

MAY 9 1975

HOUSE FILE 883

APPROPRIATIONS CALENDAR, Page 5/9
Sen. " 5/30, Sen per 4021

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 5-27-75 (1941) Passed Senate, Date 6-9-75 (1824)

Vote: Ayes 87 Nays 1 Vote: Ayes 46 Nays 4

Approved 7-11

*Repassed House for Senate amendment
6-12-75 (2399)
90-0*

A BILL FOR

1 An Act relating to and appropriating funds to judicial courts
2 and agencies and appropriating funds to the attorney
3 general.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. There is appropriated from the general fund
2 of the state for the fiscal year beginning July 1, 1975, and
3 ending June 30, 1976, to the following judicial courts and
4 agencies the following amounts, or so much thereof as may
5 be necessary, to be used for the following purposes:

6
7 1975-76
8 Fiscal Year

8 1. SUPREME COURT

9 a. For salaries of judges of the supreme
10 court and staff, support, maintenance and
11 miscellaneous purposes including cost of
12 judicial conferences as provided in section
13 six hundred eighty-four point twenty (684.20)
14 of the Code, and a state contribution to the
15 judicial retirement system provided for in
16 chapter six hundred five A (605A) of the
17 Code in the amount of three percent of the
18 salaries of the judges and an additional
19 state contribution of forty-six thousand
20 (46,000) dollars for each year of the

21 biennium..... \$ 599,405
22 b. Rules of procedure..... \$ 250

23 2. COURT ADMINISTRATOR

24 For salaries, support, maintenance and
25 miscellaneous purposes..... \$ 191,272

26 3. JUDICIAL QUALIFICATIONS COMMISSION

27 For support, maintenance and miscellaneous
28 purposes of the judicial qualifications
29 commission including commission members
30 per diem..... \$ 7,730

31 4. CLERK OF THE SUPREME COURT

32 For salaries, support, maintenance and
33 miscellaneous purposes..... \$ 35,517

34 5. BOARD OF LAW EXAMINERS

35 For support, maintenance and miscellaneous

1 purposes including per diem of board members..... \$ 27,008

2 6. BOARD OF EXAMINERS OF SHORTHAND REPORTERS

3 For support and miscellaneous purposes including

4 board members per diem..... \$ 1,140

5 7. DISTRICT COURT

6 For salaries of the district judges, district

7 court associate judges and judicial magistrates,

8 and a state contribution to the judicial retire-

9 ment system provided for in chapter six hundred

10 five A (605A) of the Code in the amount of

11 three percent of such salaries and an additional

12 contribution of one hundred thousand (100,000)

13 dollars for the fiscal year ending June 30, 1976. \$4,471,109

14 For expenses of judges in accordance with sec-

15 tion six hundred five point two (605.2) of the

16 Code including those designated by order of

17 the chief justice to attend judicial confer-

18 ences, seminars or training sessions..... \$ 236,400

19 Sec. 2. Section six hundred eighty-five point eight

20 (685.8), Code 1975, is amended by adding the following new

21 subsection:

22 NEW SUBSECTION. Administer funds appropriated to the
23 supreme court, district courts, office of court administrator,
24 the judicial qualifications commission, the clerk of the
25 supreme court, the board of law examiners, and the board of
26 examiners of shorthand reporters.

27 Sec. 3. Section one hundred fifteen point one (115.1),

28 Code 1975, is amended to read as follows:

29 115.1 ESTABLISHMENT OF BOARD. There is established a
30 board of examiners of shorthand reporters which shall consist
31 of three certified shorthand reporters and two persons who
32 are not certified shorthand reporters and who shall represent
33 the general public. Members shall be appointed by the ~~governor~~
34 ~~subject to the approval of two-thirds of the members of the~~
35 ~~senate~~ supreme court. A certified member shall be actively

1 engaged in the practice of certified shorthand reporting
2 and shall have been so engaged for five years preceding his
3 appointment, the last two of which shall have been in Iowa.
4 Professional associations or societies composed of certified
5 shorthand reporters may recommend the names of potential board
6 members to the ~~governor~~ supreme court, but the ~~governor~~ supreme
7 court shall not be bound by the recommendations. A board
8 member shall not be required to be a member of any professional
9 association or society composed of certified shorthand
10 reporters.

11 Sec. 4. Section one hundred fifteen point two (115.2),
12 Code 1975, is amended to read as follows:

13 115.2 TERMS OF OFFICE. Appointments shall be for three-
14 year terms and shall commence on July 1 of the year in which
15 the appointment is made. Vacancies shall be filled for the
16 unexpired term by appointment ~~of~~ by the governor-and-shall
17 be-subject-to-senate-confirmation supreme court. Members
18 shall serve a maximum of three terms or nine years, whichever
19 is less.

