going to and returning from the place of appraisal, which  
15 shall, unless otherwise provided, be paid out of the property  
16 appraised or by the owner thereof.

17 Sec. 6. Section seventy-nine point nine (79.9), Code 1973,  
18 is amended to read as follows:

19 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public officer  
20 or employee, other than a state officer or employee, is entitled  
21 to be paid for expenses in performing a public duty, [no] a charge  
22 shall be made, allowed, [or] and paid for the use of an automobile  
23 [in excess] of [ten] *fifteen* cents per mile [of] for actual and  
24 necessary travel [except as otherwise provided]. *A statutory*  
25 *provision stipulating necessary, mileage, travel, or actual*  
26 *reimbursement to a public officer or employee shall be construed*  
27 *to fall within this fifteen cents limitation unless specifically*  
28 *provided otherwise.*

29 Sec. 7. Section one hundred point thirty-four (100.34),  
30 Code 1973, is amended to read as follows:

31 100.34 FEE FOR FIRES REPORTED. Every official reporting  
32 a fire to the state fire marshal as required by section 100.3  
33 shall be paid the sum of one dollar for each fire so reported  
34 to the satisfaction of the state fire marshal and mileage [at  
35 the rate of ten cents per mile] *expenses* for each mile traveled

1 to and from the place of fire when the vehicle used is not  
2 owned by a governmental unit. Said allowances shall be paid  
3 by the state fire marshal out of any funds appropriated for  
4 the use of the office of said state fire marshal, provided  
5 that such fees shall not be paid to any full-time salaried  
6 public official who is paid for full time at such duties.

7 Sec. 8. Section one hundred fifty-nine point twenty-five  
8 (159.25), unnumbered paragraph three (3), Code 1973, is amended  
9 to read as follows:

10 Appointive members of the board shall receive actual  
11 necessary expenses and mileage [at the rate of seven cents per  
12 mile] *expenses* incurred while engaged in the business of the  
13 agriculture marketing board.

14 Sec. 9. Section one hundred seventy-nine point two (179.2),  
15 unnumbered paragraph three (3), Code 1973, is amended to read  
16 as follows:

17 The board of directors of the Iowa state dairy association  
18 shall on or before the fifteenth day of May of each odd-numbered  
19 year nominate for the office of commissioners three persons from  
20 each congressional district within the state, as constituted  
21 January 1, 1941, all of whom shall be actual milk or cream  
22 producers, which list shall on or before the first day of June  
23 following, be certified to the secretary of agriculture of the  
24 state by the president and secretary of the Iowa state dairy  
25 association and the said secretary of agriculture shall, on or  
26 before the second Tuesday in June of each odd-numbered calendar  
27 year, appoint one of said nominees so certified from each of  
28 said districts as a member of Iowa dairy industry commission who  
29 shall serve for a period of two years from July 1 following his  
30 appointment and until his successor is duly appointed and qualified.  
31 Any vacancy occurring in said Iowa dairy industry commission shall  
32 be filled by the said secretary of agriculture from nominations  
33 made by the board of directors of the Iowa state dairy association  
34 in the manner heretofore provided. The appointive members of  
35 the commission shall receive the sum of five dollars per day for

1 each day spent in actual attendance on meetings of the  
2 commission not exceeding one hundred dollars per annum,  
3 together with actual *and* necessary expenses [and mileage at  
4 the rate of five cents per mile].

5 Sec. 10. Section two hundred seventeen point four  
6 (217.4), Code 1973, is amended to read as follows:

7 217.4 MEETINGS OF COUNCIL. The council shall meet at  
8 least four times a year. Special meetings shall be called  
9 by the chairman or upon written request of any three members  
10 thereof. The chairman shall preside at all meetings or in  
11 his absence the vice-chairman shall preside. The members  
12 of the council shall be paid a per diem or forty dollars per  
13 day while in session, [ten cents a mile for travel,] and their  
14 reasonable and necessary expenses while attending such meetings.  
15 The amount of per diem any one member may receive in any fiscal  
16 year beginning with the date of employment shall not exceed  
17 eight hundred dollars.

