

APR 16 1984

FINANCE

HOUSE FILE 2528

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 4-18-84 (P. 2210) Passed Senate, Date _____
Vote: Ayes 95 Nays 2 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the administration and benefits of certain
2 public retirement and benefit systems and to make an
3 appropriation.

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

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HF 2528

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1 Section 1. Section 97.51, Code 1983, is amended by adding
2 the following new subsection:

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3 NEW SUBSECTION. Effective July 1, 1984, a person receiving
4 benefits, on or after July 1, 1984, under this chapter, shall
5 receive a monthly increase in benefits equal to ten percent
6 of the monthly benefits received for June 1984 or which the
6370 > 7 person was eligible to receive for June 1984. A person who
8 becomes eligible for benefits under chapter 97, Code 1950,
9 on or after July 1, 1984 shall receive the ten percent in-
10 crease.

11 There is appropriated annually from the general fund of
12 the state to the Iowa old-age and survivors' insurance liquida-
13 tion fund from funds not otherwise appropriated an amount
14 sufficient to pay the benefit increases provided in this
15 subsection.

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6380 > 16 Sec. 2. Section 97B.7, subsection 2, paragraph b,
17 subparagraph (6), unnumbered paragraph 2, Code 1983, is amended
18 to read as follows:

19 ~~In-the-event-of~~ If there is loss on the redemption or sale
20 of securities, where invested as prescribed by law, neither
21 the treasurer nor the department ~~shall-be~~ is personally liable,
22 but ~~such~~ the loss shall be charged against the retirement
23 fund and there is ~~hereby~~ appropriated from ~~such~~ the retirement
24 fund an amount as ~~may-be-so~~ required for the loss. Expenses
25 incurred in the sale and purchase of securities belonging
26 to the retirement fund shall be charged to the retirement
27 fund and there is ~~hereby~~ appropriated from ~~such~~ the retirement
28 fund an amount as ~~may-be-so~~ required and-investment for the
29 expenses incurred. Investment management expenses shall be
30 charged to the investment income of the retirement fund and
31 ~~such-expense-shall-otherwise-be-budgeted-and-appropriated~~
32 ~~in-the-same-manner-as-administrative-expenses-for-the-rest~~
33 ~~of-the-system~~ there is appropriated from the retirement fund
34 an amount as required for the investment management expenses,
35 subject to the limitations stated in this subparagraph. The

1 amount appropriated for a fiscal year under this subparagraph
 2 shall not exceed one percent of the market value of the
 3 retirement fund. The department shall report the investment
 4 management expenses for a fiscal year as a percent of the
 5 market value of the retirement fund in the annual report to
 6 the governor required in section 97B.4.

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7 Sec. 3. Section 97B.41, subsection 3, paragraph b,
 8 subparagraph (7), Code Supplement 1983, is amended to read
 9 as follows:

10 (7) Persons employed under the federal ~~Comprehensive~~
 11 ~~Employment-Training-Act-as-amended-to-January-17-1978~~ Job
 12 Training Partnership Act of 1982, Pub. L. No. 97-300 unless
 13 ~~such~~ these employees ~~shall~~ make an application to the
 14 department to be covered under ~~the provisions of~~ this chapter.

15 Sec. 4. Section 97B.41, subsection 3, paragraph b, sub-
 16 paragraph (9), Code Supplement 1983, is amended to read as
 17 follows:

18 (9) Members of the ministry, rabbinate, or other religious
 19 order who have taken the vow of poverty unless, within one
 20 year of commencing employment or no later than July 1, 1985
 21 for individuals who are members of the system on July 1, 1984,
 22 a member makes an application to the department to be covered
 23 under this chapter.

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24 Sec. 5. Section 97B.41, subsection 3, paragraph b, Code
 25 1983, is amended by adding the following new subparagraphs:

26 NEW SUBPARAGRAPH. Employees of the Iowa dairy industry
 27 commission established under chapter 179, the Iowa beef cattle
 28 producers association established under chapter 181, the Iowa
 29 swine producers association established under chapter 183,
 30 the Iowa turkey marketing council established under chapter
 31 184A, the Iowa soybean promotion board established under
 32 chapter 185, the Iowa corn promotion board established under
 33 chapter 185C, and the Iowa egg council established under
 34 chapter 196A.

35 NEW SUBPARAGRAPH. Judicial hospitalization referees ap-

1 pointed under section 229.21.

2 Sec. 6. Section 97B.49, Code Supplement 1983, is amended
3 by adding the following new subsection:

4 NEW SUBSECTION. Each member who retired from the system
5 between July 4, 1953 and June 30, 1982, or a contingent
6 annuitant or beneficiary of such a member, shall receive with
7 the October 1984 and the October 1985 monthly benefit pay-
8 ments a retirement dividend equal to fifty percent of the
9 monthly benefit payment the member received for the preceding
10 June. The retirement dividend does not affect the amount
11 of a monthly benefit payment.

12 Sec. 7. Section 97B.50, subsection 1, paragraph b, Code
13 1983, is amended to read as follows:

14 b. For a member who is at least sixty-two years of age
15 and less than sixty-five years of age who has not completed
16 thirty-five years of membership service and prior service,
17 by twenty-five hundredths of one percent per month for each
18 month that the early retirement date precedes the normal
19 retirement date.

20 Sec. 8. Section 97B.50, Code 1983, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 4. A member who is at least sixty-two
23 years of age and less than sixty-five years of age who has
24 completed thirty-five or more years of membership service
25 and prior service shall receive full benefits under section
26 97B.49 determined as if the member had attained sixty-five
27 years of age.

28 Sec. 9. Section 97B.51, subsection 1, Code 1983, is amended
29 by adding the following new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. If the contingent annuitant
31 of a member is not the spouse of the member, the contingent
32 annuitant may receive the decreased retirement allowance for
33 up to sixty months after the death of the member. If sixty
34 payments are made, the sixtieth payment shall include an
35 actuarially determined amount that represents the present

1 value of the future payments that would have been made over
2 the lifetime of the contingent annuitant. Payments cease
3 upon the death of the contingent annuitant.

6410, 6383 4 Sec. 10. Section 97B.51, subsection 5, Code 1983, is
5 amended by striking the subsection and inserting in lieu
6 thereof the following:

7 5. At retirement, a member may designate that upon the
8 member's death, a specified amount of money shall be paid
9 to a named beneficiary, and the member's monthly retirement
10 allowance will be reduced by an actuarially determined amount
11 to provide for the lump sum payment. The amount designated
12 by the member must be in thousand dollar increments, and the
13 amount designated shall not lower the monthly retirement al-
14 lowance of the member by more than one-half the amount pay-
15 able under section 97B.49, subsection 1 or 5.

6382 16 Sec. 11. Section 97B.52, subsection 1, Code 1983, is
17 amended by striking the subsection and inserting in lieu
18 thereof the following:

19 1. If a member dies prior to the date the member's first
20 retirement allowance is payable under the system, the ac-
21 cumulated contributions of the member at the date of death
22 plus the product of an amount equal to the highest year of
23 covered wages of the deceased member and the number of years
24 of membership service divided by thirty shall be paid to the
25 member's beneficiary in a lump sum payment. However, a lump
26 sum payment made to a beneficiary under this subsection due
27 to the death of a member shall not be less than the amount
28 that would have been payable on the death of the member on
29 June 30, 1984 under this subsection as it appeared in the
30 1983 Code.

