

JUN 24 1977

Budget Calendar

Sen. Budget 6/23 Amended (3735) Passed 6/25 (p. 26)

HOUSE FILE 634

By COMMITTEE ON BUDGET

Passed House, Date 6-24-77 (p. 48) Passed Senate, Date 6-25-77 (p. 30)

Vote: Ayes 91 Nays 8 Vote: Ayes 41 Nays 7

Approved June 30, 1977

Passed per Senate amendment as amended
6-25-77 (p. 65)
87-8

Approved as further amended by House
6-25-77 (p. 33)
41-5

A BILL FOR

1 An Act relating to compensation and benefits for state
 2 employees and regional librarians and their staffs,
 3 providing exceptions for provisions of the Code in
 4 conflict with collective bargaining agreements, speci-
 5 fying a completion date for the negotiation of col-
 6 lective bargaining agreements, providing salary adjust-
 7 ments for state employees and officials who have not
 8 received salary adjustments pursuant to legislation
 9 previously approved by the Sixty-seventh General
 10 Assembly, providing employee benefits relating to
 11 holidays and sick leave, providing for state employee
 12 insurance programs, and appropriating moneys to fund
 13 such programs including moneys to fund increases in
 14 compensation rates previously approved by the general
 15 assembly.

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

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1 Section 1. When the terms and conditions of a collective
2 bargaining agreement made final under chapter twenty (20)
3 of the Code conflict with provisions of section nineteen A
4 point nine (19A.9), nineteen A point fourteen (19A.14),
5 nineteen A point eighteen (19A.18), nineteen A point twenty-
6 two (19A.22), nineteen A point twenty-three (19A.23), thirty-
7 three point one (33.1), thirty-three point two (33.2), forty-
8 nine point one hundred nine (49.109), seventy-nine point one
9 (79.1), eighty point eight (80.8), eighty point fifteen
10 (80.15), eighty point eighteen (80.18), one hundred twenty-
11 three point twenty (123.20), two hundred seventeen point
12 twenty-three (217.23), two hundred eighteen point thirteen
13 (218.13), two hundred eighteen point seventeen (218.17), two
14 hundred eighteen point thirty-seven (218.37), two hundred
15 eighteen point seventy-one (218.71), two hundred nineteen
16 point eleven (219.11), two hundred forty-six point three
17 (246.3), two hundred sixty-two point twelve (262.12), three
18 hundred seven A point two (307A.2), three hundred seven A
19 point eight (307A.8), five hundred nine A point one (509A.1),
20 or five hundred nine A point twelve (509A.12) of the Code
21 or any other conflicting provisions of chapter nineteen A
22 (19A), seventy-nine (79), eighty (80), one hundred twenty-
23 three (123), two hundred seventeen (217), two hundred eighteen
24 (218), two hundred nineteen (219), two hundred forty-six
25 (246), two hundred sixty-two (262), three hundred seven A
26 (307A), or five hundred nine A (509A), except for section
27 five hundred nine A point eleven (509A.11), of the Code,
28 relating to those state employees covered by the agreement,
29 the terms and conditions of the collective bargaining agreement
30 shall prevail for the period beginning July 1, 1977 and ending
31 June 30, 1979.

32 Sec. 2. There is created a "salary adjustment fund" to
33 be used to segregate funds appropriated by the general assembly
34 to be distributed to various state departments to fund
35 increases in compensation and related fringe benefits for

1 designated state employees. The distribution of funds from
2 the salary adjustment fund shall be pursuant to the provisions
3 of this Act and subject to the approval of the governor and
4 the state comptroller.

5 Sec. 3. There is appropriated from the general fund of
6 the state to the salary adjustment fund created by this Act,
7 for the following fiscal years, the following amounts or so
8 much thereof as may be necessary, to be distributed to the
9 various departments to supplement other funds which the general
10 assembly appropriates to be used to fund annual pay adjustments
11 and related fringe benefits pursuant to the collective
12 bargaining agreement for employees in the blue collar
13 bargaining unit, except blue collar employees under the state
14 board of regents, made final under chapter twenty (20) of
15 the Code:

16 For the fiscal year beginning July 1, 1977 and ending June
17 30, 1978..... \$1,292,128.

18 For the fiscal year beginning July 1, 1978 and ending June
19 30, 1979..... \$2,663,605.

20 Sec. 4. There is appropriated from the general fund of
21 the state to the salary adjustment fund created by this Act,
22 for the following fiscal years the following amounts, or so
23 much thereof as may be necessary, to be distributed to the
24 various departments to supplement other funds which the general
25 assembly appropriates to be used to fund annual pay adjustments
26 and related fringe benefits in the collective bargaining
27 agreement for employees in the professional social services
28 bargaining unit made final under chapter twenty (20) of the
29 Code:

30 For the fiscal year beginning July 1, 1977 and ending June
31 30, 1978..... \$693,617.

32 For the fiscal year beginning July 1, 1978 and ending June
33 30, 1979..... \$1,425,917.

34 Sec. 5. There is appropriated from the general fund of
35 the state to the salary adjustment fund created by this Act,

1 for the fiscal years designated the following amounts, or
2 so much thereof as may be necessary, to be distributed to
3 the various departments to supplement other funds which the
4 general assembly appropriates to be used to fund annual pay
5 adjustments and related fringe benefits of the collective
6 bargaining agreement for employees in the public safety
7 bargaining unit made final under chapter twenty (20) of the
8 Code:

9 For the fiscal year beginning July 1, 1977 and ending June
10 30, 1978..... \$735,856.

11 For the fiscal year beginning July 1, 1978 and ending June
12 30, 1979..... \$1,474,296.

13 Sec. 6. There is appropriated from the primary road fund
14 to the state department of transportation for the fiscal years
15 designated the following amounts, or so much thereof as may
16 be necessary, to supplement other funds which the general
17 assembly appropriates to be used to fund annual pay adjustments
18 and related fringe benefits of employees of the state
19 department of transportation who are eligible to be paid from
20 primary road funds and who are included in the collective
21 bargaining agreement for employees in the blue collar
22 bargaining unit made final under chapter twenty (20) of the
23 Code:

24 For the fiscal year beginning July 1, 1977 and ending June
25 30, 1978..... \$1,507,529.

26 For the fiscal year beginning July 1, 1978 and ending June
27 30, 1979..... \$3,175,038.

28 Sec. 7. There is appropriated from the general fund of
29 the state to the salary adjustment fund created by this Act,
30 for the following fiscal years the following amounts, or so
31 much thereof as may be necessary, to be distributed to the
32 various departments to supplement other funds which the general
33 assembly appropriates to be used to fund annual pay adjustments
34 and related fringe benefits in the collective bargaining
35 agreement for employees in the public security bargaining

1 unit made final under chapter twenty (20) of the Code:

2 For the fiscal year beginning July 1, 1977 and ending June
3 30, 1978..... \$837,107.

4 For the fiscal year beginning July 1, 1978 and ending June
5 30, 1979..... \$1,748,501.

6 Sec. 8. There is appropriated from the road use tax fund
7 to the state department of transportation for the fiscal years
8 designated the following amounts, or so much thereof as may
9 be necessary, to supplement other funds which the general
10 assembly appropriates to be used to fund annual pay adjustments
11 and related fringe benefits of employees of the state
12 department of transportation who are eligible to be paid from
13 the primary road funds and who are included in the collective
14 bargaining agreement for employees in the public security
15 unit made final under chapter twenty (20) of the Code:

16 For the fiscal year beginning July 1, 1977 and ending June
17 30, 1978..... \$83,310.

18 For the fiscal year beginning July 1, 1978 and ending June
19 30, 1979..... \$173,084.

20 Sec. 9. There is appropriated from the primary road fund
21 to the state department of transportation for the fiscal years
22 designated the following amounts, or so much thereof as may
23 be necessary, to supplement other funds which the general
24 assembly appropriates to be used to fund annual pay adjustments
25 and related fringe benefits of employees of the state
26 department of transportation who are eligible to be paid from
27 the primary road funds and who are included in the collective
28 bargaining agreement for employees in the public security
29 unit made final under chapter twenty (20) of the Code:

30 For the fiscal year beginning July 1, 1977 and ending June
31 30, 1978..... \$9,479.

32 For the fiscal year beginning July 1, 1978 and ending June
33 30, 1979..... \$19,405.

34 Sec. 10. The salary schedule of the merit system and the
35 executive council exempt pay plan, provided for in section

1 nineteen A point nine (19A.9), subsection two (2), of the
2 Code as they exist for the fiscal years ending June 30, 1977,
3 and June 30, 1978 shall be increased in each of such fiscal
4 years by the following percentages rounded to the next dollar
5 divisible by twenty-six for all state employees who are not
6 included in an agreement ratified pursuant to section one
7 (1) of this Act. All salaries of persons who are exempt from
8 chapter nineteen A (19A) of the Code and who are included
9 in the state comptroller's centralized payroll system and
10 state board of regents office employees shall receive a like
11 increase consistent with appropriations provided by the general
12 assembly as they exist on June 23, 1977 and June 22, 1978,
13 except members of the general assembly, board members and
14 commission members, salaries of persons set by Senate File
15 two hundred thirteen (213) and Senate File two hundred sixty-
16 seven (267) as enacted by the Sixty-seventh General Assembly,
17 1977 Session, or set by the governor, employees designated
18 under section nineteen A point three (19A.3), subsection six
19 (6), of the Code and employees under the state board of regents
20 merit system:

21 1. For positions for which the annual compensation is
22 less than thirteen thousand two hundred dollars, an increase
23 of six percent each year.

24 2. For positions for which the annual compensation is
25 at least thirteen thousand two hundred dollars, an increase
26 of five percent each year.