20 Initial appointments to the board of examiners of short-
21 hand reporters made by the supreme court shall commence as
22 soon as possible after July 1, 1975.

23 Sec. 5. Section one hundred fifteen point three (115.3),
24 Code 1975, is amended to read as follows:

25 115.3 MEETINGS AND BOARD EXPENSES. The board of examiners
26 shall fix stated times for the examination of the candidates
27 and shall hold at least one meeting each year at the seat
28 of government. A majority of the members of the board shall
29 constitute a quorum. The ~~board-members~~ supreme court shall
30 set ~~their-own~~ the board members' per diem compensation at
31 a rate not exceeding forty dollars per day for each day
32 actually engaged in the discharge of their duties, and their
33 necessary expenses, such per diem and expenses to be paid
34 from funds appropriated to the board.

35 Sec. 6. Section one hundred fifteen point seven (115.7),

1 Code 1975, is amended by striking the section and inserting
2 in lieu thereof the following:

3 115.7 COURT ADMINISTRATOR TO ACT AS SECRETARY--COLLECTION
4 OF FEES. The supreme court may designate the court adminis-
5 trator to act as secretary for the board and in such case
6 no compensation in addition to the court administrator's
7 regular salary shall be paid. The secretary shall collect
8 and account for all fees and pay them to the treasurer of
9 state who shall deposit the fees in the general fund of the
10 state. The board of examiners of shorthand reporters shall
11 set the fees for examination and for certification. The fees
12 for examination shall be based on the annual cost of
13 administering the examinations. The fees for certification
14 shall be based upon the administrative costs of sustaining
15 the board which shall include but shall not be limited to
16 the cost for per diem, expenses and travel for board members,
17 and office facilities, supplies and equipment.

18 Sec. 7. ATTORNEY GENERAL. There is appropriated to the
19 attorney general from the general fund of the state for the
20 fiscal year beginning July 1, 1975, and ending June 30, 1976,
21 the following amounts, or so much thereof as may be necessary,
22 to be used for the following purposes:

23		1975-76
24		<u>Fiscal Year</u>
25	1. For salaries, support, maintenance	
26	and miscellaneous purposes.....	\$ 905,095
27	2. For matching funds for the area prose-	
28	cutor program.....	\$ 137,910

29 Sec. 8. Section one hundred fifteen point sixteen (115.16),
30 Code 1975, is repealed.

31 Sec. 9. All federal grants to and the federal receipts
32 of the agencies appropriated funds under this Act are appropri-
33 ated for the purposes set forth in such federal grants or
34 receipts.

35 Sec. 10. Funds appropriated by this Act shall not be used

1 for capital improvements.

2 EXPLANATION

3 This bill has been drafted expressing the legislative
4 intent that all administrative duties of the courts receiving
5 appropriations from the general fund be performed under the
6 jurisdiction of the court administrator.

7 The sum of \$599,405 is appropriated for the supreme court
8 for salaries, support, maintenance and miscellaneous purposes,
9 including \$46,000 for judicial retirement and \$7,500 for state
10 match for the supreme court advisory council. The supreme
11 court advisory council anticipates \$22,500 in federal funds.
12 This appropriation funds salaries of the justices, law clerks
13 and a confidential secretary for each justice. The sum of
14 \$250 is appropriated for the Rules of Procedure.

15 The sum of \$191,272 is appropriated to the court admin-
16 istrator for salaries, support, maintenance and miscellaneous
17 purposes. The executive secretary and the custodial position
18 currently included in the supreme court appropriation is
19 transferred to the court administrator. The position of
20 fiscal officer has been added to this T.O. With this added
21 position and the transfer of the executive secretary, the
22 intent is that the court administrator will handle all
23 administrative work including the salary and travel of the
24 district courts, which is now administered through the
25 comptroller's office. Also provided in this appropriation
26 is \$9,000 to match federal funds for the judicial education
27 program and \$33,863 state match for the federal screening
28 program.

29 The judicial qualifications commission was established
30 during the 1973 session of the General Assembly and funds
31 have not previously been appropriated to this commission.
32 There are six members on the commission and the court
33 administrator serves as executive secretary of the commission.
34 The sum of \$7,730 is appropriated for support and maintenance
35 of this commission.

1 The sum of \$35,517 is appropriated for salaries, support
2 and maintenance of the office of the clerk of the supreme
3 court. Federal funds, 25-75 (State-Federal), are available
4 for the next year to supplement the salary of the supreme
5 court clerk. Due to the upgrading of that position and the
6 reorganization of the office, the committee recommendation
7 deleted one clerical position.