31 Effective July 1, 1978, a method of payment under this
32 subsection filed with the department by a member does not
33 apply.

34 Sec. 12. Section 97B.52, Code 1983, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 5. Following written notification to
2 the department, a beneficiary of a deceased member may waive
3 current and future rights to payments to which the beneficiary
4 would otherwise be entitled under sections 97B.51 and this
5 section. Upon receipt of the waiver, the department shall
6 pay to the estate of the deceased member the amount designated
7 to be received by the beneficiary.

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6383 8 Sec. 13. Section 97B.53, subsection 5, unnumbered paragraph
9 1, Code 1983, is amended to read as follows:

10 A member ~~shall-not-be-considered-as-having~~ has not
11 terminated ~~his~~ employment if he the member accepts other
12 employment in the state of Iowa under which he the member
13 is eligible to membership in the Iowa public employees'
14 retirement system, within ~~three-months~~ thirty days after he
15 the member has left public employment.

16 Within sixty days after a member has been issued payment
17 for a refund of the member's accumulated contributions, the
18 member may repay the accumulated contributions plus interest
19 that would have accrued, as determined by the department,
20 and receive credit for membership service for the period
21 covered by the refund payment.

22 Sec. 14. Section 97B.73, Code 1983, is amended to read
23 as follows:

24 97B.73 MEMBERS FROM OTHER PUBLIC SYSTEMS. A vested or
25 retired member who was a member of a public retirement system
26 in another state but was not vested or retired under that
27 system may, upon submitting verification of membership and
28 service in the other public retirement system to the department
29 ~~not-later-than-July-1, 1979-for-members-vested-on-July-1,~~
30 ~~1978-or-within-one-year-after-the-member-becomes-vested,~~ make
31 employer and employee contributions to the system for the
32 period of service in the other public retirement system and
33 receive credit for membership service in this system equivalent
34 to the number of years of service in the other public
35 retirement system. The contributions paid by the vested or

1 retired member for service in the other public retirement
2 system shall be equal to the accumulated contributions as
3 defined in section 97B.41, subsection 13, by the member for
4 that period of service and the employer contribution for that
5 period of service that would have been contributed by the
6 vested or retired member and the employer plus interest on
7 the contributions that would have accrued if the member had
8 been a member of this system earning the same wages earned
9 under the other system for the period from the date of service
10 of the member in the other public retirement system to the
11 date of payment of the contributions by the member equal to
12 two percent plus the interest dividend rate applicable for
13 each year.

14 This section is applicable to a vested or retired member
15 who was a member of a public retirement system established
16 in sections 294.8, 294.9, and 294.10 but was not vested or
17 retired under that system. ~~However, the verification and~~
18 ~~contributions must be submitted not later than July 1, 1981~~
19 ~~for members who were vested members on July 1, 1980 or within~~
20 ~~one year after the member becomes a vested member of this~~
21 ~~system.~~

22 Sec. 15. Section 97C.11, Code 1983, is amended to read
23 as follows:

24 97C.11 PAYMENT--ADJUSTMENT OR REFUND. Taxes deducted
25 by the employer from the earnings of employees or upon the
26 employers shall be paid in a manner, at times and under condi-
27 tions prescribed by the state agency. ~~However, the taxes~~
28 ~~shall be remitted monthly by the employer.~~ If more or less
29 than the correct amount of the tax imposed upon the employer
30 is paid or deducted, proper adjustments or refund, if
31 adjustment is impracticable, shall be made in a manner and
32 at times as the state agency prescribes.

33 Sec. 16. Section 294.15, unnumbered paragraph 1, Code
34 1983, is amended to read as follows:

35 Any A person ~~having attained~~ attaining the age of sixty-

1 five who ~~shall-have-been~~ was an employee, holding a valid
2 teaching certificate, in the public schools of this state
3 with a record of service of twenty-five years or more,
4 including a maximum of five years out-of-state service followed
5 by at least ten years' service in this state prior to
6 retirement and who ~~shall-have~~ retired prior to July 4, 1953,
7 ~~shall-be-entitled-to~~ effective July 1, 1984, may receive
8 retirement allowance payments from the state of Iowa ~~of-one~~
9 ~~hundred-dollars-per-month-and-beginning-July-1,-1975,-shall~~
10 ~~be-entitled-to-receive~~ equal to two hundred twenty dollars
11 per month. ~~Such-sums-as-are~~ An amount necessary to meet this
12 requirement shall be added to the retirement allowance
13 payments, if any, now being received from the state of Iowa
14 by individuals covered ~~by-the-provisions-of~~ under this section.
15 ~~No-such-person-shall-receive-retirement-benefits-from-the~~
16 ~~state-of-more-than-two-hundred-dollars-per-month-~~ The word
17 "employee" as used ~~herein-shall-be-construed-to-include~~ in
18 this section includes persons who were state superintendents,
19 county superintendents, or deputy county superintendents.

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6390 20 Sec. 17. Section 509A.7, Code 1983, is amended to read
21 as follows:

22 509A.7 EMPLOYEE DEFINED. The word "employee" as used
23 in this division does not include temporary or retired
24 employees except as otherwise provided in this chapter.
25 However, this section does not prevent a retired employee
26 sixty-five years of age or older from voluntarily continuing
27 in force, at the employee's own expense, an existing contract.

28 Sec. 18. NEW SECTION. CONTINUATION OF GROUP INSURANCE.
29 If a governing body, a county board of supervisors, or a city
30 council has procured for its employees accident, health, or
31 hospitalization insurance, or a medical service plan, or has
32 contracted with a health maintenance organization authorized
33 to do business in this state, the governing body, county board
34 of supervisors, or city council shall allow its employees
35 who retired before attaining sixty-five years of age to

1 continue participation in the group plan or under the group
2 contract at the employee's own expense until the employee
63483 attains sixty-five years of age.

4 Sec. 19. This Act, being deemed of immediate importance,
5 takes effect retroactive to January 1, 1984 from and after
6 its publication in the Ames Daily Tribune, a newspaper
7 published in Ames, Iowa, and in the Sigourney News-Review,
8 a newspaper published in Sigourney, Iowa, except that sections
9 1 through 8, 10 through 14, and 16 through 18 take effect
10 July 1, 1984.

11 EXPLANATION

12 Section 1 provides a 10 percent monthly benefit increase
13 for IOASI retirees funded from the general fund of the state.

14 Section 2 provides a standing appropriation from the re-
15 tirement fund for the payment of investment expenses and
16 limits the expenses to one percent of the market value of
17 the fund. It requires that the investment expenses be reported
18 annually to the governor as a percent of the market value
19 of the fund.