27 Sec. 11. There is appropriated from the general fund of
28 the state to the salary adjustment fund created by this Act
29 for the fiscal years designated, the following amount, or
30 so much thereof as may be necessary, to be distributed to
31 the various departments to supplement other funds which the
32 general assembly appropriates to be used to fund annual pay
33 adjustments and related fringe benefits of employees who are
34 not covered by a collective bargaining agreement and who are
35 specified in section ten (10) of this Act:

1 For the fiscal year beginning July 1, 1977 and ending June
2 30, 1978..... \$7,308,307.

3 For the fiscal year beginning July 1, 1978 and ending June
4 30, 1979..... \$15,199,712.

5 Sec. 12. There is appropriated from the road use tax fund
6 to the state department of transportation for the fiscal years
7 designated the following amount, or so much thereof as may
8 be necessary, to supplement other funds which the general
9 assembly appropriates to be used to fund annual pay adjustments
10 and related fringe benefits of employees of the state
11 department of transportation who are specified in section
12 ten (10) of this Act and who are eligible to be paid from
13 the road use tax funds and who are not covered by collective
14 bargaining agreements:

15 For the fiscal year beginning July 1, 1977 and ending June
16 30, 1978..... \$273,625.

17 For the fiscal year beginning July 1, 1978 and ending June
18 30, 1979..... \$586,506.

19 Sec. 13. There is appropriated from the primary road fund
20 to the state department of transportation for the fiscal years
21 designated the following amounts, or so much thereof as may
22 be necessary, to supplement other funds which the general
23 assembly appropriates to be used to fund annual pay adjustments
24 and related fringe benefits of employees of the state
25 department of transportation who are eligible to be paid from
26 primary road funds and who are specified in section ten (10)
27 of this Act and who are not covered by collective bargaining
28 agreements:

29 For the fiscal year beginning July 1, 1977 and ending June
30 30, 1978..... \$2,353,587.

31 For the fiscal year beginning July 1, 1978 and ending June
32 30, 1979..... \$4,897,326.

33 Sec. 14. There is appropriated from the general fund of
34 the state to supplement other funds for salaries which the
35 general assembly appropriates to the state board of regents

1 and the following institutions for the fiscal years desig-
 2 nated the following amounts, or so much thereof as may be
 3 necessary, to be used to fund annual pay adjustments and re-
 4 lated fringe benefits of the collective bargaining agreement
 5 for employees in the blue collar bargaining unit made final
 6 under chapter twenty (20) of the Code.

| | 1977-78 | 1978-79 |
|-----------------------------|-------------|-------------|
| | Fiscal Year | Fiscal Year |
| 7 | | |
| 8 | | |
| 9 State University of Iowa | \$ 642,319 | \$1,220,351 |
| 10 State Sanatorium | \$ 79,039 | \$ 152,543 |
| 11 Hospital School | \$ 39,297 | \$ 78,028 |
| 12 Psychiatric Hospital | \$ 22,712 | \$ 44,174 |
| 13 Hygienic Laboratory | \$ 10,877 | \$ 18,305 |
| 14 University Hospitals | \$ 201,221 | \$ 384,703 |
| 15 Iowa State University of | | |
| 16 Science and Technology | \$ 533,006 | \$1,002,390 |
| 17 Experiment Station | \$ 45,603 | \$ 83,133 |
| 18 Cooperative Extension | | |
| 19 Service | \$ 2,300 | \$ 4,600 |
| 20 University of Northern | | |
| 21 Iowa | \$ 231,080 | \$ 438,148 |
| 22 School for the Deaf | \$ 75,347 | \$ 149,725 |
| 23 Iowa Braille & Sight- | | |
| 24 saving School | \$ 33,754 | \$ 66,395 |

25 Sec. 15. There is appropriated from the general fund of
 26 the state, to supplement other funds for salaries which the
 27 general assembly appropriates, to the state board of regents
 28 and the following institutions for the fiscal years desig-
 29 nated the following amounts, or so much thereof as may be
 30 necessary, to be used to fund pay adjustments and related
 31 fringe benefits of employees of the state board of regents
 32 not covered by collective bargaining agreements or covered
 33 by collective bargaining agreements negotiated after June
 34 21, 1977.

35 1. So much as necessary to fund in each fiscal year an

1 average base salary increase of six point four percent of
2 base salaries of the faculty members paid during the pre-
3 ceding fiscal year to be allocated to faculty members at the
4 discretion of the state board of regents.

5 2. So much as necessary:

6 a. To fund in each fiscal year a base salary increase
7 for professional and scientific employees, except board office
8 employees, of six percent for positions for which the base
9 salary paid during the preceding fiscal year is less than
10 \$13,200 and five percent for positions for which the base
11 salary paid during the preceding fiscal year is at least
12 \$13,200.

13 b. To fund in each fiscal year an average base salary
14 increase of two percent of base salaries of professional and
15 scientific employees, except board office employees, paid
16 during the preceding fiscal year to be allocated to such
17 employees at the discretion of the state board of regents.

18 3. For employees under the state board of regents merit
19 system, except board office employees, and in addition to
20 their regular merit increases, so much as is necessary to
21 increase the regents merit pay plan as it exists for the
22 fiscal years ending June 30, 1977 and June 30, 1978 in each
23 of the designated fiscal years as follows:

24 a. For positions for which the annual compensation is
25 less than thirteen thousand two hundred dollars, an increase
26 of six percent each year.

27 b. For positions for which the annual compensation is
28 at least thirteen thousand two hundred dollars, an increase
29 of five percent each year.

30 The merit pay plan adjustments shall be rounded to the
31 next dollar divisible by twenty-six.

32 4. The institutions for which supplemental funds are
33 appropriated and the amounts are:

| | | | |
|----|--|-------------|-------------|
| 34 | | 1977-78 | 1978-79 |
| 35 | | Fiscal Year | Fiscal Year |

| | | | |
|----|--------------------------|--------------|--------------|
| 1 | State University of Iowa | \$ 4,925,731 | \$10,153,089 |
| 2 | State Sanatorium | \$ 22,635 | \$ 46,609 |
| 3 | Hospital School | \$ 159,907 | \$ 328,184 |
| 4 | Psychiatric Hospital | \$ 224,815 | \$ 461,888 |
| 5 | Hygienic Laboratory | \$ 120,205 | \$ 246,905 |
| 6 | University Hospitals | \$ 850,556 | \$ 1,748,842 |
| 7 | Iowa State University of | | |
| 8 | Science and Technology | \$ 3,946,960 | \$ 7,963,887 |
| 9 | Experiment Station | \$ 499,983 | \$ 1,005,458 |
| 10 | Cooperative Extension | | |
| 11 | Service | \$ 616,154 | \$ 1,248,272 |
| 12 | University of Northern | | |
| 13 | Iowa | \$ 1,358,791 | \$ 2,826,067 |
| 14 | School for the Deaf | \$ 143,648 | \$ 295,568 |
| 15 | Iowa Braille & Sight- | | |
| 16 | saving School | \$ 98,006 | \$ 203,051 |

17 Sec. 16. The funds provided for faculty salaries and
18 fringe benefits at the university of northern Iowa as appro-
19 priated by the general assembly and as identified by the state
20 comptroller for the fiscal years beginning July 1, 1977 and
21 July 1, 1978 shall be the exclusive source of funds available
22 to pay any compensation including fringe benefits and other
23 costs within the scope of negotiations as defined by section
24 twenty point nine (20.9) of the Code for represented employees.

25 No staffing changes as to the number of personnel at the
26 university of northern Iowa shall be made for the purposes
27 of funding an increase in compensation including fringe
28 benefits, greater than identified in section fifteen (15)
29 of this Act. Additionally, tuition fees or other institutional
30 income shall not be increased for said purposes.

31 Sec. 17. There is appropriated from the general fund of
32 the state to the salary adjustment fund created by this Act
33 for the fiscal year beginning July 1, 1977 and ending June
34 30, 1978, the following amount, or so much thereof as may
35 be necessary, to be distributed to the various departments

1 to supplement other funds appropriated by the general assembly.
2 Funds appropriated under this section shall be used to
3 supplement other funds appropriated by the general assembly
4 to fund increases in salaries of state elected officials,
5 members of the public employment relations board and judiciary,
6 excluding members of the general assembly, as provided in
7 Senate File two hundred thirteen (213), as enacted by the
8 1977 Session of the Sixty-seventh General Assembly: \$1,433,130

9 Sec. 18. There is appropriated from the general fund of
10 the state to the salary adjustment fund created by this Act
11 for the fiscal year beginning July 1, 1977 and ending June
12 30, 1978 the following amount, or so much thereof as may be
13 necessary, to be distributed to the various departments to
14 supplement other funds appropriated by the general assembly.
15 Funds appropriated under this section shall be used to
16 supplement other funds appropriated by the general assembly
17 to fund increases in salaries of state appointed officials
18 supported from general fund appropriations as provided in
19 Senate File two hundred sixty-seven (267) as enacted by the
20 1977 Session of the Sixty-seventh General Assembly: \$55,712

21 Sec. 19. There is appropriated from the primary road fund
22 to the state department of transportation the following amount,
23 or so much thereof as may be necessary, for the fiscal year
24 beginning July 1, 1977 and ending June 30, 1978, to supplement
25 other funds appropriated by the general assembly to fund
26 increases in salaries of state appointed officials supported
27 by primary road funds as provided in Senate File two hundred
28 sixty-seven (267) as enacted by the 1977 Session of the Sixty-
29 seventh General Assembly: \$4,047

30 Sec. 20. There is appropriated from the general fund of
31 the state to the Iowa library department for the fiscal year
32 commencing July 1, 1977 and ending June 30, 1978 the fol-
33 lowing amount, or so much thereof as may be necessary, to
34 be distributed to the regional boards of library trustees
35 as necessary to provide a five percent cost-of-living in-

1 crease in the salaries of regional librarians and regional
2 library staff as they exist on June 30, 1977: \$14,577

3 Sec. 21. Funds appropriated form the general fund of the
4 state in this Act shall relate to salaries supported from
5 general fund appropriations and shall not be construed to
6 replace revolving, federal, trust or special funds where
7 applicable.

8 Sec. 22. To departmental revolving, trust or special
9 funds, except the primary road fund or the road use tax fund,
10 for which the general assembly has established an operating
11 budget, a supplemental authorization is provided for those
12 funds, unless otherwise provided, in an amount necessary to
13 fund salary adjustments and fringe benefits provided in this
14 Act.

15 Sec. 23. There is appropriated to the state board of
16 regents for the fiscal year beginning July 1, 1977 and ending
17 June 30, 1978 the sum of eight hundred thousand (800,000)
18 dollars, or so much thereof as may be necessary to be allocated
19 by the state board of regents to the regent's institutions
20 with approval of the governor and the state comptroller for
21 the purpose of annualizing merit increases granted to regent's
22 employees during the 1976-77 fiscal year.