18 Sec. 11. Acts of the Sixty-fifth General Assembly, 1973  
19 Session, chapter one hundred eighty-two (182), section one (1),  
20 amending section two hundred twenty-eight point nine (228.9),  
21 subsection two (2), Code 1973, is amended to read as follows:

22 2. To the examining physician, compensation as fixed by  
23 a majority of the judges of the district court in the judicial  
24 district in which the hearing is held and in addition mileage  
25 [of ten cents per mile each way] *expenses*.

26 Sec. 12. Section two hundred forty-nine point twelve  
27 (249.12), Code 1973, is amended to read as follows:

28 249.12 WITNESSES. For the purpose of any such investi-  
29 gation, the state director and the county board shall have  
30 the power to compel, by subpoena, the attendance and testimony  
31 of witnesses and the production of books and papers. All  
32 witnesses shall be examined on oath, and the state director  
33 or his authorized employee or any member of the county board  
34 may administer said oath. The costs incurred in connection  
35 with any such hearing or examination shall be paid by the state

1 director or county board, whichever issues the subpoenas;  
2 and the witnesses shall be entitled to claim a two-dollar  
3 fee and mileage expense [at a rate of five cents per mile].  
4 except that responsible relatives as defined in sections  
5 252.2, 252.5 and 600.6 shall not be entitled to claim wit-  
6 ness fees and mileage expense.

7 Sec. 13. Section three hundred twenty-one point one  
8 hundred forty-one (321.141). Code 1973, is amended to read  
9 as follows:

10 321.141 FEES AND MILEAGE. The sheriff shall be entitled  
11 to receive as costs the sum of two dollars for serving the writ  
12 or warrant of seizure and [five cents] mileage expense for each  
13 mile actually traveled by him in collecting the fee and pen-  
14 alties, which shall be collected from the owner of such  
15 delinquent motor vehicle, and shall be retained by him in  
16 full for his services. He shall also collect from said owner  
17 the sum of fifty cents per day for care of the motor vehicle  
18 while in his possession which sum shall be accounted for by  
19 the sheriff as fees are accounted for, as provided in chapter  
20 342.

21 Sec. 14. Section three hundred thirty-one point twenty-  
22 two (331.22), unnumbered paragraph three (3), Code 1973, as  
23 amended by Acts of the Sixty-fifth General Assembly, 1973  
24 Session, chapter two hundred twenty-four (224), section two (2),  
25 is amended to read as follows:

26 In counties of forty thousand population or less, the  
27 board of supervisors may on their own motion elect to receive  
28 their compensation on a per diem basis. If they so elect, the  
29 members of the board of supervisors shall each receive forty  
30 dollars per day for each day actually in session or employed on  
31 committee service or as a ditch or drainage board considering  
32 drainage matters. No such member shall receive per diem pay in  
33 excess of five thousand five hundred dollars in any one calendar  
34 year. In addition, he shall receive [ten cents] mileage expense  
35 for every mile traveled in going to and from sessions and in

1 going to and from the place of performing committee ser-  
2 vice, however, such mileage payment shall not exceed the  
3 aggregate of [one thousand] *fifteen hundred* dollars per  
4 supervisor per year.

5 Sec. 15. Section three hundred thirty-seven point  
6 eleven (337.11), subsection ten (10), Code 1973, is amended  
7 to read as follows:

8 10. Mileage in all cases required by law, going and  
9 returning [, ten cents per mile], provided that this subsection  
10 shall not apply where provision is made for expenses, and  
11 in no case shall the law be construed to allow both mileage  
12 and expenses for the same services and for the same trip.  
13 In case the sheriff transports by auto, one or more persons  
14 to any state institution or any other destination required by  
15 law. or in case one or more legal papers are served on the  
16 same trip, he shall be entitled to but one mileage at the  
17 rate prescribed herein, the mileage cost thereof to be pro-  
18 rated to the respective persons transported and also in the  
19 case of separate papers served. Provided, however, that in  
20 the serving of original notices in civil cases the sheriff  
21 shall be allowed mileage [at the rate of ten cents per mile]  
22 *expenses* in each action wherein such original notices are  
23 served, and, he may refuse to serve original notices in civil  
24 cases until the statutory fees and mileage for service have  
25 been paid.