20 Section 3 changes a reference from the Comprehensive
21 Employment Training Act to the Job Training Partnership Act.

22 Section 4 provides that members of the ministry, rabbinate
23 or other religious order not currently covered by IPERS but
24 otherwise eligible for coverage be given one year in which
25 to opt to be covered.

26 Section 5 exempts the employees of the agricultural
27 promotion boards from IPERS membership. It also exempts
28 judicial hospitalization referees from IPERS membership.

29 Section 6 provides for payment of retirement dividends
30 equal to 50 percent of the retiree, contingent annuitant,
31 or beneficiary's monthly benefits. The payments will be made
32 in October of 1984 and 1985.

33 Sections 7 and 8 provide for retirement with full bene-
34 fits for members retiring who are at least 62 years of age
35 and have at least 35 years of service.

1 Section 9 provides for conformity with the Internal Revenue
2 Code in the section relating to the dispersal of the proceeds
3 of a decedent's entitlement to a person other than the
4 decedent's spouse. The section is retroactive to January
5 1, 1984.

6 Section 10 deletes the present option that an IPERS mem-
7 ber can elect to receive a decreased retirement allowance
8 and have a death benefit equal to the excess of the member's
9 accumulated contributions and replaces it with an option that
10 the member can elect to receive a decreased retirement al-
11 lowance and designate that a specified amount of money in
12 thousand dollar increments be paid to a named beneficiary
13 so long as the designated amount does not decrease the
14 retiree's benefit by more than 50 percent.

15 Section 11 changes the death benefit of active members,
16 or vested members who have terminated employment so that the
17 beneficiary will receive the accumulated employee contribu-
18 tions plus one-thirtieth of the member's highest salary multi-
19 plied by the number of years of service, and the other death
20 benefit options are deleted. However, the death benefit
21 cannot be less than the amount to which the member was entitled
22 on June 30, 1984.

23 Section 12 allows named beneficiaries to waive their rights
24 to benefits and the benefits will be paid to the decedent's
25 estate.

26 Section 13 provides for payment by the Department of Job
27 Service of a refund of the accumulated contributions of a
28 member who has terminated employment 30 days after the
29 termination rather than waiting for 90 days after the
30 termination and provides that the member may repay the refund
31 within 60 days after issuance of the refund.

32 Section 14 provides unlimited access to the purchase of
33 years of service under IPERS for members who were unvested
34 public employees in other states.

35 Section 15 strikes language requiring that Social Security

1 taxes be remitted monthly in order for the language to con-
2 form to 1983 Social Security amendments.

3 Section 16 provides a monthly benefit increase of 10 per-
4 cent for persons who retired under a teacher's pension system
5 funded from the general fund of the state.

6 Sections 17 and 18 require that public employees who retire
7 early be allowed to continue group health insurance coverage
8 until the employee reaches 65 years of age, but the employee
9 would be required to pay the costs for continuation of the
10 coverage.

11 This Act takes effect July 1 following its enactment ex-
12 cept that sections 9 and 15 take effect retroactive to January
13 1, 1984.

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HOUSE FILE 2528

H-6370

- 1 Amend House File 2528 as follows:
- 2 1. Page 1, by inserting after line 15 the
- 3 following:
- 4 "Sec. _____. Section 97A.6, subsection 14, paragraph
- 5 a, subparagraph (2), Code 1983, is amended to read
- 6 as follows:
- 7 (2) Twenty percent for members with five or more
- 8 years of membership service who are receiving an
- 9 ordinary disability retirement allowance. However,
- 10 effective July 1, 1984, for members who retired before
- 11 July 1, 1979, twenty-five percent shall be used for
- 12 members receiving an ordinary disability retirement
- 13 allowance."
- 14 2. Page 7, by inserting after line 19 the
- 15 following:
- 16 "Sec. _____. Section 411.6, subsection 12, paragraph
- 17 a, subparagraph (2), Code 1983, is amended to read
- 18 as follows:
- 19 (2) Twenty percent for members with five or more
- 20 years of membership service who are receiving an
- 21 ordinary disability retirement allowance. However,
- 22 effective July 1, 1984, for members who retired before
- 23 July 1, 1979, twenty-five percent shall be used for
- 24 members receiving an ordinary disability allowance."
- 25 3. By numbering and renumbering sections as
- 26 necessary.

H-6370 FILED APRIL 17, 1984 BY RUNNING of Linn

Adopted 4/18(p. 2203)

HOUSE FILE 2528

H-6377

- 1 Amend House File 2528 as follows:
- 2 1. Page 3, by striking lines 4 and 5 and inserting
- 3 in lieu thereof the following:
- 4 "NEW SUBSECTION. a. Each member who retired from
- 5 the system between January 1, 1976 and June 30, 1982,
- 6 or a contingent".
- 7 2. Page 3, by inserting after line 11 the
- 8 following:
- 9 "b. Each member who retired from the system between
- 10 July 4, 1953 and December 31, 1975, or a contingent
- 11 annuitant or beneficiary of such a member, shall
- 12 receive with the October 1984 and the October 1985
- 13 monthly benefit payments a retirement dividend equal
- 14 to seventy-five percent of the monthly benefit payment
- 15 the member received for the preceding June. The
- 16 retirement dividend does not affect the amount of
- 17 a monthly benefit payment."

BY CARTER of Henry

SPEAR of Lee

GRUHN of Dickinson

H-6377 FILED APRIL 17, 1984

Adopted 4/18(p. 2206)

HOUSE FILE 2528

H-6348

1 Amend House File 2528 as follows:

2 1. Page 8, by inserting after line 3 the following:

3 "Sec. _____. During the period commencing July 1,
4 1984 and ending June 30, 1985, a person serving as
5 a judicial magistrate under chapter 602, Code
6 Supplement 1983, who either elected by March 1, 1978,
7 under 1977 Iowa Acts, chapter 56, section 6, not to
8 continue membership under the Iowa public employees'
9 retirement system, or who since March 1, 1978 has
10 not elected to be covered under chapter 97B, may
11 notify the Iowa department of job service in writing
12 that the magistrate either rescinds the action taken
13 under 1977 Iowa Acts, chapter 56, section 6, and
14 elects to be covered under the Iowa public employees'
15 retirement system or elects by filing an application
16 with the department of job service to be covered under
17 the Iowa public employees' retirement system. Coverage
18 under the system for the magistrate shall commence
19 at the beginning of the next pay period following
20 receipt of the notification by the department. If
21 the magistrate also submits verification of service
22 and wages earned during the period of service as a
23 judicial magistrate from March 1, 1978 or the date
24 service as a judicial magistrate commenced to the
25 date coverage under the system commences, the
26 magistrate may pay the employer and employee con-
27 tributions that would have been made based upon the
28 covered wages of the member and covered wages and
29 contribution rates in effect for the period of service
30 as a judicial magistrate since March 1, 1978 or for
31 the period since service as a judicial magistrate
32 commenced, and receive credit for that period of
33 service. In addition, the magistrate may submit
34 verification of service and wages earned as a
35 magistrate prior to March 1, 1978, for which a lump
36 sum payment of the member's accumulated contributions
37 was received under 1977 Iowa Acts, chapter 56, section
38 6, and may repay the accumulated contributions of
39 the employee for this period of service.