23 Sec. 24. Section nineteen A point twenty-two (19A.22),
24 Code 1977, is amended by striking the section and inserting
25 in lieu thereof the following:

26 19A.22 COLLECTIVE BARGAINING AGREEMENTS--OTHER INCONSISTENT
27 LAWS. A collective bargaining agreement entered into between
28 the state and a state employee organization under chapter
29 twenty (20) of the Code made final after July 1, 1977 shall
30 not include any merit pay adjustment or step increase pro-
31 vided in a merit pay plan adopted under section nineteen A
32 point nine (19A.9), subsection two (2) of the Code, longevity
33 pay as provided in section three hundred thirteen point four
34 (313.4), subsection three (3) of the Code, or any other pay
35 plan or system in effect before July 1, 1977. The provisions

1 of subsection eleven (11) of section nineteen A point nine
 2 (19A.9) of the Code relating to transfer procedures, subsection
 3 twelve (12) or fourteen (14) of section nineteen A point nine
 4 (19A.9) of the Code relating to the reinstatement or
 5 reemployment of persons who are laid off, subsection fifteen
 6 (15) or sixteen (16) of section nineteen A point nine (19A.9)
 7 of the Code relating to the suspension, discharge or reduction
 8 in rank or grade of any employee, subsection seventeen (17)
 9 of section nineteen A point nine (19A.9) or section nineteen
 10 A point fourteen (19A.14) relating to grievance procedures
 11 for employees who are discharged, suspended or reduced in
 12 grade or rank, subsection eighteen (18) of section nineteen
 13 A point nine (19A.9) of the Code relating to attendance
 14 regulation and leaves of absence, subsection nineteen (19)
 15 of section nineteen A point nine (19A.9) of the Code relating
 16 to health and safety matter or in-service training, or section
 17 nineteen A point eighteen (19A.18) of the Code relating to
 18 discrimination shall not apply to any state employee who is
 19 covered by a collective bargaining agreement which is made
 20 final after July 1, 1977.

21 The provisions of this chapter, including but not limited
 22 to its provisions on employees and positions to which the
 23 merit system apply shall prevail over any inconsistent pro-
 24 visions of the Code and all subsequent Acts unless a specific
 25 exemption from the merit system is provided or except for
 26 those provisions of this chapter which shall not apply to
 27 employees covered by a collective bargaining agreement as
 28 provided in this section.

29 Sec. 25. Section twenty point seventeen (20.17), Code
 30 1977, is amended by adding the following new subsection:

31 NEW SUBSECTION. The negotiation of a proposed collective
 32 bargaining agreement by representatives of a state public
 33 employer and a state employee organization shall be complete
 34 not later than March fifteenth of the year when the agreement
 35 is to become effective. The board shall provide, by rule,

1 a date on which any impasse item must be submitted to binding
2 arbitration and for such other procedures as deemed necessary
3 to provide for the completion of negotiations of proposed
4 state collective bargaining agreements not later than March
5 fifteenth. The date selected for the mandatory submission
6 of impasse items to binding arbitration shall be sufficiently
7 in advance of March fifteenth to insure that the arbitrators'
8 decision can be reasonably made before March fifteenth.

9 Sec. 26. Chapter twenty (20), Code 1977, is amended by
10 adding the following new sections:

11 NEW SECTION. A provision of the Code which is inconsistent
12 with any term or condition of a collective bargaining agreement
13 which is made final under this chapter shall supersede the
14 term or condition of the collective bargaining agreement
15 unless otherwise provided by the general assembly.

16 NEW SECTION. The provisions of a collective bargaining
17 agreement affecting state employees shall not provide for
18 renegotiations which would require the refinancing of salary
19 and fringe benefits for the second year of the term of the
20 agreement except as otherwise provided in this chapter.

21 This section shall not apply to agreements made final prior
22 to the effective date of this Act or an agreement upon which
23 the parties have tentatively agreed prior to the effective
24 date of this Act.

25 Sec. 27. Section thirty-three point two (33.2), Code 1977,
26 is amended by striking subsection two (2).

27 Sec. 28. Section thirty-three point two (33.2), Code 1977,
28 is amended by adding the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. In addition to the holidays
30 enumerated in this section, state employees are granted two
31 days of paid leave each year. The days of leave shall be
32 added to the vacation allowance accrued under the provisions
33 of section seventy-nine point one (79.1) of the Code.

34 Sec. 29. Section seventy-nine point one (79.1), Code 1977,
35 is amended by striking unnumbered paragraph four (4) and

1 inserting in lieu thereof the following:

2 Commencing July 1, 1977, permanent full-time employees
3 of state departments, agencies, and commissions shall accrue
4 sick leave at the rate of one and one-half days for each full
5 month of employment. Sick leave shall not accrue during any
6 period of absence without pay. Employees may use accrued
7 sick leave for physical or mental personal illness, bodily
8 injury, medically-related disabilities resulting from pregnancy
9 and childbirth, or contagious disease:

- 10 1. Which require the employee's confinement,
- 11 2. Which render the employee unable to perform assigned
12 duties, or
- 13 3. When performance of assigned duties would jeopardize
14 the employee's health or recovery.

15 The first ninety days (seven hundred twenty hours) of sick
16 leave which accrue to an employee shall be placed in an active
17 sick leave account. Any days of sick leave in excess of
18 ninety days which accrue to an employee shall be placed in
19 an employee's banked sick leave account. The sick leave in
20 an employee's banked sick leave account shall not be used
21 by the employee until the employee no longer has any days
22 of accrued active sick leave and shall only be used if an
23 employee has an extended illness of at least five working
24 days in duration.

25 Separation from state employment shall cancel all unused
26 accrued sick leave. However, if an employee is laid off and
27 the employee is reemployed by any state department, agency,
28 or commission within one year of the date of the lay off,
29 accrued sick leave of the employee shall be restored.

30 Sec. 30. Section seventy-nine point one (79.1), Code 1977,
31 is amended by adding the following new unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. When a weekly, biweekly, or
33 any other pay period transcends fiscal years, the state
34 comptroller shall charge the entire payroll to the fiscal
35 year as budgeted and funded by the general assembly. When

1 a provision of law provides for a specific annual salary rate
2 or an annual salary adjustment commencing with a specific-
3 fiscal year, the fiscal year shall include the pay period
4 which commenced prior to that year and ended in that fiscal
5 year.

6 Sec. 31. Section seventy-nine point twenty (79.20),
7 subsection one (1), Code 1977, is amended to read as follows:

8 1. Waiting period ninety working days of continuous
9 sickness or accident disability or the expiration of accrued
10 sick leave, whichever is greater.

11 Sec. 32. Chapter seventy-nine (79), Code 1977, is amended
12 by adding the following new section:

13 NEW SECTION. CREDIT FOR ACCRUED SICK LEAVE. Commencing
14 July 1, 1978 when an employee retires under the provisions
15 of a retirement system in the state maintained in whole or
16 in part by public contributions or payments, the current value
17 of accrued days of active and banked sick leave of the employee
18 shall be credited to the employee. For the purpose of this
19 section, the "current value of accrued days of active and
20 banked sick leave" means an amount equal to the product of
21 the accrued days of active and banked sick leave multiplied
22 by the bi-weekly regular salary of the employee divided by
23 ten.

24 Sec. 33. Section eighty point eight (80.8), Code 1977,
25 is amended by adding the following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. A collective bargaining agreement
27 entered into between the state and a state employee
28 organization under chapter twenty (20) of the Code made final
29 after July 1, 1977 shall not include any pay adjustment or
30 increase authorized under this section.

31 Sec. 34. Section two hundred sixty-two point twelve
32 (262.12), Code 1977, is amended by adding the following new
33 unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. A collective bargaining agree-
35 ment entered into between the state board of regents as

1 bargaining agent for the state and a state employee organiza-
2 tion under chapter twenty (20) of the Code made final after
3 July 1, 1977 shall not include any merit pay adjustment or
4 step increase provided in a merit pay plan adopted under this
5 section and any provision of a merit system adopted under
6 this section except provisions relating to the recruitment,
7 examination, appointment, or promotion of employees or other
8 matters of classification, reclassification or appeal rights
9 relating to these provisions shall not apply to any employee
10 of the state board of regents who is covered by a collective
11 bargaining agreement which is negotiated after July 1, 1977.

12 Sec. 35. The state comptroller in cooperation with the
13 legislative council is directed during the 1977 legislative
14 interim to employ actuaries to conduct actuarial studies of
15 the costs of providing alternative benefit programs for
16 employees retiring on or after July 1, 1978, based upon the
17 current value of accrued days of active and banked sick leave
18 of a retired employee, as defined in chapter seventy-nine
19 (79) of the Code. Alternative benefit programs may include
20 but shall not be limited to payment of monthly premiums of
21 a state approved health insurance policy or life insurance
22 policy, or both or purchase of annuities for the retired
23 employees.

24 The state comptroller shall make recommendations to the
25 general assembly during its 1978 regular legislative session
26 concerning the benefit programs proposed to be provided to
27 retired members and the source of funds to finance the benefit
28 programs.

29 Sec. 36. On July 1, 1977, each permanent employee of a
30 state department, agency, or commission shall be credited
31 with the number of days of leave of absence for medically-
32 related disability the employee had accrued to July 1, 1977
33 under the provisions of section seventy-nine point one (79.1)
34 of the Code as it was effective prior to July 1, 1977. Such
35 leave of absence shall not exceed ninety days and shall be

1 credited to the employee's active sick leave.

2 Sec. 37. Section five hundred nine A point eleven
3 (509A.11), subsection one (1), Code 1977, is amended to read
4 as follows:

5 1. The words "governing body" mean the executive council
6 of the state for all state employees and for purposes of this
7 chapter includes employees of the state board of regents for
8 purposes of health and life insurance only, the board of
9 supervisors of counties, the school boards of school districts,
10 and the superintendent or other person in charge of an
11 institution supported in whole or in part by public funds.

12 Sec. 38. Section two hundred forty-six point four (246.4),
13 Code 1977, is repealed.

14 Sec. 39. NEW SECTION. Copies of collective bargaining
15 agreements made final under chapter twenty (20) of the Code
16 shall be filed with the secretary of state and be made avail-
17 able to the public at cost.