26 Sec. 16. Section six hundred seven point five (607.5),  
27 Code 1973, is amended to read as follows:

28 607.5 FEES OF JURORS. Petit jurors shall receive the  
29 following fees: For each day's service or attendance in  
30 courts of record, including jurors summoned on special venire,  
31 five dollars, and *mileage expenses* for each mile traveled from  
32 his residence to the place of trial for each day's service and  
33 attendance[, ten cents].

34 Grand jurors shall receive for each day's service or  
35 attendance, seven dollars, and *mileage expenses* for each mile

1 traveled each day from his residence to the place of  
 2 attendance and in the performance of their duties, [seven  
 3 cents,] provided, however, that grand jurors shall be  
 4 entitled to mileage for travel from the place of their  
 5 residence to the county seat for the purpose of being  
 6 impaneled. No grand juror shall receive mileage for travel  
 7 in the performance of his duties when he travels in a vehicle  
 8 for which another juror is receiving mileage.

9 Sec. 17. Section six hundred twenty-two point sixty-  
 10 nine (622.69), Code 1973, is amended to read as follows:

11 622.69 WITNESS FEES. Witnesses shall receive three  
 12 dollars for each day's attendance and [ten cents per mile]  
 13 *mileage expenses* for each mile actually traveled.

14 CORRECTED EXPLANATION

15 This bill allows all mileage, as prescribed by law, to  
 16 be paid at a rate of fifteen cents per mile.

17 The bill inserts into the broad provisions of sections  
 18 21.4 and 79.9 of the Code a provision that states where a  
 19 specific mileage rate is not stipulated by a statutory  
 20 mileage statute, the mileage paid shall be at a rate of  
 21 fifteen cents per mile. The bill then changes all specific  
 22 references to mileage rate in the Code to general references,  
 22 thus making them subject to either section 21.4 or 79.9.

H-2363

1 Amend Senate File 1139, as passed by the Senate  
 2 and reprinted, as follows:

- 3 1. Page 1, line 18, by inserting after the word  
 4 "otherwise." the words "Any peace officer as defined  
 5 in section seven hundred forty-eight point three  
 6 (748.3) of the Code who is required to use his private  
 7 vehicle in the performance of his official duties  
 8 shall receive reimbursement for mileage expense at the  
 9 rate of eighteen cents per mile."
- 10 2. Page 3, line 28, by inserting after the word  
 11 "otherwise." the words "Any peace officer as defined  
 12 in section seven hundred forty-eight point three  
 13 (748.3) of the Code who is required to use his private  
 14 vehicle in the performance of his official duties  
 15 shall receive reimbursement for mileage expense at the  
 16 rate of eighteen cents per mile."

HOUSE AMENDMENT TO SENATE FILE 1139

1 Amend Senate File 1139, as passed by the Senate and re-  
2 printed, as follows:

3 1. Page 1, line 18, by inserting after the word  
4 "otherwise." the words "Any peace officer as defined in section  
5 seven hundred forty-eight point three (748.3) of the Code who  
6 is required to use his private vehicle in the performance  
7 of his official duties shall receive reimbursement for  
8 mileage expense at the rate of eighteen cents per mile."

9 2. Page 3, line 28, by inserting after the word  
10 "otherwise." the words "Any peace officer as defined in  
11 section seven hundred forty-eight point three (748.3) of the  
12 Code who is required to use his private vehicle in the  
13 performance of his official duties shall receive reimbursement  
14 for mileage expense at the rate of eighteen cents per mile."