40 The employee contributions paid or repaid by the
41 judicial magistrate shall be equal to the accumulated
42 contributions as defined in section 97B.41, subsection
43 13, by the member for that period of service. The
44 employer contributions paid by the judicial magistrate
45 shall be equal to the employer contributions that
46 would have been paid for the period of service, plus
47 interest on the contributions that would have accrued
48 for that period to the date of repayment of the
49 contributions by the member equal to two percent plus
50 the interest dividend rate applicable for each year."

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1 2. By numbering as required.

HOUSE FILE 2528

II-6383

Amend House File 2528 as follows:

1. Page 1, by striking lines 3 through 10 and inserting in lieu thereof the following:

"NEW SUBSECTION. 9. Effective July 1, 1984 the monthly benefits paid under this chapter shall not be less than one hundred fifty dollars."

2. By striking page 1, line 16, through page 2, line 6.

3. Page 2, line 25, by striking the word "sub-paragraphs" and inserting in lieu thereof the word "subparagraph".

4. Page 2, by striking lines 26 through 34.

5. Page 3, by inserting after line 1 the following:

"Sec. ____ . Section 97B.49, Code Supplement 1983, is amended by adding the following new subsection:
NEW SUBSECTION. Notwithstanding sections of this chapter relating to eligibility for and determination of retirement benefits, a member who is or has been employed as an employee of the department of transportation and has been designated a peace officer by resolution of the department of transportation under section 321.477 and who retires on or after July 1, 1984 and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a peace officer of the department of transportation, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of fifty percent of the member's five-year average covered wage as a peace officer of the department of transportation, with benefits payable during the member's lifetime.

The department of transportation shall pay to the Iowa department of job service, from funds appropriated to the department of transportation, an amount sufficient to pay an additional percent of the covered wages of each peace officer of the department of transportation, in addition to the contribution paid by the employer under section 97B.11, to finance the cost of increased benefits under this subsection."

6. Page 4, by striking lines 4 through 33.

7. Page 5, by striking lines 8 through 21.

8. Page 5, by inserting after line 21 the following:

"Sec. ____ . Section 97B.72, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Persons who are members of the ~~Sixty-eighth~~ Seventy-first General Assembly or a succeeding general assembly who submit proof to the department of membership in the general assembly during any period beginning July

H-6383

Page Two

1 4, 1953 ~~and ending January 8, 1979~~ may make
2 contributions to the system for service equal to the
3 accumulated contributions as defined in section 97B.41,
4 subsection 13, which would have been made if the
5 member of the general assembly had been a member of
6 the system during the member's service in the general
7 assembly. The proof of membership in the general
8 assembly and payment of accumulated contributions
9 shall be transmitted to the department ~~not later than~~
10 ~~December 31, 1979~~. Persons eligible to receive
11 retirement allowances under this section shall be
12 eligible to commence receiving retirement allowances
13 on January 8, ~~1979~~ 14, 1985."

H-6383 FILED APRIL 17, 1984 BY SCHROEDER of Pottawattamie

A - Loss B & D Ad, C - Loss (pg 2202-2208)

E - Adopted (pg 2209)

HOUSE FILE 2528

H-6390

1 Amend House File 2528 as follows:
2 1. Page 1, line 7, by inserting after the figure
3 "1984" the following: ", except as otherwise provided
4 in this subsection".
5 2. Page 1, by inserting after line 10 the
6 following:
7 "A person eligible to receive benefits under this
8 chapter on June 30, 1984, may elect in writing to
9 the Iowa department of job service not to receive
10 the monthly benefit increase granted in this
11 subsection."
12 3. Page 7, by inserting after line 19 the
13 following:
14 "However, a person receiving retirement allowance
15 payments under this section may elect in writing to
16 the Iowa department of job service to continue to
17 receive two hundred dollars per month."

H-6390 FILED APRIL 17, 1984 BY DODERER of Johnson

Adopted 4/18 (pg 2200).

HOUSE FILE 2528

H-6400

1 Amend House File 2528 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 4.1, Code 1983, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. ATTAINMENT OF AGE. An individual
7 attains any given age on the date before the
8 anniversary of the individual's birth."

9 2. Page 2, by inserting after line 6 the following:
10 "Sec. _____. Section 97B.11, Code 1983, is amended
11 to read as follows:

12 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.

13 Each employer shall deduct from the wages of each
14 member of the system a contribution in the amount
15 of three and six-tenths percent of the covered wages
16 paid by the employer through June 30, 1979, and
17 commencing July 1, 1979 in the amount of three and
18 seven-tenths percent of the covered wages paid by
19 the employer, until the ~~first-of-the-month-in~~ date
20 on which the member attains the age of seventy years
21 or the member's termination or retirement from
22 employment, whichever is earlier. The contributions
23 of the employer shall be in the amount of three and
24 one-half percent of the covered wages of the member
25 for service through December 31, 1975, and in the
26 amount of five and twenty-five hundredths percent
27 of the covered wages of the member for service
28 commencing July 1, 1977 through June 30, 1979, and
29 in the amount of five and seventy-five hundredths
30 percent of the covered wages of the member for service
31 commencing July 1, 1979.

32 Sec. _____. Section 97B.41, subsection 1, paragraph
33 b, subparagraph (7), Code Supplement 1983, is amended
34 to read as follows:

35 (7) Effective July 1, ~~1978~~ 1984, covered wages
36 ~~shall~~ do not include wages to a member on or after
37 the ~~first-of-the-month-in~~ date on which the member
38 attains the age of seventy years, or after the
39 effective date of the member's retirement unless the
40 member is re-employed, as provided under section
41 97B.48, subsection 3."

42 3. Page 3, by inserting after line 1 the following:
43 "Sec. _____. Section 97B.41, subsection 18, Code
44 1983, is amended to read as follows:

45 18. "Membership service" means service rendered
46 by a member after July 4, 1953, and prior to the ~~first~~
47 ~~of-the-month-in~~ date on which the member attains the
48 age of seventy years. Years of membership service
49 shall be counted to the complete quarter calendar
50 year.

H-6400

Page Two

1 Sec. ____ . Section 97B.45, Code 1983, is amended
2 to read as follows:

3 97B.45 RETIREMENT AGE AT SIXTY-FIVE. A member's
4 normal retirement date ~~shall-be~~ is the first-of-the
5 ~~month-in-which~~ day on which a member attains the age
6 of sixty-five years. A member may retire after the
7 member's sixty-fifth birthday except as otherwise
8 provided in section 97B.46. A member retiring on
9 or after the normal retirement date, as provided in
10 section 97B.46, shall submit a written notice to the
11 department setting forth the date the retirement is
12 to become effective, ~~-provided-that-such.~~ However,
13 ~~the date shall be after the member's last day of~~
14 ~~service and not before the-first-day-of-the-sixth~~
15 ~~calendar-month a date six calendar months~~ preceding
16 the month in which the notice is filed, except that
17 credit for service shall cease when contributions
18 cease as provided in section 97B.11.