18 Sec. 40. This Act, being deemed of immediate importance,
19 shall take effect and be in force from and after its publica-
20 tion in The Des Moines Register, a newspaper published in
21 Des Moines, Iowa, and in The Cedar Rapids Gazette, a newspaper
22 published in Cedar Rapids, Iowa.

23 EXPLANATION

24 This bill appropriates funds to provide for salary ad-
25 justments and increased fringe benefits contained in the
26 collective bargaining agreements negotiated between the state
27 and the blue collar bargaining unit, the professional social
28 service unit, the public security unit and the public safety
29 unit.

30 This bill also appropriates funds for cost-of-living
31 adjustments, regular merit step increases and nonmerit
32 equivalents and fringe benefits for nonorganized state
33 employees for the 1977-78 and 1978-79 fiscal years. It further
34 funds increases in statutory salaries and in the salaries
35 of elected state officials, the judiciary and members of the

1 public employment relations board authorized by the general
2 assembly. It funds increases of five percent in salaries
3 of regional librarians and staffs of regional libraries.

4 The bill removes Washington's birthday as a state holiday
5 and gives each employee two days of paid leave.

6 It reduces the days of sick leave accrued by an employee
7 from 2 1/2 days per month to 1 1/2 days per month. It
8 establishes an active sick leave account for accrued sick
9 leave of up to 90 days and a banked sick leave account for
10 accrued sick leave in excess of ninety days. It requires
11 the comptroller to employ actuaries to conduct an actuarial
12 study of the costs of providing alternative benefit programs
13 for employees retiring on or after July 1, 1978 based on
14 the current value of accrued active and banked sick leave.
15 Recommendations to the 1978 Session based on the study are
16 required.

17 The bill provides that when a provision of a collective
18 bargaining agreement, which has been signed by the governor,
19 conflicts with present law, the provisions of the present
20 law shall prevail unless otherwise provided by the general
21 assembly. Collective bargaining agreements made final after
22 July 1, 1977 shall not include merit pay increases or steps
23 and the provisions of chapter 19A or other merit systems which
24 are subject to collective bargaining negotiation shall not
25 apply to state employees covered by agreements made final
26 after July 1, 1977. It then specifically provides that the
27 provisions of the agreements for which funds are appropriated
28 shall prevail over cited sections of the Code for employees
29 covered by the agreement for the fiscal period July 1, 1977
30 to June 30, 1979.

31 It requires that the public employment relations board
32 establish rules to insure that the completion date for the
33 negotiation of a state collective bargaining agreement shall
34 be not later than March fifteenth of the year the agreement
35 is to become effective.

1 Collective bargaining agreements shall be filed with the
2 secretary of state and made available to the public.

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HOUSE CLIP SHEET

SPECIAL SESSION

FINAL

SENATE AMENDMENT TO
HOUSE FILE 634

H-4390

1 Amend House File 634 as amended, passed and
2 reprinted by the House as follows:

- 3 1. Page 8, line 14, by striking the word "base".
4 2. Page 8, line 15, by striking the word "base".
5 3. Page 11, by inserting after line 23 the
6 following:

7 "Sec. _____. Section nineteen A point twenty-two
8 (19A.22), Code 1977, is amended by striking the sec-
9 tion and inserting in lieu thereof the following:

10 19A.22 COLLECTIVE BARGAINING AGREEMENTS--OTHER
11 INCONSISTENT LAWS. A collective bargaining agreement
12 entered into between the state and a state employee
13 organization under chapter twenty (20) of the Code
14 made final after July 1, 1977 shall not adopt by
15 reference any merit pay adjustment or step increase
16 provided in a merit pay plan adopted under section
17 nineteen A point nine (19A.9), subsection two (2)
18 of the Code, longevity pay as provided in section
19 three hundred thirteen point four (313.4), subsection
20 three (3) of the Code, or any other pay plan or system
21 in effect before July 1, 1977."

22 4. Page 11, by inserting before line 24 the
23 following:

24 "Sec. _____. Section twenty point nine (20.9), un-
25 numbered paragraph three (3), Code 1977, is amended
26 to read as follows:

27 ~~The public employee~~ All retirement systems pre-
28 ~~vided under chapters 97A7-97B7-447-and-444~~ shall
29 be excluded from the scope of negotiations."

30 5. Page 12, line 24, by inserting after the word
31 "departments," the word "boards,".

32 6. Page 13, line 14, by inserting after the word
33 "department," the word "board,".

34 7. Page 14, by inserting after line 10 the
35 following:

36 "Sec. _____. Section eighty point eight (80.8),
37 Code 1977, is amended by adding the following new
38 unnumbered paragraph:

39 NEW UNNUMBERED PARAGRAPH. A collective bargaining
40 agreement entered into between the state and a state
41 employee organization under chapter twenty (20) of
42 the Code made final after July 1, 1977 shall not
43 include any pay adjustment or increase authorized
44 under this section."

45 8. Page 14, line 11, by inserting after the word
46 "council" the words "in cooperation with the state
47 comptroller".

48 9. Page 14, line 24, by inserting after the word
49 "designee" the words "in cooperation with the state
50 comptroller".

H-4390
Page 2

- 1 10. Page 14, line 30, by inserting after the word
- 2 "permanent" the words "and permanent probationary".
- 3 11. Page 14, line 31, by inserting after the word
- 4 "department," the word "board."
- 5 12. Page 15, line 25, by inserting after the word
- 6 "agreement" the words "except agreements agreed to
- 7 or tentatively agreed to prior to July 1, 1977,".
- 8 13. Page 16, line 15, by striking the word
- 9 "allocated" and inserting in lieu thereof the word
- 10 "appropriated".
- 11 14. Renumbering sections in accordance with this
- 12 amendment.

H-4390 FILED
RECEIVED FROM SENATE
JUNE 25, 1977

*House amended & concurred
6/25 (p. 65)*

HOUSE FILE 634

H-4392

1 Amend the Senate amendment, H-4390 to House
2 File 634, as amended, passed and reprinted by the
3 House as follows:

4 1. Page 2, by inserting after line 10 the
5 following:

6 "Sec. _____. The attorney general shall prepare
7 and maintain a position classification plan and a
8 pay plan for each position and type of employment
9 in the department, based upon duties performed
10 and responsibilities assumed, so that the same
11 qualifications may reasonably be required for and
12 the same schedule of pay may be equitably applied
13 to all positions in the same class. After such
14 classification has been approved by the executive
15 council, the attorney general shall allocate the
16 position of every employee to one of the classes
17 in the plan. Each employee shall be paid at one
18 of the rates set forth in the pay plan for the
19 class of position in which employed and, unless
20 otherwise designated, shall begin employment at the
21 first step of the established range for the
22 employee's class. The pay plan and position
23 classification plan shall be presented to the
24 budget committee of the house and senate on or
25 before September 1, 1977. The appropriations
26 contained in this Act, to the office of the
27 attorney general, are specifically contingent upon:
28 the preparation and submission of a position
29 classification plan of the attorney general's
30 office to the budget committees of the house and
31 senate prior to September 1, 1977.

H-4392 FILED *Adopted 6/25* BY JESSE of Polk
JUNE 25, 1977 *(p. 65)*

HOUSE FILE 634

H-4391

1 Amend the Senate amendment, H-4390, to House File
2 634 as amended, passed, and reprinted by the House
3 as follows:

A 4 1. Page 2, by striking lines 5, 6, and 7.

5 2. Page 2, by inserting after line 10, the
6 following:

B 7 "14. Page 8, line 1, by striking the words "each
8 fiscal year" and inserting in lieu thereof the words
9 "the fiscal year commencing July 1, 1977".

10 15. Page 9, line 14, by striking the figure
11 "2,826,067" and inserting in lieu thereof the figure
12 "1,117,486".

13 16. Page 9, line 21, by striking the word "years"
14 and inserting in lieu thereof the word "year".

15 17. Page 9, lines 21 and 22, by striking the words
16 "and July 1, 1978".

17 3. Renumber the amendment.

H-4391 FILED *Last 6/25* BY NIELSEN of Polk
JUNE 25, 1977 (*pp. 62-63*)

HOUSE FILE 634

H-4382

- 1 Amend House File 634 as follows:
- 2 1. Page 5, lines 6 and 7, by striking the words
- 3 and numeral "an agreement ratified pursuant to section
- 4 one (1) of this Act" and inserting in lieu thereof
- 5 the words and numerals "a collective bargaining
- 6 agreement made final under chapter twenty (20) of
- 7 the Code".

H-4382 FILED *adopted 6/24* BY CUSACK of Scott
JUNE 24, 1977 (*p. 38*)

HOUSE FILE 634

H-4389

1 Amend House File 634 as follows:

2 1. Page 6, by inserting after line 4 the
3 following section:4 "Sec. _____. In addition to any funds distributed
5 to the office of the attorney general pursuant to
6 section two (2) and appropriated in section eleven
7 (11) of this Act, there is allocated to the office
8 of the attorney general the sum of fifty thousand
9 (50,000) dollars to be used for salary adjustments
10 of assistant attorneys general whose annual salaries
11 are less than fifteen thousand (15,000) dollars."H-4389 FILED *adopted 6/24* BY SMALLEY of Polk
JUNE 24, 1977 *(p. 47)* JESSE of Polk

HOUSE FILE 634

H-4374

1 Amend House File 634 as follows:

2 1. Page 4, line 13, by striking the words "the
3 primary road" and inserting in lieu thereof the words
4 "road use tax".H-4374 FILED *adopted* BY CUSACK of Scott
JUNE 24, 1977 *6/24 (p. 30)* WELDEN of Hardin

HOUSE FILE 634

H-4379

1 Amend House File 634 as follows:

2 1. Page 17, line 15, by inserting after the
3 word "agreements" the words "entered into between
4 the state and the state employees' bargaining
5 representatives and".H-4379 FILED *adopted 6/24* BY VARLEY of Adair
JUNE 24, 1977 *(p. 27)*

HOUSE FILE 634

H-4366

1 Amend House File 634 as follows:

2 1. Page 1, by striking lines 1 through 31
3 inclusive.H-4366 FILED *Lost 6/24* BY HULLINGER of Decatur
JUNE 24, 1977 *(p. 26)*

HOUSE FILE 634

H-4367

Amend House File 634 as follows:

1. Page 13, by striking lines 21 through 24.

H-4367 FILED *adopted 6/24* BY NIELSEN of Polk
JUNE 24, 1977 *(p. 30)*

HOUSE FILE 634

H-4370

1 Amend House File 634 as follows:

2 1. Page 8, line 1, by striking the word "base".
3 2. Page 8, line 2, by striking the word "base".H-4370 FILED *adopted 6/24* BY AVENSON of Fayette
JUNE 24, 1977 *(p. 27)*

H-4381

1 Amend House File 634 as follows:

2 1. Page 17 by inserting after line 13 the follow-
3 ing section:

4 "Sec. ____ Section twenty point fifteen (20.15),
5 subsection six (6), Code 1977, is amended to read as
6 follows:

7 6. A Petition for certification as an exclusive
8 bargaining representative shall not be considered by
9 the board for a period of one year from the date of
10 the certification or noncertification of an exclusive
11 bargaining representative or during the duration of
12 a collective bargaining agreement which shall not
13 exceed two years. A collective bargaining agreement
14 with the state, its boards, commissions, departments,
15 and agencies shall be for two years and the provisions
16 of a collective bargaining agreement or arbitrators'
17 award affecting state employees shall not provide for
18 renegotiations which would require the refinancing of
19 salary and fringe benefits for the second year of the
20 term of the agreement, except as provided in section
21 twenty point seventeen (20.17) subsection six (6) and
22 the effective date of any such agreement shall be July
23 1 of odd-numbered years. However, if a petition for
24 decertification is filed during the duration of a
25 collective bargaining agreement, the board shall award
26 an election under this section not more than one hun-
27 dred fifty days prior to the expiration of the collect-
28 ive bargaining agreement. If an employee organization
29 is decertified, the board may receive petitions under
30 section 20.14, provided that no such petition and no
31 election conducted pursuant to such petition within
32 one year from decertification shall include as a party
33 the decertified employee organization."

34 2. Page 13 by striking lines 16 through 20.
35

H-4381 FILED *adopted 6/24* BY NIELSEN of Polk
JUNE 24, 1977 (*p. 37*)

HOUSE FILE 634

H-4388

1 Amend the amendment H-4386 to House File 634 as follows:

2 1. Page 1, line 6, by striking the word "sections" and
3 inserting in lieu thereof the word "section".

4 2. Page 1, line 6, by inserting after the word "and" the
5 words "appropriated by section".

H-4388 FILED *adopted 6/24* BY SCHROEDER of Pottawattamie
JUNE 24, 1977 (*p. 44*)

HOUSE FILE 634

H-4383

- 1 Amend House File 634 as follows:
- 2 1. Page 14, line 8, by inserting after the word
- 3 "disabilities" the words ", including disabilities".

H-4383 FILED *Adopted 6/24* BY MONROE of Des Moines
JUNE 24, 1977 *(p.38)* DOYLE of Woodbury
SCHROEDER of Pottawattamie

HOUSE FILE 634

H-4384

- 1 Amend House File 634 as follows:
- 2 1. Page 9, by striking lines 31 through 35.
- 3 2. Page 10, by striking lines 1 through 8.

H-4384 FILED *Lost 6/24* BY JESSE of Polk
JUNE 24, 1977 *(p.38)* BYERLY of Polk
Motion to reinsert
lost (p.44) SPENCER of Clay

HOUSE FILE 634

H-4377

- 1 Amend House File 634 as follows:
- 2 1. Page 16, by striking lines 12 through 14
- 3 and inserting in lieu thereof the following:
- A 4 "Sec. _____. The legislative council shall,
- 5 during the 1977 legislative interim, employ
- 6 actuaries to conduct actuarial studies of".
- 7 2. Page 16, line 20, by inserting after the
- B 8 word "to" the words "early retirement provisions,".
- 9 3. Page 16, line 24, by striking the words
- A 10 "state comptroller" and inserting in lieu thereof
- 11 the words "legislative council or its designee".

H-4377 FILED *Adopted 6/24* BY BYERLY of Polk
JUNE 24, 1977 *(p.26)*

HOUSE FILE 634

H-4386

- 1 Amend House File 634 as follows:
- 2 1. Page 6, by inserting after line 4 the
- 3 following section:
- 4 "Sec. _____. In addition to any funds distributed
- 5 to the office of the attorney general pursuant to
- 6 sections two (2) and eleven (11) of this Act, there
- 7 is appropriated to the office of the attorney general
- 8 the sum of one hundred eighty thousand (180,000)
- 9 dollars for salary adjustments, which sum shall be in
- 10 addition to appropriations heretofore made."

H-4386 FILED *Lost 6/24* BY SMALLEY of Polk
JUNE 24, 1977 *(p.45)* WYCKOFF of Benton

HOUSE FILE 634

H-4385

1 Amend House File 634 as follows:

2 1. Page 5, line 23, by inserting after the
3 word "year" the words "or thirty-two cents per
4 hour, whichever is greater".

5 2. Page 6, by striking lines 1 through 4 and
6 inserting in lieu thereof the following:

7 "For the fiscal year beginning July 1, 1977 and
8 ending June 30, 1978.....\$7,380,352.

9 For the fiscal year beginning July 1, 1978 and
10 ending June 30, 1979.....\$15,343,802.

11 3. Page 6, by striking lines 15 through 18
12 and inserting in lieu thereof the following:

13 "For the fiscal year beginning July 1, 1977 and
14 ending June 30, 1978.....\$334,941.

15 For the fiscal year beginning July 1, 1978 and
16 ending June 30, 1979.....\$709,138."

17 4. Page 6, by striking lines 29 through 32
18 and inserting in lieu thereof the following:

19 "For the fiscal year beginning July 1, 1977 and
20 ending June 30, 1978.....\$2,438,304.

21 For the fiscal year beginning July 1, 1978 and
22 ending June 30, 1979.....\$5,066,760."

23 5. Page 8, line 26, by inserting after the
24 word "year" the words "or thirty-two cents per
25 hour, whichever is greater".

26 6. Page 9, by striking lines 1 through 16 and
27 inserting in lieu thereof the following:

| | | |
|-----------------------------|-------------|--------------|
| 28 "State University | \$5,085,372 | \$10,444,654 |
| 29 State Sanatorium | 24,625 | 50,091 |
| 30 Hospital School | 175,643 | 357,678 |
| 31 Psychiatric Hospital | 241,447 | 492,663 |
| 32 Hygienic Laboratory | 127,341 | 260,702 |
| 33 University Hospitals | 934,681 | 1,904,905 |
| 34 Iowa State University of | | |
| 35 Science and Technology | 4,032,914 | 8,177,490 |
| 36 Experiment Station | 521,363 | 1,056,631 |
| 37 Cooperative Extension | | |
| 38 Service | 635,554 | 1,293,602 |
| 39 University of Northern | | |
| 40 Iowa | 1,398,045 | 2,912,287 |
| 41 School for the Deaf | 151,764 | 308,955 |
| 42 Iowa Braille & Sight- | | |
| 43 saving School | 106,025 | 220,695" |

H-4385 FILED *Last 6/24* BY SMALL Of Johnson
JUNE 24, 1977 (*p. 43*)

HOUSE FILE 634

H-4387

Amend House File 634 as follows:

1. Page 9, by striking lines 17 thru 30.

H-4387 FILED *Last 6/24* BY BRANDT of Black Hawk
JUNE 24, 1977 (*p. 46*)

HOUSE FILE 634

H-4368

- 1 Amend House File 634 as follows:
2 1. Page 13, by inserting after line 24 the
3 following:
4 "NEW SECTION. Public employees who are covered
5 under a bargaining unit but who are not members of
6 the employee organization certified as the bargaining
7 representative for that bargaining unit may request
8 of the employee organization, with the cooperation
9 of the public employer, a per capita estimate of the
10 cost of collective bargaining negotiations for those
11 items which will benefit all public employees of that
12 bargaining unit based upon the total cost of the
13 collective bargaining negotiations and the number
14 of employees covered under the bargaining unit. The
15 public employee may request a checkoff to be
16 administered in the same manner as the dues checkoff
17 authorized in section twenty point nine (20.9) of
18 the Code for an amount equal to or in excess of the
19 per capita amount submitted by the employee
20 organization."

H-4368 FILED *Adopted 6/24* BY MILLER of Buchanan
JUNE 24, 1977 *(p. 34)*
Recommended and Act 6/24 (p. 40)
HOUSE FILE 634

H-4372

- 1 Amend House File 634 as follows:
2 1. Page 11, by striking lines 23 through 35.
3 2. Page 12, by striking lines 1 through 28.
4 3. Page 15, by striking lines 24 through 35.
5 4. Page 16, by striking lines 1 through 11.
6 5. By renumbering the sections and internal refer-
7 ences as required.

H-4372 FILED *Adopted* BY AVENSON of Fayette
JUNE 24, 1977 *6/24 (p. 33)*

HOUSE FILE 634

H-4373

- 1 Amend House File 634 as follows:
2 1. Page 3, line 10, by striking the figure
3 "735,856" and inserting in lieu thereof the figure
4 "794,856".
5 2. Page 3, line 12, by striking the figure
6 "1,474,296" and inserting in lieu thereof the figure
7 "1,532,651".

H-4373 FILED *Adopted 6/24* BY KOOGLER of Mahaska
JUNE 24, 1977 *(p. 30)* CUSACK of Scott
STROMER of Hancock
WELDEN of Hardin

HOUSE FILE 634

H-4369

1 Amend House File 634 as follows:

2 1. Page 9, by striking lines 31 through 35.

3 2. Page 10, by striking lines 1 through 8 and insert-
4 ing in lieu thereof the following:

5 "Sec. 17. Section two point twelve (2.12), unnum-
6 bered paragraph two (2), Code 1977, is amended to read
7 as follows:

8 There is hereby appropriated out of any funds in the
9 state treasury not otherwise appropriated, such sums as
10 may be necessary, for each house of the general assem-
11 bly for the payment of any unpaid expense of the general
12 assembly incurred during or in the interim between
13 sessions of the general assembly, including but not limited
14 to ~~salaries-and~~ necessary travel and actual expenses of
15 members and expenses of standing and interim committees
16 or subcommittees and per diem or expenses for members
17 of the general assembly who serve on statutory boards,
18 commissions, or councils for which per diem or expenses
19 are authorized by law. The state comptroller is hereby
20 authorized and directed to issue warrants for such items
21 of expense upon requisition of the president and secre-
22 tary of the senate for senate expense or the speaker
23 and chief clerk of the house for house expense.