15 3. By adding the following new sections:

16 Sec. \_\_\_\_\_. Section two point ten (2.10), subsection one (1),  
17 Code 1973, as amended by Acts of the Sixty-fifth General  
18 Assembly, 1973 Session, chapter one hundred nineteen (119),  
19 section one (1), is further amended to read as follows:

20 1. Every member of the general assembly except the speaker  
21 of the house and majority and minority floor leaders of the  
22 senate and house shall receive an annual salary of eight  
23 thousand dollars for each year while serving as a member of  
24 the general assembly. The majority and minority floor leaders  
25 of the senate and house shall receive an annual salary of nine

Page 2

1 thousand five hundred dollars for each year while serving in  
2 such capacity. In addition, each such member shall receive  
3 the sum of twenty dollars per day for expenses of office,  
4 except travel, for each day the general assembly is in session  
5 commencing with the first day of a legislative session and  
6 ending with the day of final adjournment of each legislative  
7 session as indicated by the journals of the house and senate.  
8 However, members from Polk county shall receive ten dollars  
9 per day. Travel expenses shall be paid at the rate established  
10 by section seventy-nine point nine (79.9) of the Code ~~for~~  
11 ~~employees-of-the-state~~ for actual travel in going to and re-  
12 turning from the seat of government by the nearest traveled  
13 route for not more than one time per week during a legislative  
14 session. However, any increase from time to time in the  
15 mileage rate established by section seventy-nine point nine  
16 (79.9) of the Code shall not become effective for members of  
17 the general assembly until the convening of the next general  
18 assembly following the session in which the increase is  
19 adopted; and this provision shall prevail over any inconsis-  
20 tent provision of any present or future statute.

21 Sec. \_\_\_\_\_. This Act shall take effect and be in force on  
22 April 1, 1974, after its publication in the Muscatine Journal,  
23 a newspaper published in Muscatine, Iowa, and in the Council  
24 Bluffs Nonpareil, a newspaper published in Council Bluffs,  
25 Iowa.

S-2808

1 Amend the House amendment to Senate File 1139,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 5, by inserting after the figure  
5 "(748.3)" the words and figures "subsections one  
6 (1) and two (2),".

7 2. Page 1, line 5, by inserting after the word  
8 "Code" the words "who is a full-time employee of a  
9 county or city and".

10 3. Page 1, line 8, by inserting after the word  
11 "mile" the words ", except that a peace officer in  
12 a city or county which owns law enforcement vehicles  
13 shall be reimbursed at the rate of fifteen cents  
14 per mile when he uses his private vehicle in the  
15 performance of his official duties".

16 4. Page 1, line 11, by inserting after the  
17 figure "(748.3)" the words and figures "subsec-  
18 tions one (1) and two (2),".

19 5. Page 1, line 12, by inserting after the word  
20 "Code" the words "who is a full-time employee of a  
21 county or city and".

22 6. Page 1, line 14, by inserting after the word  
23 "mile" the words ", except that a peace officer  
24 in a city or county which owns law enforcement  
25 vehicles shall be reimbursed at the rate of fifteen

Page 2

1 cents per mile when he uses his private vehicle in  
2 the performance of his official duties".

S-2808 Filed-*Withdrawn 4/24*  
April 18, 1974

By DODERER

S-2676

1 Amend the House amendment to Senate File 1139, page  
2 2, line 22, by striking the words "April 1," and  
3 inserting in lieu thereof the words "May 1,".

S-2676 Filed and adopted *Rescind* By GRIFFIN  
April 5, 1974 *and withdrawn 4/24*

S-2862

1 Amend the House amendment to Senate File 1139 as  
2 amended, passed and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 8 by striking the word "eighteen"  
5 and inserting in lieu thereof the word "fifteen".

6 2. Page 1, line 14 by striking the word "eighteen"  
7 and inserting in lieu thereof the word "fifteen".