19 Sec. ____ . Section 97B.46, subsections 1, 2, and
20 4, Code 1983, are amended to read as follows:

21 1. A member who is an employee of the state and
22 not an active member of ~~any-other~~ another retirement
23 system in the state which is maintained in whole or
24 in part by public contributions may remain in service
25 beyond the date the member attains the age of sixty-
26 five. The employee shall retire on ~~the-first-day~~
27 ~~of-the-month-after~~ the last day of service. The
28 employer shall not consider age as a factor in
29 determining the continuation of the member's service.

30 2. A member who is not an employee of the state
31 may remain in service beyond the date the member
32 attains the age of sixty-five until attaining the
33 age of seventy. After attaining the age of seventy,
34 the member may remain in service for the periods as
35 the employer approves and the member shall retire
36 on the ~~first-day-of-the-month-following-the~~ last
37 approved ~~period~~ date of service. An employer who
38 is not the state may adopt policies which prescribe
39 retirement at age seventy or older.

40 4. Credit for service shall cease when
41 contributions cease as provided by section 97B.11.
42 A member remaining in service after attaining the
43 age of seventy years is entitled to receive a
44 retirement allowance under section 97B.49 as applicable
45 commencing with payment for the ~~calendar-month-within~~
46 ~~which~~ date specified on the written notice ~~is~~ submitted
47 to the department, except that if the member fails
48 to submit the notice on a timely basis, retroactive
49 payments shall be made for no more than six months
50 immediately preceding the ~~month-in-which~~ specified

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Page Three

1 date on the written notice is-submitted.

2 Sec. ____ . Section 97B.47, Code 1983, is amended
3 to read as follows:

4 97B.47 EARLY RETIREMENT DATE. A member's early
5 retirement date ~~shall-be~~ is the first-of-the-month
6 ~~in-which-a~~ day on which the member attains the age
7 of fifty-five years or the-first-of-any-month any
8 time after attaining the age of fifty-five years prior
9 to the member's normal retirement date,-provided-such
10 date-shall-be-after-the-last-day-of-service. A member
11 may retire on the member's early retirement date by
12 submitting written notice to the department setting
13 forth the early retirement date which shall not be
14 before-the-first-day-of-the-sixth-calendar-month more
15 than six months preceding the month-in-which-such
16 notice-is-filed date specified in the notice.

17 Sec. ____ . Section 97B.48, Code 1983, is amended
18 to read as follows:

19 97B.48 PAYMENT OF ALLOWANCES--RE-EMPLOYMENT.

20 1. Retirement allowances shall be paid monthly
21 on a date specified by the department, except that
22 an allowance of less than one hundred twenty dollars
23 a year shall be paid as a lump sum in an actuarial
24 equivalent amount. Receipt of the lump-sum payment
25 by a member shall-terminate-any-and-all terminates
26 the entitlement for the period of service covered
27 of the said member under this chapter.

28 2. The first ~~monthly~~ payment of a normal retirement
29 allowance shall be paid as of the normal retirement
30 effective date, which date shall be the later of the
31 normal retirement date or the first-day-of-the-sixth
32 calendar-month date six calendar months preceding
33 the month-in date on which written notice of normal
34 retirement is submitted to the department. Payment
35 of an early retirement allowance or an allowance for
36 retirement after the normal retirement date shall
37 be paid as of the effective date of retirement subject
38 to ~~the-provisions-of~~ section 97B.45, 97B.46 or 97B.47.
39 The payments shall be continued ~~thereafter~~ for the
40 lifetime of the retired member except as provided
41 in subsection 3.

42 3. If after the first-day-of-the-month-in date
43 on which the member attains the age of fifty-five
44 years and until the member's sixty-fifth birthday,
45 a member who is retired under this chapter is in
46 regular full-time employment, the member's retirement
47 allowance shall be suspended for as long as the member
48 remains in employment. However, employment shall
49 not be regarded as full-time employment until the
50 member receives remuneration in an amount in excess

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Page Four

1 of two thousand one hundred dollars for a calendar
2 year. Effective the ~~first-of-the-month-in-which~~ day
3 ~~on which~~ a member attains the age of sixty-five years,
4 a retired member may receive a retirement allowance
5 after return to covered employment regardless of the
6 amount of remuneration received. ~~As-of-the-first~~
7 ~~of-the-month-in-which-the~~ Effective the day on which
8 a member attains the age of seventy years, the member
9 may receive a retirement allowance determined under
10 section 97B.49, regardless of the amount of
11 remuneration received. Upon a retirement after re-
12 employment, a retired member may have the retired
13 member's retirement allowance redetermined under this
14 section or section 97B.49 or 97B.50, whichever is
15 applicable, based upon the addition of credit for
16 the years of membership service of the employee after
17 re-employment."

18 4. Page 5, by inserting after line 7 the following:
19 "Sec. ____ . Section 97B.53, subsection 2, Code
20 1983, is amended to read as follows:

21 2. If a vested member's employment is terminated
22 prior to the member's retirement, other than by death,
23 the member shall receive a monthly retirement allowance
24 commencing on the ~~first~~ day ~~of-the-month-in~~ on which
25 the member attains the age of sixty-five years, if
26 the member is then alive, or, if the member so elects
27 in accordance with section 97B.47, commencing on the
28 ~~first-day-of-the-month-in-which~~ day on which the
29 member attains the age of fifty-five or any month
30 date thereafter prior to the date the member attains
31 the age of sixty-five years, and continuing ~~on-the~~
32 ~~first-day-of-each-month~~ monthly thereafter during
33 the member's lifetime, provided the member does not
34 receive prior to the date the member's retirement
35 allowance is to commence a refund of accumulated
36 contributions under ~~any-of-the-provisions-of~~ this
37 chapter. The amount of each such monthly retirement
38 allowance shall be determined as provided in either
39 section 97B.49 or in section 97B.50, whichever is
40 applicable."

41 5. By numbering and renumbering as necessary.

H-6400 FILED APRIL 18, 1984
NOT GERMANE (p. 2199)

CLARK of Cerro Gordo

HOUSE FILE 2528

H-6422

- 1 Amend House File 2528 as follows:
- 2 1. Page 3, by inserting after line 1 the following:
- 3 "Sec. ____ Section 97B.49, subsection 5, unnumbered
- 4 paragraph 1, Code 1983, is amended to read as follows:
- 5 For each active member retiring between January
- 6 1, 1976 and June 30, 1982, with four or more complete
- 7 years of service, a monthly benefit shall be computed
- 8 which is equal to one-twelfth of an amount equal to
- 9 forty-seven percent of the five-year average covered
- 10 wage multiplied by a fraction of years of service.
- 11 For each member retiring on or after July 1, 1982,
- 12 with four or more complete years of service, the
- 13 percent used in computing the monthly benefit is
- 14 fifty. For the purposes of this subsection, "fraction
- 15 of years of service" means a number, not to exceed
- 16 one, equal to the sum of the years of membership
- 17 service and one-half the number of years of prior
- 18 service divided by thirty years."
- 19 2. By numbering and renumbering sections as
- 20 necessary.