24 Moneys to fund annual salaries provided for in section
25 two point ten (2.10) of the Code shall be provided for
26 by a specific appropriation bill approved annually by
27 the general assembly."

28 3. Page 17, by inserting after line 22 the follow-
29 ing:

30 "Sec. 41. Section seventeen (17) of this Act is
31 effective July 1, 1978."

H-4369 FILED *Revised text* BY SPENCER of Clay
JUNE 24, 1977 *German 6/24*
(p. 28)

HOUSE FILE 634

H-4375

1 Amend House File 634 as follows:

2 1. Page 13, by inserting after line 24 the follow-
3 ing:

4 "NEW SECTION. In the layoff and reemployment
5 procedures specified in a collective bargaining
6 agreement for state employees, the agreement shall
7 provide that the public employer shall give primary
8 consideration to the performance record and secondary
9 consideration to seniority in service of an employee
10 subject to layoff or reemployment."

H-4375 FILED *Loch 6/24* BY HARBOR of Mills
JUNE 24, 1977 *(p. 35)* SCHROEDER of Pottawattamie

HOUSE FILE 634

S-3735

1 Amend House File 634 as amended, passed and
2 reprinted by the House as follows:

- 3 1. Page 8, line 14, by striking the word "base".
- 4 2. Page 8, line 15, by striking the word "base".
- 5 3. Page 11, by inserting after line 23 the
- 6 following:

7 "Sec. ____ . Section nineteen A point twenty-two
8 (19A.22), Code 1977, is amended by striking the sec-
9 tion and inserting in lieu thereof the following:
10 19A.22 COLLECTIVE BARGAINING AGREEMENTS--OTHER
11 INCONSISTENT LAWS. A collective bargaining agreement
12 entered into between the state and a state employee
13 organization under chapter twenty (20) of the Code
14 made final after July 1, 1977 shall not adopt by
15 reference any merit pay adjustment or step increase
16 provided in a merit pay plan adopted under section
17 nineteen A point nine (19A.9), subsection two (2)
18 of the Code, longevity pay as provided in section
19 three hundred thirteen point four (313.4), subsection
20 three (3) of the Code, or any other pay plan or system
21 in effect before July 1, 1977."

- 22 4. Page 11, by inserting before line 24 the
- 23 following:

24 "Sec. ____ . Section twenty point nine (20.9), un-
25 numbered paragraph three (3), Code 1977, is amended
26 to read as follows:

27 ~~The public employee~~ All retirement systems pre-
28 ~~vided under chapters 97A7-97B7-4787-and-477~~ shall
29 be excluded from the scope of negotiations."

- 30 5. Page 14, by inserting after line 10 the
- 31 following:

32 "Sec. ____ . Section eighty point eight (80.8),
33 Code 1977, is amended by adding the following new
34 unnumbered paragraph:

35 NEW UNNUMBERED PARAGRAPH. A collective bargaining
36 agreement entered into between the state and a state
37 employee organization under chapter twenty (20) of
38 the Code made final after July 1, 1977 shall not
39 include any pay adjustment or increase authorized
40 under this section."

- 41 6. Page 14, line 11, by inserting after the word
- 42 "council" the words "in cooperation with the state
- 43 comptroller".

- 44 7. Page 14, line 24, by inserting after the word
- 45 "designee" the words "in cooperation with the state
- 46 comptroller".

- 47 8. Page 15, line 25, by inserting after the word
- 48 "agreement" the words "except agreements agreed to
- 49 or tentatively agreed to prior to July 1, 1977,"

- 50 9. Page 16, line 15, by striking the word

SENATE 3
JUNE 27, 1977

S-3735
PAGE 2

1 "allocated" and inserting in lieu thereof the word
2 "appropriated".
3 10. By renumbering sections in accordance with
4 this amendment.

S-3735 FILED & ADOPTED (p.27) BY COMMITTEE ON BUDGET
JUNE 25, 1977 WILLIAM D. PALMER, CHAIRPERSON

S-3736 HOUSE FILE 634

1 Amend House File 634, as amended, passed, and re-
2 printed by the House, as follows:
3 1. Page 12, line 24, by inserting after the word
4 "departments," the word "boards,".
5 2. Page 13, line 14, by inserting after the word
6 "department," the word "board,".
7 3. Page 14, line 30, by inserting after the word
8 "permanent" the words "and permanent-probationary".
9 4. Page 14, line 31, by inserting after the word
10 "department," the word "board,".

S-3736 FILED & ADOPTED (p.28) BY MINNETTE DODERER
JUNE 25, 1977

HOUSE FILE 634

S-3737

1 Amend House File 634 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 16, by inserting after line 18 the following:
4 "Sec. 39. If any position in the table of organization
5 as it exists on January 1, 1977 of a state department or
6 agency is vacated because of death, resignation, retire-
7 ment or discharge for cause, the position shall not be
8 filled by a new employee unless the approval for replace-
9 ment is first approved by the executive council. If the
10 table of organization of a state department or agency is
11 reduced by five percent or more the approval of the
12 executive to replace the vacated position shall not be
13 required."
14 2. Renumber the remaining section.

S-3737 FILED & LOST (p.29) BY BERL E. PRIEBE
JUNE 25, 1977

SENATE CLIP SHEET

JUNE 27, 1977

HOUSE FILE 634

S-3733

1 Amend House File 634 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, line 35, by inserting after the word
4 "for" the words and number "not more than fifty
5 thousand (50,000)".

6 2. Page 11, by inserting after line 23 the
7 following:

8 "Sec. _____. Section eight point forty-three (8.43),
9 Code 1977, is amended to read as follows:

10 "8.43 SALARY ADJUSTMENT FUND. There is created
11 a "salary adjustment fund" to be used to segregate
12 funds appropriated by the general assembly to be distributed
13 to various state departments to fund certain salary
14 increases for not more than fifty thousand (50,000)
15 designated state employees. Funds distributed from the
16 salary adjustment fund shall be subject to the approval
17 of the governor and state comptroller."

S-3733 FILED & LOST (p. 28) BY RAY TAYLOR
JUNE 25, 1977

HOUSE FILE 634

S-3734

1 Amend House File 634 as amended, passed and re-
2 printed by the House as follows:

3 1. Page 9, by striking line 32 through page 10,
4 line 9.

S-3734 FILED & LOST (p. 28) BY GENE W. GLENN
JUNE 25, 1977

SENATE 4
JUNE 27, 1977

HOUSE FILE 634

S-3738

1 Amend the Priebe amendment, S-3737 to House
2 File 634 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, line 12, by striking the word
5 "executive" and inserting in lieu thereof the word
6 "director".

S-3738 FILED & ADOPTED (p.29) BY BERL E. PRIEBE
JUNE 25, 1977

House Amendment to Senate Amendment to
House File 634

S-3739

1 Amend the Senate amendment, H04390 to House
2 File 634, as amended, passed and reprinted by the
3 House as follows:
4 1. Page 2, by inserting after line 10 the
5 following:
6 " _____. Page 16, by inserting after line 18,
7 the following:
8 "Sec. _____. The attorney general shall prepare
9 and maintain a position classification plan and a
10 pay plan for each position and type of employment
11 in the department, based upon duties performed
12 and responsibilities assumed, so that the same
13 qualifications may reasonably be required for and
14 the same schedule of pay may be equitably applied
15 to all positions in the same class. After such
16 classification has been approved by the executive
17 council, the attorney general shall allocate the
18 position of every employee to one of the classes
19 in the plan. Each employee shall be paid at one
20 of the rates set forth in the pay plan for the
21 class of position in which employed and, unless
22 otherwise designated, shall begin employment at the
23 first step of the established range for the
24 employee's class. The pay plan and position
25 classification plan shall be presented to the
26 budget committee of the house and senate on or
27 before September 1, 1977. The appropriations
28 contained in this Act, to the office of the
29 attorney general, are specifically contingent upon
30 the preparation and submission of a position
31 classification plan of the attorney general's
32 office to the budget committees of the house and
33 senate prior to September 1, 1977.
34

S-3739 FILED & ADOPTED
JUNE 25, 1977

RECEIVED FROM THE HOUSE
Senate concurred 6/25 (p. 33)

HOUSE FILE 634

AN ACT

RELATING TO COMPENSATION AND BENEFITS FOR STATE EMPLOYEES AND REGIONAL LIBRARIANS AND THEIR STAFFS, PROVIDING EXCEPTIONS FOR PROVISIONS OF THE CODE IN CONFLICT WITH COLLECTIVE BARGAINING AGREEMENTS, SPECIFYING A COMPLETION DATE FOR THE NEGOTIATION OF COLLECTIVE BARGAINING AGREEMENTS, PROVIDING SALARY ADJUSTMENTS FOR STATE EMPLOYEES AND OFFICIALS WHO HAVE NOT RECEIVED SALARY ADJUSTMENTS PURSUANT TO LEGISLATION PREVIOUSLY APPROVED BY THE SIXTY-SEVENTH GENERAL ASSEMBLY, PROVIDING EMPLOYEE BENEFITS RELATING TO HOLIDAYS AND SICK LEAVE, PROVIDING FOR STATE EMPLOYEE INSURANCE PROGRAMS, AND APPROPRIATING MONEYS TO FUND SUCH PROGRAMS INCLUDING MONEYS TO FUND INCREASES IN COMPENSATION RATES PREVIOUSLY APPROVED BY THE GENERAL ASSEMBLY.

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

Section 1. When the terms and conditions of a collective bargaining agreement made final under chapter twenty (20) of the Code conflict with provisions of section nineteen A point nine (19A.9), nineteen A point fourteen (19A.14), nineteen A point eighteen (19A.18), nineteen A point twenty-two (19A.22), nineteen A point twenty-three (19A.23), thirty-three point one (33.1), thirty-three point two (33.2), forty-nine point one hundred nine (49.109), seventy-nine point one (79.1), eighty point eight (80.8), eighty point fifteen (80.15), eighty point eighteen (80.18), one hundred twenty-three point twenty (123.20), two hundred seventeen point twenty-three (217.23), two hundred eighteen point thirteen (218.13), two hundred eighteen point seventeen (218.17), two hundred eighteen point thirty-seven (218.37), two hundred eighteen point seventy-one (218.71), two hundred nineteen

point eleven (219.11), two hundred forty-six point three (246.3), two hundred sixty-two point twelve (262.12), three hundred seven A point two (307A.2), three hundred seven A point eight (307A.8), five hundred nine A point one (509A.1), or five hundred nine A point twelve (509A.12) of the Code or any other conflicting provisions of chapter nineteen A (19A), seventy-nine (79), eighty (80), one hundred twenty-three (123), two hundred seventeen (217), two hundred eighteen (218), two hundred nineteen (219), two hundred forty-six (246), two hundred sixty-two (262), three hundred seven A (307A), or five hundred nine A (509A), except for section five hundred nine A point eleven (509A.11), of the Code, relating to those state employees covered by the agreement, the terms and conditions of the collective bargaining agreement shall prevail for the period beginning July 1, 1977 and ending June 30, 1979.