8 The sum of \$27,008 is appropriated to the board of law
9 examiners for support, maintenance and board member per diem.
10 This board is currently a trust fund and will become a general
11 fund account as of July 1, 1975. Section 610.8 of the Code
12 mandates that fees cover expenditures and that fees be
13 deposited in the general fund.

14 The sum of \$1,140 is appropriated to the board of exam-
15 iners of shorthand reporters. This board becomes a general
16 fund account as of July 1, 1975. Sections 3 through 6 of
17 this Act amend chapter 115 of the Code pertaining to this
18 board. Section 115.16 is repealed by section 8 of this Act.
19 The five-member board shall be appointed by the supreme court
20 and the court administrator may be designated as secretary
21 for the board. Fees collected shall cover the expenditures
22 of the board and fees shall be deposited in the general fund
23 of the state.

24 The sum of \$4,471,109 is appropriated for salaries for
25 85 District Court Judges, 23 Associate Judges, 14 full-time
26 Magistrates and 186 part-time Magistrates. The sum of \$236,400
27 is appropriated for District Court travel.

28 Section 7 of this bill appropriates \$905,095 to the Attorney
29 General for salaries, support, maintenance and miscellaneous
30 purposes. This funds 85 positions on the current table of
31 organization. No new positions have been recommended. The
32 sum of \$137,910 is appropriated to match federal funds for
33 21 positions in the criminal prosecutions unit. This is a
34 50-50 (State-Federal) program funded through the crime commis-
35 sion. \$25,000 has been included in this appropriation for

1 travel to supplant travel expense currently paid under section
2 19.10 of the Code.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

LSB 1928
sg/cw/4

H-3830

- 1 Amend House File 883, page 1, lines 20 and 21,
- 2 by striking the words "each year of the biennium".

H-3830 FILED - *Adopted 5/27 (1940)* BY GRIFFEE of Chickasaw
MAY 12, 1975

H-3872

- 1 Amend House File 883 as follows:
- 2 Page 1, line 21, by striking the figures
- 3 "599,405" and inserting in lieu thereof the figures
- 4 "608,532".

H-3872 FILED - *Adopted 5/27 (1941)* BY GRIFFEE of Chickasaw
MAY 19, 1975

S-4021

- 1 Amend House File 883, page 1, line 20, by striking
- 2 the word "for".

S-4021 FILED - *Adopted 6/8 (1801)* BY COMMITTEE ON APPROPRIATIONS
JUNE 3, 1975 WILLIAM D. PALMER, CHAIRMAN

S-4054

- 1 Amend House File 883 as amended and passed by the
- 2 House as follows:
- 3 1. Page 5, by inserting after line 1 the following
- 4 new section:
- 5 "Sec. ____ . Section six hundred six point sixteen
- 6 (606.16), Code 1975, is amended by adding the following
- 7 new unnumbered paragraph:
- 8 NEW UNNUMBERED PARAGPAPH. During each semiannual
- 9 period prior to payment into the county treasury,
- 10 the clerk of the district court may deposit any funds
- 11 held by him or her whether in trust or otherwise in
- 12 interest bearing accounts or certificates of deposit
- 13 with a bank approved as provided in section four
- 14 hundred fifty-three point one (453.1) of the Code.
- 15 Interest earned on those deposits shall be paid to
- 16 the county treasurer as provided in this section
- 17 and shall be credited to the general fund of the
- 18 county."

S-4054 FILED - *Withdrawn 4/9 (1824)* BY JAMES W. GRIFFIN, SR.
JUNE 4, 1975

H-4163

Senate Amendment to House File 883

- 1 Amend House File 883, page 1, line 20, by striking
- 2 the word "for".

H-4163 FILED, RECEIVED FROM THE SENATE
JUNE 11, 1975

House concurred 6/12 (2397)

HOUSE FILE 883

AN ACT

RELATING TO AND APPROPRIATING FUNDS TO JUDICIAL COURTS AND AGENCIES AND APPROPRIATING FUNDS TO THE ATTORNEY GENERAL.