H-6422 FILED APRIL 18, 1984 BY STROMER of Hancock
LOST (p. 2210)

HOUSE FILE 2528

H-6429

- 1 Amend House File 2528 as follows:
- 2 1. Page 1, by striking lines 3 through 10 and
- 3 inserting in lieu thereof the following:
- 4 "NEW SUBSECTION. 9. Effective July 1, 1984 the
- 5 monthly benefits paid under this chapter shall not
- 6 be less than one hundred dollars."

H-6429 FILED APRIL 18, 1984 BY SCHROEDER of Pottawattamie
LOST (p. 2209)

HOUSE FILE 2528

H-6409

1 Amend House File 2528 as follows:

2 1. Page 3, line 16, by striking the words "and
3 prior service".

4 2. Page 3, line 25, by striking the words "and
5 prior service".

H-6409 FILED APRIL 18, 1984 BY SWEARINGEN of Keokuk
LOST (p. 2201)

HOUSE FILE 2528

H-6410

1 Amend House File 2528 as follows:

2 1. Page 3, by inserting after line 1 the following:

3 "Sec. ____ . Section 97B.49, subsection 5, unnumbered
4 paragraph 1, Code Supplement 1983, is amended to read
5 as follows:

6 For each active member retiring between January
7 1, 1976 and June 30, 1982, with four or more complete
8 years of service, a monthly benefit shall be computed
9 which is equal to one-twelfth of an amount equal to
10 forty-seven percent of the five-year average covered
11 wage multiplied by a fraction of years of service.

A 12 For each member retiring on or after July 1, 1982,
13 with four or more complete years of service, the
14 percent used in computing the monthly benefit is
15 fifty. For the purposes of this subsection, "fraction
16 of years of service" means a number, not to exceed
17 one, equal to the sum of the years of membership
18 service and the number of years of prior service
19 divided by thirty years. However, "fraction of years
20 of service" for a member with thirty or more years
21 of membership service means a number equal to the
22 total of the sum of years of membership service, not
23 to exceed thirty, added to one-half the years of
24 membership service in excess of thirty years, not
25 to exceed two and one-half, divided by thirty years."

26 2. Page 3, line 8, by striking the words "fifty
27 percent of the".

B 28 3. Page 3, by striking lines 9 and 10 and inserting
29 in lieu thereof the following: "one hundred five
30 dollars each. The retirement dividend does not affect
31 the amount".

C 32 4. Page 3, by striking lines 12 through 27.

D 33 5. page 4, by striking lines 4 through 33.

H-6410 FILED APRIL 18, 1984 BY SWEARINGEN of Keokuk
DIVISIONS A, C, AND D LOST, DIVISION B WITHDRAWN (p. 2206)
(pp. 2205-2209)

Jan. Finance

HOUSE FILE 2528

BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House)

Re Passed House, Date 4-20-84 (p. 2456) Passed Senate, Date 4-19-84 (p. 1701)
Vote: Ayes 90 Nays 6 Vote: Ayes 48 Nays 0
Approved May 5 1984
Motion to reconsider (p. 1702) w/d 4/20 (p. 1759)

A BILL FOR

1 An Act relating to the administration and benefits of certain
2 public retirement and benefit systems and to make an
3 appropriation.

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

House Amendments _____

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1 Section 1. Section 97.51, Code 1983, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. Effective July 1, 1984, a person receiving
4 benefits, on or after July 1, 1984, under this chapter, shall
5 receive a monthly increase in benefits equal to ten percent
6 of the monthly benefits received for June 1984 or which the
7 person was eligible to receive for June 1984, except as
8 otherwise provided in this subsection. A person who becomes
9 eligible for benefits under chapter 97, Code 1950, on or after
10 July 1, 1984 shall receive the ten percent increase.

11 A person eligible to receive benefits under this chapter
12 on June 30, 1984, may elect in writing to the Iowa department
13 of job service not to receive the monthly benefit increase
14 granted in this subsection.

15 There is appropriated annually from the general fund of
16 the state to the Iowa old-age and survivors' insurance liquida-
17 tion fund from funds not otherwise appropriated an amount
18 sufficient to pay the benefit increases provided in this
19 subsection.

20 Sec. 2. Section 97A.6, subsection 14, paragraph a,
21 subparagraph (2), Code 1983, is amended to read as follows:

22 (2) Twenty percent for members with five or more years
23 of membership service who are receiving an ordinary disability
24 retirement allowance. However, effective July 1, 1984, for
25 members who retired before July 1, 1979, twenty-five percent
26 shall be used for members receiving an ordinary disability
27 retirement allowance.

28 Sec. 3. Section 97B.7, subsection 2, paragraph b,
29 subparagraph (6), unnumbered paragraph 2, Code 1983, is amended
30 to read as follows:

31 ~~In-the-event-of~~ If there is loss on the redemption or sale
32 of securities, where invested as prescribed by law, neither
33 the treasurer nor the department ~~shall-be~~ is personally liable,
34 but ~~such~~ the loss shall be charged against the retirement
35 fund and there is ~~hereby~~ appropriated from ~~such~~ the retirement

1 fund an amount as ~~may-be-so~~ required for the loss. Expenses
2 incurred in the sale and purchase of securities belonging
3 to the retirement fund shall be charged to the retirement
4 fund and there is ~~hereby~~ appropriated from ~~such~~ the retirement
5 fund an amount as may-be-so required and-investment for the
6 expenses incurred. Investment management expenses shall be
7 charged to the investment income of the retirement fund and
8 ~~such-expense-shall-otherwise-be-budgeted-and-appropriated~~
9 ~~in-the-same-manner-as-administrative-expenses-for-the-rest~~
10 ~~of-the-system~~ there is appropriated from the retirement fund
11 an amount as required for the investment management expenses,
12 subject to the limitations stated in this subparagraph. The
13 amount appropriated for a fiscal year under this subparagraph
14 shall not exceed one percent of the market value of the
15 retirement fund. The department shall report the investment
16 management expenses for a fiscal year as a percent of the
17 market value of the retirement fund in the annual report to
18 the governor required in section 97B.4.

19 Sec. 4. Section 97B.41, subsection 3, paragraph b,
20 subparagraph (7), Code Supplement 1983, is amended to read
21 as follows:

22 (7) Persons employed under the federal ~~Comprehensive~~
23 ~~Employment-Training-Act-as-amended-to-January-17-1978~~ Job
24 Training Partnership Act of 1982, Pub. L. No. 97-300 unless
25 such these employees ~~shall~~ make an application to the
26 department to be covered under ~~the-provisions-of~~ this chapter.

27 Sec. 5. Section 97B.41, subsection 3, paragraph b, sub-
28 paragraph (9), Code Supplement 1983, is amended to read as
29 follows:

30 (9) Members of the ministry, rabbinate, or other religious
31 order who have taken the vow of poverty unless, within one
32 year of commencing employment or no later than July 1, 1985
33 for individuals who are members of the system on July 1, 1984,
34 a member makes an application to the department to be covered
35 under this chapter.