Sec. 2. There is created a "salary adjustment fund" to be used to segregate funds appropriated by the general assembly to be distributed to various state departments to fund increases in compensation and related fringe benefits for designated state employees. The distribution of funds from the salary adjustment fund shall be pursuant to the provisions of this Act and subject to the approval of the governor and the state comptroller.

Sec. 3. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the following fiscal years, the following amounts or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits pursuant to the collective bargaining agreement for employees in the blue collar bargaining unit, except blue collar employees under the state board of regents, made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June

30, 1978..... \$1,292,128.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$2,663,605.

Sec. 4. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the following fiscal years the following amounts, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits in the collective bargaining agreement for employees in the professional social services bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$693,617.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$1,425,917.

Sec. 5. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the fiscal years designated the following amounts, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of the collective bargaining agreement for employees in the public safety bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$794,856.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$1,532,651.

Sec. 6. There is appropriated from the primary road fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments

and related fringe benefits of employees of the state department of transportation who are eligible to be paid from primary road funds and who are included in the collective bargaining agreement for employees in the blue collar bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$1,507,529.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$3,175,038.

Sec. 7. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the following fiscal years the following amounts, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits in the collective bargaining agreement for employees in the public security bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$837,107.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$1,748,501.

Sec. 8. There is appropriated from the road use tax fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from road use tax funds and who are included in the collective bargaining agreement for employees in the public security unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$83,310.

For the fiscal year beginning July 1, 1978 and ending June

30, 1979..... \$173,084.

Sec. 9. There is appropriated from the primary road fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from the primary road funds and who are included in the collective bargaining agreement for employees in the public security unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$9,479.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$19,405.

Sec. 10. The salary schedule of the merit system and the executive council exempt pay plan, provided for in section nineteen A point nine (19A.9), subsection two (2), of the Code as they exist for the fiscal years ending June 30, 1977, and June 30, 1978 shall be increased in each of such fiscal years by the following percentages rounded to the next dollar divisible by twenty-six for all state employees who are not included in a collective bargaining agreement made final under chapter twenty (20) of the Code. All salaries of persons who are exempt from chapter nineteen A (19A) of the Code and who are included in the state comptroller's centralized payroll system and state board of regents office employees shall receive a like increase consistent with appropriations provided by the general assembly as they exist on June 23, 1977 and June 22, 1978, except members of the general assembly, board members and commission members, salaries of persons set by Senate File two hundred thirteen (213) and Senate File two hundred sixty-seven (267) as enacted by the Sixty-seventh General Assembly, 1977 Session, or set by the governor, employees designated under section nineteen A point three (19A.3), subsection six (6), of the Code and employees under

the state board of regents merit system:

1. For positions for which the annual compensation is less than thirteen thousand two hundred dollars, an increase of six percent each year.

2. For positions for which the annual compensation is at least thirteen thousand two hundred dollars, an increase of five percent each year.

Sec. 11. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act for the fiscal years designated, the following amount, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees who are not covered by a collective bargaining agreement and who are specified in section ten (10) of this Act:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$7,308,307.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$15,199,712.

Sec. 12. There is appropriated from the road use tax fund to the state department of transportation for the fiscal years designated the following amount, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are specified in section ten (10) of this Act and who are eligible to be paid from the road use tax funds and who are not covered by collective bargaining agreements:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$273,625.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$586,506.

Sec. 13. There is appropriated from the primary road fund to the state department of transportation for the fiscal years

designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from primary road funds and who are specified in section ten (10) of this Act and who are not covered by collective bargaining agreements:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$2,353,587.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$4,897,326.

Sec. 14. There is appropriated from the general fund of the state to supplement other funds for salaries which the general assembly appropriates to the state board of regents and the following institutions for the fiscal years designated the following amounts, or so much thereof as may be necessary, to be used to fund annual pay adjustments and related fringe benefits of the collective bargaining agreement for employees in the blue collar bargaining unit made final under chapter twenty (20) of the Code.

| | 1977-78 Fiscal Year | 1978-79 Fiscal Year |
|--|------------------------|------------------------|
| State University of Iowa | \$ 642,319 | \$1,220,351 |
| State Sanatorium | \$ 79,039 | \$ 152,543 |
| Hospital School | \$ 39,297 | \$ 78,028 |
| Psychiatric Hospital | \$ 22,712 | \$ 44,174 |
| Hygienic Laboratory | \$ 10,877 | \$ 13,305 |
| University Hospitals | \$ 201,221 | \$ 384,703 |
| Iowa State University of Science and Technology | \$ 533,006 | \$1,002,390 |
| Experiment Station | \$ 45,603 | \$ 83,133 |
| Cooperative Extension Service | \$ 2,300 | \$ 4,600 |
| University of Northern Iowa | \$ 231,080 | \$ 438,148 |

| | | |
|--|-----------|------------|
| School for the Deaf | \$ 75,347 | \$ 149,725 |
| Iowa Braille & Sight- saving School | \$ 33,754 | \$ 66,395 |

Sec. 15. There is appropriated from the general fund of the state, to supplement other funds for salaries which the general assembly appropriates, to the state board of regents and the following institutions for the fiscal years designated the following amounts, or so much thereof as may be necessary, to be used to fund pay adjustments and related fringe benefits of employees of the state board of regents not covered by collective bargaining agreements or covered by collective bargaining agreements negotiated after June 21, 1977.

1. So much as necessary to fund in each fiscal year an average salary increase of six point four percent of salaries of the faculty members paid during the preceding fiscal year to be allocated to faculty members at the discretion of the state board of regents.

2. So much as necessary:

a. To fund in each fiscal year a base salary increase for professional and scientific employees, except board office employees, of six percent for positions for which the base salary paid during the preceding fiscal year is less than \$13,200 and five percent for positions for which the base salary paid during the preceding fiscal year is at least \$13,200.

b. To fund in each fiscal year an average salary increase of two percent of salaries of professional and scientific employees, except board office employees, paid during the preceding fiscal year to be allocated to such employees at the discretion of the state board of regents.

3. For employees under the state board of regents merit system, except board office employees, and in addition to their regular merit increases, so much as is necessary to increase the regents merit pay plan as it exists for the fiscal years ending June 30, 1977 and June 30, 1978 in each

of the designated fiscal years as follows:

a. For positions for which the annual compensation is less than thirteen thousand two hundred dollars, an increase of six percent each year.

b. For positions for which the annual compensation is at least thirteen thousand two hundred dollars, an increase of five percent each year.

The merit pay plan adjustments shall be rounded to the next dollar divisible by twenty-six.

4. The institutions for which supplemental funds are appropriated and the amounts are:

| | 1977-78 | 1978-79 |
|--|--------------|--------------|
| | Fiscal Year | Fiscal Year |
| State University of Iowa | \$ 4,925,731 | \$10,153,039 |
| State Sanatorium | \$ 22,635 | \$ 46,609 |
| Hospital School | \$ 159,997 | \$ 328,184 |
| Psychiatric Hospital | \$ 224,315 | \$ 461,383 |
| Hygienic Laboratory | \$ 120,295 | \$ 246,905 |
| University Hospitals | \$ 850,556 | \$ 1,743,842 |
| Iowa State University of Science and Technology | \$ 3,946,960 | \$ 7,963,307 |
| Experiment Station | \$ 499,983 | \$ 1,005,458 |
| Cooperative Extension Service | \$ 616,154 | \$ 1,243,272 |
| University of Northern Iowa | \$ 1,358,791 | \$ 2,326,067 |
| School for the Deaf | \$ 143,648 | \$ 295,568 |
| Iowa Braille & Signat- saving School | \$ 98,006 | \$ 203,051 |

Sec. 16. The funds provided for faculty salaries and fringe benefits at the university of northern Iowa as appropriated by the general assembly and as identified by the state comptroller for the fiscal years beginning July 1, 1977 and July 1, 1978 shall be the exclusive source of funds available to pay any compensation including fringe benefits and other costs within the scope of negotiations as defined by section

twenty point nine (20.9) of the Code for represented employees.

No staffing changes as to the number of personnel at the university of northern Iowa shall be made for the purposes of funding an increase in compensation including fringe benefits, greater than identified in section fifteen (15) of this Act. Additionally, tuition fees or other institutional income shall not be increased for said purposes.

Sec. 17. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act for the fiscal year beginning July 1, 1977 and ending June 30, 1978, the following amount, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds appropriated by the general assembly. Funds appropriated under this section shall be used to supplement other funds appropriated by the general assembly to fund increases in salaries of state elected officials, members of the public employment relations board and judiciary, excluding members of the general assembly, as provided in Senate File two hundred thirteen (213), as enacted by the 1977 Session of the Sixty-seventh General Assembly: \$1,433,130

Sec. 18. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act for the fiscal year beginning July 1, 1977 and ending June 30, 1978 the following amount, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds appropriated by the general assembly. Funds appropriated under this section shall be used to supplement other funds appropriated by the general assembly to fund increases in salaries of state appointed officials supported from general fund appropriations as provided in Senate File two hundred sixty-seven (267) as enacted by the 1977 Session of the Sixty-seventh General Assembly: \$55,712

Sec. 19. There is appropriated from the primary road fund to the state department of transportation the following amount, or so much thereof as may be necessary, for the fiscal year beginning July 1, 1977 and ending June 30, 1978, to supplement

other funds appropriated by the general assembly to fund increases in salaries of state appointed officials supported by primary road funds as provided in Senate File two hundred sixty-seven (267) as enacted by the 1977 Session of the Sixty-seventh General Assembly: \$4,047

Sec. 20. There is appropriated from the general fund of the state to the Iowa library department for the fiscal year commencing July 1, 1977 and ending June 30, 1978 the following amount, or so much thereof as may be necessary, to be distributed to the regional boards of library trustees as necessary to provide a five percent cost-of-living increase in the salaries of regional librarians and regional library staff as they exist on June 30, 1977: \$14,577

Sec. 21. Funds appropriated from the general fund of the state in this Act shall relate to salaries supported from general fund appropriations and shall not be construed to replace revolving, federal, trust or special funds where applicable.