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

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1975, and ending June 30, 1976, to the following judicial courts and agencies the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1975-76
Fiscal Year

1. SUPREME COURT

a. For salaries of judges of the supreme court and staff, support, maintenance and miscellaneous purposes including cost of judicial conferences as provided in section six hundred eighty-four point twenty (684.20) of the Code, and a state contribution to the judicial retirement system provided for in chapter six hundred five A (605A) of the Code in the amount of three percent of the salaries of the judges and an additional state contribution of forty-six thousand (46,000) dollars..... \$ 608,532

b. Rules of procedure..... \$ 250

2. COURT ADMINISTRATOR

For salaries, support, maintenance and miscellaneous purposes..... \$ 191,272

3. JUDICIAL QUALIFICATIONS COMMISSION

For support, maintenance and miscellaneous purposes of the judicial qualifications commission including commission members per diem..... \$ 7,730

4. CLERK OF THE SUPREME COURT

For salaries, support, maintenance and miscellaneous purposes..... \$ 35,517

5. BOARD OF LAW EXAMINERS

For support, maintenance and miscellaneous purposes including per diem of board members..... \$ 27,008

6. BOARD OF EXAMINERS OF SHORTHAND REPORTERS

For support and miscellaneous purposes including board members per diem..... \$ 1,140

7. DISTRICT COURT

For salaries of the district judges, district court associate judges and judicial magistrates, and a state contribution to the judicial retirement system provided for in chapter six hundred five A (605A) of the Code in the amount of three percent of such salaries and an additional contribution of one hundred thousand (100,000) dollars for the fiscal year ending June 30, 1976. \$4,471,109
For expenses of judges in accordance with section six hundred five point two (605.2) of the Code including those designated by order of the chief justice to attend judicial conferences, seminars or training sessions..... \$ 236,400

Sec. 2. Section six hundred eighty-five point eight (685.8), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Administer funds appropriated to the supreme court, district courts, office of court administrator, the judicial qualifications commission, the clerk of the supreme court, the board of law examiners, and the board of examiners of shorthand reporters.

Sec. 3. Section one hundred fifteen point one (115.1), Code 1975, is amended to read as follows:

115.1 ESTABLISHMENT OF BOARD. There is established a board of examiners of shorthand reporters which shall consist of three certified shorthand reporters and two persons who are not certified shorthand reporters and who shall represent

the general public. Members shall be appointed by the ~~governor~~ subject to the approval of two-thirds of the members of the senate supreme court. A certified member shall be actively engaged in the practice of certified shorthand reporting and shall have been so engaged for five years preceding his appointment, the last two of which shall have been in Iowa. Professional associations or societies composed of certified shorthand reporters may recommend the names of potential board members to the ~~governor~~ supreme court, but the ~~governor~~ supreme court shall not be bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of certified shorthand reporters.

Sec. 4. Section one hundred fifteen point two (115.2), Code 1975, is amended to read as follows:

115.2 TERMS OF OFFICE. Appointments shall be for three-year terms and shall commence on July 1 of the year in which the appointment is made. Vacancies shall be filled for the unexpired term by appointment ~~of by the governor and shall be subject to senate confirmation~~ supreme court. Members shall serve a maximum of three terms or nine years, whichever is less.

Initial appointments to the board of examiners of shorthand reporters made by the supreme court shall commence as soon as possible after July 1, 1975.

Sec. 5. Section one hundred fifteen point three (115.3), Code 1975, is amended to read as follows:

115.3 MEETINGS AND BOARD EXPENSES. The board of examiners shall fix stated times for the examination of the candidates and shall hold at least one meeting each year at the seat of government. A majority of the members of the board shall constitute a quorum. The ~~board members~~ supreme court shall set ~~their own~~ the board members' per diem compensation at a rate not exceeding forty dollars per day for each day actually engaged in the discharge of their duties, and their necessary expenses, such per diem and expenses to be paid from funds appropriated to the board.

Sec. 6. Section one hundred fifteen point seven (115.7), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

115.7 COURT ADMINISTRATOR TO ACT AS SECRETARY--COLLECTION OF FEES. The supreme court may designate the court administrator to act as secretary for the board and in such case no compensation in addition to the court administrator's regular salary shall be paid. The secretary shall collect and account for all fees and pay them to the treasurer of state who shall deposit the fees in the general fund of the state. The board of examiners of shorthand reporters shall set the fees for examination and for certification. The fees for examination shall be based on the annual cost of administering the examinations. The fees for certification shall be based upon the administrative costs of sustaining the board which shall include but shall not be limited to the cost for per diem, expenses and travel for board members, and office facilities, supplies and equipment.

Sec. 7. ATTORNEY GENERAL. There is appropriated to the attorney general from the general fund of the state for the fiscal year beginning July 1, 1975, and ending June 30, 1976, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1975-76
	<u>Fiscal Year</u>
1. For salaries, support, maintenance and miscellaneous purposes.....	\$ 905,095
2. For matching funds for the area prosecutor program.....	\$ 137,910

Sec. 8. Section one hundred fifteen point sixteen (115.16), Code 1975, is repealed.

Sec. 9. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts.

Sec. 10. Funds appropriated by this Act shall not be used for capital improvements.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 883, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 7/11, 1975

ROBERT D. RAY
Governor