1 Sec. 6. Section 97B.41, subsection 3, paragraph b, Code
2 1983, is amended by adding the following new subparagraphs:

3 NEW SUBPARAGRAPH. Employees of the Iowa dairy industry
4 commission established under chapter 179, the Iowa beef cattle
5 producers association established under chapter 181, the Iowa
6 swine producers association established under chapter 183,
7 the Iowa turkey marketing council established under chapter
8 184A, the Iowa soybean promotion board established under
9 chapter 185, the Iowa corn promotion board established under
10 chapter 185C, and the Iowa egg council established under
11 chapter 196A.

12 NEW SUBPARAGRAPH. Judicial hospitalization referees ap-
13 pointed under section 229.21.

14 Sec. 7. Section 97B.49, Code Supplement 1983, is amended
15 by adding the following new subsection:

16 NEW SUBSECTION. a. Each member who retired from the
17 system between January 1, 1976 and June 30, 1982, or a
18 contingent annuitant or beneficiary of such a member, shall
19 receive with the October 1984 and the October 1985 monthly
20 benefit payments a retirement dividend equal to fifty percent
21 of the monthly benefit payment the member received for the
22 preceding June. The retirement dividend does not affect the
23 amount of a monthly benefit payment.

24 b. Each member who retired from the system between July
25 4, 1953 and December 31, 1975, or a contingent annuitant or
26 beneficiary of such a member, shall receive with the October
27 1984 and the October 1985 monthly benefit payments a retirement
28 dividend equal to seventy-five percent of the monthly benefit
29 payment the member received for the preceding June. The
30 retirement dividend does not affect the amount of a monthly
31 benefit payment.

32 Sec. 8. Section 97B.50, subsection 1, paragraph b, Code
33 1983, is amended to read as follows:

34 b. For a member who is at least sixty-two years of age
35 and less than sixty-five years of age who has not completed

1 thirty-five years of membership service and prior service,
2 by twenty-five hundredths of one percent per month for each
3 month that the early retirement date precedes the normal
4 retirement date.

5 Sec. 9. Section 97B.50, Code 1983, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 4. A member who is at least sixty-two
8 years of age and less than sixty-five years of age who has
9 completed thirty-five or more years of membership service
10 and prior service shall receive full benefits under section
11 97B.49 determined as if the member had attained sixty-five
12 years of age.

13 Sec. 10. Section 97B.51, subsection 1, Code 1983, is
14 amended by adding the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. If the contingent annuitant
16 of a member is not the spouse of the member, the contingent
17 annuitant may receive the decreased retirement allowance for
18 up to sixty months after the death of the member. If sixty
19 payments are made, the sixtieth payment shall include an
20 actuarially determined amount that represents the present
21 value of the future payments that would have been made over
22 the lifetime of the contingent annuitant. Payments cease
23 upon the death of the contingent annuitant.

24 Sec. 11. Section 97B.51, subsection 5, Code 1983, is
25 amended by striking the subsection and inserting in lieu
26 thereof the following:

27 5. At retirement, a member may designate that upon the
28 member's death, a specified amount of money shall be paid
29 to a named beneficiary, and the member's monthly retirement
30 allowance will be reduced by an actuarially determined amount
31 to provide for the lump sum payment. The amount designated
32 by the member must be in thousand dollar increments, and the
33 amount designated shall not lower the monthly retirement al-
34 lowance of the member by more than one-half the amount pay-
35 able under section 97B.49, subsection 1 or 5.

1 Sec. 12. Section 97B.52, subsection 1, Code 1983, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 1. If a member dies prior to the date the member's first
5 retirement allowance is payable under the system, the ac-
6 cumulated contributions of the member at the date of death
7 plus the product of an amount equal to the highest year of
8 covered wages of the deceased member and the number of years
9 of membership service divided by thirty shall be paid to the
10 member's beneficiary in a lump sum payment. However, a lump
11 sum payment made to a beneficiary under this subsection due
12 to the death of a member shall not be less than the amount
13 that would have been payable on the death of the member on
14 June 30, 1984 under this subsection as it appeared in the
15 1983 Code.

16 Effective July 1, 1978, a method of payment under this
17 subsection filed with the department by a member does not
18 apply.

19 Sec. 13. Section 97B.52, Code 1983, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 5. Following written notification to
22 the department, a beneficiary of a deceased member may waive
23 current and future rights to payments to which the beneficiary
24 would otherwise be entitled under sections 97B.51 and this
25 section. Upon receipt of the waiver, the department shall
26 pay to the estate of the deceased member the amount designated
27 to be received by the beneficiary.

28 Sec. 14. Section 97B.53, subsection 5, unnumbered paragraph
29 1, Code 1983, is amended to read as follows:

30 A member ~~shall not be considered as having~~ has not
31 terminated ~~his~~ employment if he the member accepts other
32 employment in the state of Iowa under which he the member
33 is eligible to membership in the Iowa public employees'
34 retirement system, within ~~three months~~ thirty days after he
35 the member has left public employment.

1 Within sixty days after a member has been issued payment
2 for a refund of the member's accumulated contributions, the
3 member may repay the accumulated contributions plus interest
4 that would have accrued, as determined by the department,
5 and receive credit for membership service for the period
6 covered by the refund payment.

7 Sec. 15. Section 97B.72, unnumbered paragraph 1, Code
8 1983, is amended to read as follows:

9 Persons who are members of the ~~Sixty-eighth~~ Seventy-first
10 General Assembly or a succeeding general assembly who submit
11 proof to the department of membership in the general assembly
12 during any period beginning July 4, 1953 and ~~ending January~~
13 ~~87-1979~~ may make contributions to the system for service equal
14 to the accumulated contributions as defined in section 97B.41,
15 subsection 13, which would have been made if the member of
16 the general assembly had been a member of the system during
17 the member's service in the general assembly. The proof of
18 membership in the general assembly and payment of accumulated
19 contributions shall be transmitted to the department ~~not later~~
20 ~~than December 31, 1979.~~ Persons eligible to receive retirement
21 allowances under this section shall be eligible to commence
22 receiving retirement allowances on January ~~87-1979~~ 14, 1985.

23 Sec. 16. Section 97B.73, Code 1983, is amended to read
24 as follows:

25 97B.73 MEMBERS FROM OTHER PUBLIC SYSTEMS. A vested or
26 retired member who was a member of a public retirement system
27 in another state but was not vested or retired under that
28 system may, upon submitting verification of membership and
29 service in the other public retirement system to the department
30 ~~not later than July 1, 1979 for members vested on July 1,~~
31 ~~1978 or within one year after the member becomes vested,~~ make
32 employer and employee contributions to the system for the
33 period of service in the other public retirement system and
34 receive credit for membership service in this system equivalent
35 to the number of years of service in the other public

1 retirement system. The contributions paid by the vested or
2 retired member for service in the other public retirement
3 system shall be equal to the accumulated contributions as
4 defined in section 97B.41, subsection 13, by the member for
5 that period of service and the employer contribution for that
6 period of service that would have been contributed by the
7 vested or retired member and the employer plus interest on
8 the contributions that would have accrued if the member had
9 been a member of this system earning the same wages earned
10 under the other system for the period from the date of service
11 of the member in the other public retirement system to the
12 date of payment of the contributions by the member equal to
13 two percent plus the interest dividend rate applicable for
14 each year.