S-2862 Filed and adopted  
April 24, 1974

By ROBINSON, JUNKINS, TIEDEN,  
and POTTER

S-2868

1 Amend the House Amendment to Senate File 1139,  
2 page 2, by striking lines 21 through 25, inclusive.

S-2868 Filed and adopted  
April 24, 1974

By GRIFFIN

H-2578

1 Amend the Stanley amendment H-2555 to Senate File  
2 1139 by inserting after the word "senate" in line 23  
3 the following:  
4 "except the total expense payment during a biennium  
5 shall not exceed the amount which can be earned for  
6 two hundred days service"

H-2578 Filed - *Ruled out german 3/29* By WELDEN of Hardin  
March 19, 1974

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S-2871

1 Amend the Robinson, et al., amendment S-2862 to the  
2 House Amendment to Senate File 1139 as amended,  
3 passed and reprinted by the Senate, as follows:  
4 1. Line 5, by striking the word "fifteen" and  
5 inserting in lieu thereof the word "sixteen".  
6 2. Line 7, by striking the word "fifteen" and  
7 inserting in lieu thereof the word "sixteen".

S-2871 Filed and lost By MILLER of Des Moines  
April 24, 1974

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H-2364

1 Amend Senate File 1139, as amended, passed, and re-  
2 printed by the Senate, page 8, by inserting after line  
3 13 the following new section:  
4 Sec. \_\_\_\_\_. The provisions of this Act shall become  
5 effective July 1, 1975.

H-2364 Filed - *Ruled out of order 3/19* By HOLDEN of Scott  
March 1, 1974

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H-2353

1 Amend Senate File 1139, as passed by the Senate  
2 and reprinted, page 8, by inserting after line 13  
3 the following new section:  
4 Sec. 18. This Act shall take effect and be in  
5 force on April 1, 1974, after its publication in the  
6 Muscatine Journal, a newspaper published in Muscatine,  
7 Iowa, and in the Council Bluffs Nonpareil, a  
8 newspaper published in Council Bluffs, Iowa.

H-2353 Filed - *Adopted 3/19* By BUTLER of Pottawattamie  
March 1, 1974

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SENATE AMENDMENT TO THE HOUSE AMENDMENT TO  
SENATE FILE 1139

1 Amend the House Amendment to Senate File 1139 as  
2 amended, passed and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, line 8, by striking the word "eighteen"  
5 and inserting in lieu thereof the word "fifteen".  
6 2. Page 1, line 14, by striking the word "eighteen"  
7 and inserting in lieu thereof the word "fifteen".  
8 3. Page 2, by striking lines 21 through 25,  
9 inclusive.

Received from the Senate  
April 25, 1974

*House received 4/29*

H-2555

1 Amend Senate File 1139, as passed by the Senate  
2 and reprinted, by adding the following new section:  
3 Sec. \_\_\_\_\_. Section two point ten (2.10), sub-  
4 section one (1), Code 1973, as amended by Acts of the  
5 Sixty-fifth General Assembly, 1973 Session, chapter  
6 one hundred nineteen (119), section one (1), is  
7 further amended to read as follows:  
8 1. Every member of the general assembly except  
9 the speaker of the house and majority and minority  
10 floor leaders of the senate and house shall receive  
11 an annual salary of eight thousand dollars for each  
12 year while serving as a member of the general assembly.  
13 The majority and minority floor leaders of the senate  
14 and house shall receive an annual salary of nine  
15 thousand five hundred dollars for each year while  
16 serving in such capacity. In addition, each such  
17 member shall receive the sum of twenty dollars per day  
18 for expenses of office, except travel, for each day  
19 the general assembly is in session commencing with  
20 the first day of a legislative session and ending  
21 with the day of final adjournment of each legislative  
22 session as indicated by the journals of the house and  
23 senate. However, members from Polk county shall  
24 receive ten dollars per day. Travel expenses shall  
25 be paid at the rate established by section seventy-  
26 nine point nine (79.9) of the Code ~~for employees of~~  
27 ~~the state~~ for actual travel in going to and returning  
28 from the seat of government by the nearest traveled  
29 route for not more than one time per week during a  
30 legislative session. However, any increase from time  
31 to time in the mileage rate established by section  
32 seventy-nine point nine (79.9) of the Code shall not  
33 become effective for members of the general assembly  
34 until the convening of the next general assembly  
35 following the session in which the increase is  
36 adopted; and this provision shall prevail over any  
37 inconsistent provision of any present or future  
38 statute.

H-2555 Filed - *adopted 3/29*  
March 19, 1974

By STANLEY of Muscatine