

FEB 26 1979

Place On Calendar

HOUSE FILE 647

By COMMITTEE ON COUNTY GOVERNMENT

(Formerly Study Bill 189)

Passed House, Date 3-27-79 (Amended) Passed Senate, Date _____
Vote: Ayes 96 Nays 0 Vote: Ayes _____ Nays _____
Approved 6/4/79

A BILL FOR

1 An Act relating to the compensation of township trustees
2 and township clerks.

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

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HOUSE FILE 647

H-3299

1 Amend House File 647 as follows:
2 1. Page 1, line 7, by inserting after the word
3 "supervisors." the words "However, the county board
4 of supervisors may establish a minimum daily pay rate
5 for the time spent by a township trustee attending
6 a scheduled meeting of township trustees."

H-3299 FILED Adopted 3/27 (9.1151)
MARCH 2, 1979

BY SPEAR of Lee

1 Section 1. Section three hundred fifty-nine point forty-
2 six (359.46), Code 1979, is amended by striking the section
3 and inserting in lieu thereof the following:

4 359.46 COMPENSATION OF TOWNSHIP TRUSTEES.

5 1. A township trustee while engaged in official business
6 shall be compensated at an hourly rate established by the
7 county board of supervisors. The compensation shall be paid
8 from the general fund of the county except:

9 a. When the trustee is assessing damages done by
10 trespassing animals, payment of the compensation shall be
11 made in the same manner as other costs in such cases.

12 b. When the trustee is acting as a fence viewer or in
13 a case where provision is made for payment from a source other
14 than the general fund of the county.

15 2. In cases where their fees or compensation are not paid
16 from the general fund of the county, the trustees shall be
17 paid by the party requiring their services. The trustees
18 shall attach to the report of their proceedings a statement
19 specifying their services, directing who shall pay the fees
20 or compensation, and specifying the amount to be paid by each
21 party. A party who makes advance payment for the services
22 of the trustees may take legal action to recover the amount
23 of the payment from the party who is directed to pay by the
24 trustees unless the party entitled to recovery under this
25 subsection is paid within ten days after a demand for
26 reimbursement is made.

27 Sec. 2. Section three hundred fifty-nine point forty-
28 seven (359.47), Code 1979, is amended by striking the section
29 and inserting in lieu thereof the following:

30 359.47 COMPENSATION OF TOWNSHIP CLERK. A township clerk
31 while engaged in official business shall be compensated at
32 an hourly rate equal to the hourly pay rate of a township
33 trustee of the same township.

34 EXPLANATION

35 This bill changes the method of determining the compensation

1 of township trustees from eight dollars per eight-hour day
2 to an hourly rate established by the county board of
3 supervisors. The compensation of the trustee is paid from
4 the general fund of the county except when they are engaged
5 in fence viewing, assessing damages for trespassing animals
6 or in other cases where the compensation is to be paid from
7 sources other than the general fund of the county. The bill
8 also provides that township clerks shall be compensated at
9 the same rate as township trustees. The bill will become
10 effective July first following enactment.

FISCAL NOTE

HOUSE FILE 647

Requested by Representative Danker
February 22, 1979

In compliance with a written request, there is hereby submitted
a Fiscal Note for House File 647, pursuant to Joint Rule 16.

LSB 1310H, An Act relating to the compensation of township trustees
and township clerks.

This bill changes the method of determining the compensation of
township trustees from eight dollars per eight-hour day to an
hourly rate established by the county board of supervisors. The
compensation of the trustee is paid from the general fund of the
county except when they are engaged in fence viewing, assessing
damages for trespassing animals or in other cases where the
compensation is to be paid from sources other than the general
fund of the county. The bill also provides that township clerks
shall be compensated at the same rate as township trustees.

Not knowing the hourly rate that the various boards of supervisors
would establish, it is not possible to put a fiscal estimate on
this proposal. However, there are 1,647 townships in the state
of Iowa. Out of this, approximately 600 are active, with most having
three township trustees and one clerk.

FILE
MARCH 9, 1979

GERRY D. RANKIN
Legislative Fiscal Bureau

LSB 1310H 68
dd/rh/8

FISCAL NOTE
HOUSE FILE 647
To Amendment H-3533
Requested by Representative Connolly
March 23, 1979

In compliance with a written request, there is hereby submitted a Fiscal Note for H.F. 647, Amendment H-3533 pursuant to Joint Rule 16.