Sec. 22. To departmental revolving, trust or special funds, except the primary road fund or the road use tax fund, for which the general assembly has established an operating budget, a supplemental authorization is provided for those funds, unless otherwise provided, in an amount necessary to fund salary adjustments and fringe benefits provided in this Act.

Sec. 23. There is appropriated to the state board of regents for the fiscal year beginning July 1, 1977 and ending June 30, 1978 the sum of eight hundred thousand (800,000) dollars, or so much thereof as may be necessary to be allocated by the state board of regents to the regent's institutions with approval of the governor and the state comptroller for the purpose of annualizing merit increases granted to regent's employees during the 1976-77 fiscal year.

Sec. 24. Section nineteen A point twenty-two (19A.22), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

19A.22 COLLECTIVE BARGAINING AGREEMENTS--OTHER INCONSISTENT LAWS. A collective bargaining agreement entered into between the state and a state employee organization under chapter twenty (20) of the Code made final after July 1, 1977 shall not adopt by reference any merit pay adjustment or step increase provided in a merit pay plan adopted under section nineteen A point nine (19A.9), subsection two (2) of the Code, longevity pay as provided in section three hundred thirteen point four (313.4), subsection three (3) of the Code, or any other pay plan or system in effect before July 1, 1977.

Sec. 25. Section twenty point nine (20.9), unnumbered paragraph three (3), Code 1977, is amended to read as follows:

~~The public employee~~ All retirement systems provided under chapters ~~97A, 97B, 449, and 444~~ shall be excluded from the scope of negotiations.

Sec. 26. Section twenty point seventeen (20.17), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. The negotiation of a proposed collective bargaining agreement by representatives of a state public employer and a state employee organization shall be complete not later than March fifteenth of the year when the agreement is to become effective. The board shall provide, by rule, a date on which any impasse item must be submitted to binding arbitration and for such other procedures as deemed necessary to provide for the completion of negotiations of proposed state collective bargaining agreements not later than March fifteenth. The date selected for the mandatory submission of impasse items to binding arbitration shall be sufficiently in advance of March fifteenth to insure that the arbitrators' decision can be reasonably made before March fifteenth.

Sec. 27. Chapter twenty (20), Code 1977, is amended by adding the following new section:

NEW SECTION. A provision of the Code which is inconsistent with any term or condition of a collective bargaining agreement which is made final under this chapter shall supersede the term or condition of the collective bargaining agreement

unless otherwise provided by the general assembly.

Sec. 28. Section thirty-three point two (33.2), Code 1977, is amended by striking subsection two (2).

Sec. 29. Section thirty-three point two (33.2), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to the holidays enumerated in this section, state employees are granted two days of paid leave each year. The days of leave shall be added to the vacation allowance accrued under the provisions of section seventy-nine point one (79.1) of the Code.

Sec. 30. Section seventy-nine point one (79.1), Code 1977, is amended by striking unnumbered paragraph four (4) and inserting in lieu thereof the following:

Commencing July 1, 1977, permanent full-time employees of state departments, boards, agencies, and commissions shall accrue sick leave at the rate of one and one-half days for each full month of employment. Sick leave shall not accrue during any period of absence without pay. Employees may use accrued sick leave for physical or mental personal illness, bodily injury, medically-related disabilities, including disabilities resulting from pregnancy and childbirth, or contagious disease:

1. Which require the employee's confinement,
2. Which render the employee unable to perform assigned duties, or
3. When performance of assigned duties would jeopardize the employee's health or recovery.

The first ninety days (seven hundred twenty hours) of sick leave which accrue to an employee shall be placed in an active sick leave account. Any days of sick leave in excess of ninety days which accrue to an employee shall be placed in an employee's banked sick leave account. The sick leave in an employee's banked sick leave account shall not be used by the employee until the employee no longer has any days of accrued active sick leave and shall only be used if an employee has an extended illness of at least five working

days in duration.

Separation from state employment shall cancel all unused accrued sick leave. However, if an employee is laid off and the employee is reemployed by any state department, board, agency, or commission within one year of the date of the lay off, accrued sick leave of the employee shall be restored.

Sec. 31. Section seventy-nine point one (79.1), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. When a weekly, biweekly, or any other pay period transcends fiscal years, the state comptroller shall charge the entire payroll to the fiscal year as budgeted and funded by the general assembly. When a provision of law provides for a specific annual salary rate or an annual salary adjustment commencing with a specific fiscal year, the fiscal year shall include the pay period which commenced prior to that year and ended in that fiscal year.

Sec. 32. Section seventy-nine point twenty (79.20), subsection one (1), Code 1977, is amended to read as follows:

1. Waiting period ninety working days of continuous sickness or accident disability or the expiration of accrued sick leave, whichever is greater.

Sec. 33. Chapter seventy-nine (79), Code 1977, is amended by adding the following new section:

NEW SECTION. CREDIT FOR ACCRUED SICK LEAVE. Commencing July 1, 1978 when an employee retires under the provisions of a retirement system in the state maintained in whole or in part by public contributions or payments, the current value of accrued days of active and banked sick leave of the employee shall be credited to the employee. For the purpose of this section, the "current value of accrued days of active and banked sick leave" means an amount equal to the product of the accrued days of active and banked sick leave multiplied by the bi-weekly regular salary of the employee divided by ten.

Sec. 34. Section eighty point eight (80.8), Code 1977,

is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A collective bargaining agreement entered into between the state and a state employee organization under chapter twenty (20) of the Code made final after July 1, 1977 shall not include any pay adjustment or increase authorized under this section.

Sec. 35. The legislative council in cooperation with the state comptroller shall, during the 1977 legislative interim, employ actuaries to conduct actuarial studies of the costs of providing alternative benefit programs for employees retiring on or after July 1, 1978, based upon the current value of accrued days of active and banked sick leave of a retired employee, as defined in chapter seventy-nine (79) of the Code. Alternative benefit programs may include but shall not be limited to early retirement provisions, payment of monthly premiums of a state approved health insurance policy or life insurance policy, or both or purchase of annuities for the retired employees.

The legislative council or its designee in cooperation with the state comptroller shall make recommendations to the general assembly during its 1978 regular legislative session concerning the benefit programs proposed to be provided to retired members and the source of funds to finance the benefit programs.

Sec. 36. On July 1, 1977, each permanent and permanent probationary employee of a state department, board, agency, or commission shall be credited with the number of days of leave of absence for medically-related disability the employee had accrued to July 1, 1977 under the provisions of section seventy-nine point one (79.1) of the Code as it was effective prior to July 1, 1977. Such leave of absence shall not exceed ninety days and shall be credited to the employee's active sick leave.

Sec. 37. Section five hundred nine A point eleven (509A.11), subsection one (1), Code 1977, is amended to read as follows:

1. The words "governing body" mean the executive council

of the state for all state employees and for purposes of this chapter includes employees of the state board of regents for purposes of health and life insurance only, the board of supervisors of counties, the school boards of school districts, and the superintendent or other person in charge of an institution supported in whole or in part by public funds.

Sec. 38. Section two hundred forty-six point four (246.4), Code 1977, is repealed.

Sec. 39. Section twenty point fifteen (20.15), subsection six (6), Code 1977, is amended to read as follows:

6. A petition for certification as an exclusive bargaining representative shall not be considered by the board for a period of one year from the date of the certification or noncertification of an exclusive bargaining representative or during the duration of a collective bargaining agreement which shall not exceed two years. A collective bargaining agreement with the state, its boards, commissions, departments, and agencies shall be for two years and the provisions of a collective bargaining agreement except agreements agreed to or tentatively agreed to prior to July 1, 1977, or arbitrators' award affecting state employees shall not provide for renegotiations which would require the refinancing of salary and fringe benefits for the second year of the term of the agreement, except as provided in section twenty point seventeen (20.17), subsection six (6) of the Code and the effective date of any such agreement shall be July 1 of odd-numbered years. However, if a petition for decertification is filed during the duration of a collective bargaining agreement, the board shall award an election under this section not more than one hundred fifty days prior to the expiration of the collective bargaining agreement. If an employee organization is decertified, the board may receive petitions under section 20.14, provided that no such petition and no election conducted pursuant to such petition within one year from decertification shall include as a party the decertified employee organization.

Sec. 40. NEW SECTION. Copies of collective bargaining agreements entered into between the state and the state employees' bargaining representatives and made final under chapter twenty (20) of the Code shall be filed with the secretary of state and be made available to the public at cost.

Sec. 41. In addition to any funds distributed to the office of the attorney general pursuant to section two (2) and appropriated in section eleven (11) of this Act, there is appropriated to the office of the attorney general the sum of fifty thousand (50,000) dollars to be used for salary adjustments of assistant attorneys general whose annual salaries are less than fifteen thousand (15,000) dollars.

Sec. 42. The attorney general shall prepare and maintain a position classification plan and a pay plan for each position and type of employment in the department, based upon duties performed and responsibilities assumed, so that the same qualifications may reasonably be required for and the same schedule of pay may be equitably applied to all positions in the same class. After such classification has been approved by the executive council, the attorney general shall allocate the position of every employee to one of the classes in the plan. Each employee shall be paid at one of the rates set forth in the pay plan for the class of position in which employed and, unless otherwise designated, shall begin employment at the first step of the established range for the employee's class. The pay plan and position classification plan shall be presented to the budget committee of the house and senate on or before September 1, 1977. The appropriations contained in this Act, to the office of the attorney general, are specifically contingent upon the preparation and submission of a position classification plan of the attorney general's office to the budget committees of the house and senate prior to September 1, 1977.

Sec. 43. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Des Moines Register, a newspaper published in

Des Moines, Iowa, and in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

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 634, of the 1977 Extraordinary Session of the Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved  1977

ROBERT D. RAY
Governor