Amendment H-3533 to House File 647

This amendment sets the minimum salary for township trustees and township clerks at \$2.90 per hour.

There are 1,647 townships in the state of Iowa. Out of this, approximately 600 are active, with most having three township trustees and one clerk. The total amount paid to township trustees and clerks in the year 1976-77 was \$101,475. Dividing this by the 2,400 active trustees and clerks indicates that each was being paid approximately \$42 annually in 1976-77.

The trustees and clerks meet an average of five times per year. Assuming each meeting lasts two hours, the 2,400 active trustees and clerks have been receiving approximately \$4 per hour.

This amendment would probably have no effect on presents costs.

Source: State Auditor's Office
League of Iowa Municipalities

FILED
MARCH 27, 1979

BY GERRY D. RANKIN
Legislative Fiscal Bureau

HOUSE FILE 647

H-3533

- 1 Amend House File 647 as follows:
- 2 1. Page 1, line 7, by adding the following
- 3 new sentence after the word "supervisors.": "The
- 4 hourly rate of compensation shall not be less than
- 5 two dollars and ninety cents."

H-3533 FILED *Lee 3/27 (p 1152)*
MARCH 23, 1979

BY CONNOLLY of Dubuque

HOUSE FILE 647

H-3553

- 1 Amend amendment H-3533, to page 1 of House File
- 2 647, as follows:
- 3 1. Page 1, by striking line 5 and inserting in
- 4 lieu thereof the following: "the hourly rate
- 5 established for pay grade eight (8), step one (1),
- 6 of the state merit system pay plan."

H-3553 FILED *Lee 3/27 (p 1152)*
MARCH 26, 1979

BY SPEAR of Lee

*See County Govt 3/30
Do Pass 4/2 (p 1056)*

House File 647

County Government
C. Miller, Chairperson
Nystrom
Kudart

HOUSE FILE 647

By COMMITTEE ON COUNTY GOVERNMENT

(As Amended and Passed by the House)

Passed House, Date See Below Passed Senate, Date 4-17-79 (p 1231)
Vote: Ayes _____ Nays _____ Vote: Ayes 47 Nays 0
Approved June 4, 1979

A BILL FOR

1 An Act relating to the compensation of township trustees
2 and township clerks.

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

4 Conference Committee Appointed 5/4
5 Reps. Danker Chair, Lageschulte, Branstad, Binneboone, Lullinger (p. 2066)
6 Sen. Tipton, Chair; Bales; Heister; Miller of Des Moines; Slaten (p. 1535)

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_____ House Amendments

Passed per Conference Committee Report
House 5-9-79 (p. 2206) Senate 5-10-79 (p. 1634)
93 - 0 45 - 0

1 Section 1. Section three hundred fifty-nine point forty-
2 six (359.46), Code 1979, is amended by striking the section
3 and inserting in lieu thereof the following:

4 359.46 COMPENSATION OF TOWNSHIP TRUSTEES.

5 1. A township trustee while engaged in official business
6 shall be compensated at an hourly rate established by the
7 county board of supervisors. However, the county board of
8 supervisors may establish a minimum daily pay rate for the
9 time spent by a township trustee attending a scheduled meeting
10 of township trustees. The compensation shall be paid from
11 the general fund of the county except:

12 a. When the trustee is assessing damages done by
13 trespassing animals, payment of the compensation shall be
14 made in the same manner as other costs in such cases.

15 b. When the trustee is acting as a fence viewer or in
16 a case where provision is made for payment from a source other
17 than the general fund of the county.

18 2. In cases where their fees or compensation are not paid
19 from the general fund of the county, the trustees shall be
20 paid by the party requiring their services. The trustees
21 shall attach to the report of their proceedings a statement
22 specifying their services, directing who shall pay the fees
23 or compensation, and specifying the amount to be paid by each
24 party. A party who makes advance payment for the services
25 of the trustees may take legal action to recover the amount
26 of the payment from the party who is directed to pay by the
27 trustees unless the party entitled to recovery under this
28 subsection is paid within ten days after a demand for
29 reimbursement is made.

30 Sec. 2. Section three hundred fifty-nine point forty-
31 seven (359.47), Code 1979, is amended by striking the section
32 and inserting in lieu thereof the following:

33 359.47 COMPENSATION OF TOWNSHIP CLERK. A township clerk
34 while engaged in official business shall be compensated at
35 an hourly rate equal to the hourly pay rate of a township

1 trustee of the same township.

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HOUSE FILE 647

S-3370

1 Amend House File 647 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 6, by inserting after the word
4 "rate" the words "of not less than three dollars per
5 hour as".

6 2. Page 1, line 7, by inserting after the word
7 "However," the words "in lieu of an hourly rate of
8 compensation,".

9 3. Page 1, line 8, by inserting after the word
10 "supervisors" the words ", upon recommendation of
11 the county compensation board,".

12 4. Page 1, line 8, by striking the word "minimum".

13 5. Page 1, line 10, by inserting after the word
14 "trustees." the following: "The county board of
15 supervisors may reduce the recommended daily pay rate,
16 but the board shall not increase the recommendation."

17 6. Page 1, line 35, by inserting after the words
18 "an hourly" the words "or daily pay".

19 7. Page 1, line 35, by inserting after the words
20 "the hourly" the words "or daily pay".

S-3370 FILED *Adopted as amended* BY CHARLES P. MILLER
APRIL 3, 1979 *by 3506 4/17 (1231)* JAMES E. BRILES

HOUSE FILE 647

S-3506

1 Amend the amendment, S-3370, to House File 647,
2 as amended, passed and reprinted by the House, as
3 follows:

4 1. Page 1, lines 4 and 5, by striking the words
5 "three dollars per hour" and inserting in lieu thereof
6 the words "the hourly rate established for pay grade
7 eight, step one of the state merit system pay plan".

8 2. Page 1, by striking line 12.

9 3. Page 1, line 14, by inserting after the word
10 "The" the following: "minimum daily pay rate shall
11 not be less than the minimum hourly rate multiplied
12 by eight. The".

13 4. Page 1, line 15, by inserting after the word
14 "recommended" the word "minimum".

15 5. By renumbering sections to conform with this
16 amendment.

S-3506 FILED & ADOPTED *(p. 1231)* BY CHARLES P. MILLER
APRIL 17, 1979 LOWELL L. JUNKINS

SENATE AMENDMENT TO
HOUSE FILE 647

H-3992

- 1 Amend House File 647 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 6, by inserting after the word
4 "rate" the words "of not less than the hourly rate
5 established for pay grade eight, step one of the state
6 merit system pay plan as".
7 2. Page 1, line 7, by inserting after the word
8 "However," the words "in lieu of an hourly rate of
9 compensation,".
10 3. Page 1, line 8, by inserting after the word
11 "supervisors" the words ", upon recommendation of
12 the county compensation board,".
13 4. Page 1, line 10, by inserting after the word
14 "trustees." the following: "The minimum daily pay
15 rate shall not be less than the minimum hourly pay
16 rate multiplied by eight. The county board of
17 supervisors may reduce the recommended minimum daily
18 pay rate, but the board shall not increase the
19 recommendation."
20 5. Page 1, line 35, by inserting after the words
21 "an hourly" the words "or daily pay".
22 6. Page 1, line 35, by inserting after the words
23 "the hourly" the words "or daily pay".

H-3992 FILED
APRIL 19, 1979

RECEIVED FROM THE SENATE

*House refused to cover 4/30 (p. 1916)
Senate insisted 5/3 (p. 1522)*

HOUSE FILE 647

H-4095

- 1 Amend the Senate amendment, H-3992, to House File
- 2 647 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 19 and
- 5 inserting in lieu thereof the following:
- 6 " . Page 1, by striking lines 7 through 10 and
- 7 inserting in lieu thereof the following: "county
- 8 board of supervisors which shall not be less than
- 9 the hourly rate established for pay grade eight, step
- 10 one of the state merit system pay plan. However,
- 11 in lieu of an hourly rate of compensation the county
- 12 board of supervisors may establish a minimum pay rate
- 13 for each meeting of township trustees. The minimum
- 14 per meeting rate shall not be less than one hour's
- 15 pay at the hourly rate. The compensation shall be
- 16 paid from".
- 17 2. Page 1, line 21, by striking the words "or
- 18 daily pay" and inserting in lieu thereof the words
- 19 "rate or per meeting".
- 20 3. Page 1, line 23, by striking the words "or
- 21 daily pay" and inserting in lieu thereof the words
- 22 "or per meeting".

H-4095 FILED *Lee 4/30 (p. 19/10)* BY SPEAR of Lee
APRIL 24, 1979

HOUSE FILE 647

H-4042

- 1 Amend the Senate amendment, H-3992, to House
- 2 File 647 as follows:
- 3 1. Page 1, by striking lines 10 through 19.

H-4042 FILED *H. J. Simon 4/30 (1979)* BY SPEAR of Lee
APRIL 20, 1979

HOUSE FILE 647

H-4041

- 1 Amend the Senate amendment, H-3992, to House
- 2 File 647 as follows:
- 3 1. Page 1, line 23, by striking the word
- 4 "pay".

H-4041 FILED *H. J. Simon 4/30 (1979)* BY SPEAR of Lee
APRIL 20, 1979

HOUSE CLIP SHEET

TUESDAY, MAY 8, 1979

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 647

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 647, a bill for an Act relating to the compensation of township trustees and township clerks, respectfully make the following report:

1. That the Senate recede from its amendment H-3992 to House File 647 as amended, passed and reprinted by the House.

2. That House File 647 as amended, passed and reprinted by the House be amended as follows:

1. Page 1, by striking line 35 and inserting in lieu thereof the words "the same rate as the pay rate of a township".

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

"Sec. ____ . A county supervisor who before May 1, 1979, accepted an appointment to any appointive board, commission or committee of this state or a political subdivision of this state may continue to hold the office of county supervisor and membership on the board, commission or committee until the expiration of his or her term as county supervisor or July 1, 1981, whichever occurs first."

3. Amend the title, by striking lines 1 and 2 and inserting in lieu thereof the following: "An Act relating to service and compensation for service in county and township government."

ON THE PART OF THE HOUSE:
ARLYN E. DANKER, Chairperson
RAY LAGESCHULTE
CLIFFORD BRANSTAD
DONALD H. BINNEBOESE
ARLO HULLINGER

ON THE PART OF THE SENATE:
JOHN N. NYSTROM, Chairperson
JAMES E. BRILES
JACK W. HESTER

House adopted 5/9 (p. 2206)
Senate adopted 5/10 (p. 1634)

HOUSE FILE 647

AN ACT

RELATING TO SERVICE AND COMPENSATION FOR SERVICE IN COUNTY
AND TOWNSHIP GOVERNMENT.

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

Section 1. Section three hundred fifty-nine point forty-six (359.46), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

359.46 COMPENSATION OF TOWNSHIP TRUSTEES.

1. A township trustee while engaged in official business shall be compensated at an hourly rate established by the county board of supervisors. However, the county board of supervisors may establish a minimum daily pay rate for the time spent by a township trustee attending a scheduled meeting of township trustees. The compensation shall be paid from the general fund of the county except:

- a. When the trustee is assessing damages done by trespassing animals, payment of the compensation shall be made in the same manner as other costs in such cases.
- b. When the trustee is acting as a fence viewer or in a case where provision is made for payment from a source other than the general fund of the county.

2. In cases where their fees or compensation are not paid from the general fund of the county, the trustees shall be paid by the party requiring their services. The trustees shall attach to the report of their proceedings a statement specifying their services, directing who shall pay the fees or compensation, and specifying the amount to be paid by each party. A party who makes advance payment for the services of the trustees may take legal action to recover the amount of the payment from the party who is directed to pay by the trustees unless the party entitled to recovery under this subsection is paid within ten days after a demand for reimbursement is made.

Sec. 2. Section three hundred fifty-nine point forty-seven (359.47), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

359.47 COMPENSATION OF TOWNSHIP CLERK. A township clerk while engaged in official business shall be compensated at the same rate as the pay rate of a township trustee of the same township.

Sec. 3. A county supervisor who before May 1, 1979, accepted an appointment to any appointive board, commission or committee of this state or a political subdivision of this state may continue to hold the office of county supervisor and membership on the board, commission or committee until the expiration of his or her term as county supervisor or July 1, 1981, whichever occurs first.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 647, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 6/4/79, 1979

ROBERT D. RAY
Governor

H.F. 647