15 This section is applicable to a vested or retired member
16 who was a member of a public retirement system established
17 in sections 294.8, 294.9, and 294.10 but was not vested or
18 retired under that system. ~~However, the verification and~~
19 ~~contributions must be submitted not later than July 17, 1981~~
20 ~~for members who were vested members on July 17, 1980 or within~~
21 ~~one year after the member becomes a vested member of this~~
22 ~~system.~~

23 Sec. 17. Section 97C.11, Code 1983, is amended to read
24 as follows:

25 97C.11 PAYMENT--ADJUSTMENT OR REFUND. Taxes deducted
26 by the employer from the earnings of employees or upon the
27 employers shall be paid in a manner, at times and under condi-
28 tions prescribed by the state agency. ~~However, the taxes~~
29 ~~shall be remitted monthly by the employer.~~ If more or less
30 than the correct amount of the tax imposed upon the employer
31 is paid or deducted, proper adjustments or refund, if
32 adjustment is impracticable, shall be made in a manner and
33 at times as the state agency prescribes.

34 Sec. 18. Section 294.15, unnumbered paragraph 1, Code
35 1983, is amended to read as follows:

1 ~~Any~~ A ~~person having-attained~~ attaining the age of sixty-
2 five who ~~shall-have-been~~ was an employee, holding a valid
3 teaching certificate, in the public schools of this state
4 with a record of service of twenty-five years or more,
5 including a maximum of five years out-of-state service followed
6 by at least ten years' service in this state prior to
7 retirement and who ~~shall-have~~ retired prior to July 4, 1953,
8 ~~shall-be-entitled-to~~ effective July 1, 1984, may receive
9 retirement allowance payments from the state of Iowa ~~of-one~~
10 ~~hundred-dollars-per-month-and-beginning-July-1,--1975, shall~~
11 ~~be-entitled-to-receive~~ equal to two hundred twenty dollars
12 per month. ~~Such-sums-as-are~~ An amount necessary to meet this
13 requirement shall be added to the retirement allowance
14 payments, if any, now being received from the state of Iowa
15 by individuals covered ~~by-the-provisions-of~~ under this section.
16 ~~No-such-person-shall-receive-retirement-benefits-from-the~~
17 ~~state-of-more-than-two-hundred-dollars-per-month.~~ The word
18 "employee" as used ~~herein-shall-be-construed-to-include~~ in
19 this section includes persons who were state superintendents,
20 county superintendents, or deputy county superintendents.

21 However, a person receiving retirement allowance payments
22 under this section may elect in writing to the Iowa department
23 of job service to continue to receive two hundred dollars
24 per month.

25 Sec. 19. Section 411.6, subsection 12, paragraph a,
26 subparagraph (2), Code 1983, is amended to read as follows:

27 (2) Twenty percent for members with five or more years
28 of membership service who are receiving an ordinary disability
29 retirement allowance. However, effective July 1, 1984, for
30 members who retired before July 1, 1979, twenty-five percent
31 shall be used for members receiving an ordinary disability
32 allowance.

33 Sec. 20. Section 509A.7, Code 1983, is amended to read
34 as follows:

35 509A.7 EMPLOYEE DEFINED. The word "employee" as used

1 in this division does not include temporary or retired
2 employees except as otherwise provided in this chapter.
3 However, this section does not prevent a retired employee
4 sixty-five years of age or older from voluntarily continuing
5 in force, at the employee's own expense, an existing contract.

6 Sec. 21. NEW SECTION. CONTINUATION OF GROUP INSURANCE.

7 If a governing body, a county board of supervisors, or a city
8 council has procured for its employees accident, health, or
9 hospitalization insurance, or a medical service plan, or has
10 contracted with a health maintenance organization authorized
11 to do business in this state, the governing body, county board
12 of supervisors, or city council shall allow its employees
13 who retired before attaining sixty-five years of age to
14 continue participation in the group plan or under the group
15 contract at the employee's own expense until the employee
16 attains sixty-five years of age.

17 Sec. 22. This Act, being deemed of immediate importance,
18 takes effect retroactive to January 1, 1984 from and after
19 its publication in the Ames Daily Tribune, a newspaper
20 published in Ames, Iowa, and in the Sigourney News-Review,
21 a newspaper published in Sigourney, Iowa, except that sections
22 1 through 9, 11 through 16, and 18 through 21 take effect
23 July 1, 1984.

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HOUSE FILE 2528

-6017

1 Amend House File 2528, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section 97.51, Code 1983, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. Effective July 1, 1984, a person
8 receiving benefits, on or after July 1, 1984, under
9 this chapter, shall receive a monthly increase in
10 benefits equal to ten percent of the monthly benefits
11 received for June 1984 or which the person was eligible
12 to receive for June 1984, except as otherwise provided
13 in this subsection. A person who becomes eligible
14 for benefits under chapter 97, Code 1950, on or after
15 July 1, 1984 shall receive the ten percent increase.

16 A person eligible to receive benefits under this
17 chapter on June 30, 1984, may elect in writing to
18 the Iowa department of job service not to receive
19 the monthly benefit increase granted in this
20 subsection.

21 There is appropriated annually from the general
22 fund of the state to the Iowa old-age and survivors'
23 insurance liquidation fund from funds not otherwise
24 appropriated an amount sufficient to pay the benefit
25 increases provided in this subsection.

26 Sec. 2. Section 97A.1, subsection 10, Code 1983,
27 is amended by striking the subsection and inserting
28 in lieu thereof the following:

29 10. "Earnable compensation" or "compensation
30 earnable" means the total monetary direct compensation
31 paid during a year by the department of public safety
32 to a peace officer for service covered under this
33 chapter plus the amount of any compensation paid by
34 the department of public safety for service covered
35 under this chapter that is deferred under a deferred
36 compensation program.

37 Sec. 3. Section 97A.6, subsection 14, paragraph
38 a, unnumbered paragraph 1, Code 1983, is amended to
39 read as follows:

40 Effective July 1, 1980, and on each July 1
41 thereafter, the monthly pensions authorized in this
42 section payable to retired members and to
43 beneficiaries, except children of a deceased member,
44 shall be adjusted as provided in this paragraph.
45 Am Effective July 1, 1984, an amount equal to the
46 following percentages of the difference between the
47 monthly ~~earnable~~ compensation payable to an active
48 member of the department, of the same rank and position
49 on the salary scale as was held by the retired or
50 deceased member at the time of the member's retirement

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1 or death, for July of the preceding year and the
2 monthly ~~earnable~~ compensation payable to an active
3 member of the department of the same rank and position
4 on the salary scale for July of the year just beginning
5 shall be added to the monthly pension of each retired
6 member and each beneficiary as follows:

7 Sec. 4. Section 97A.6, subsection 14, paragraph
8 a, subparagraph (2), Code 1983, is amended to read
9 as follows:

10 (2) Twenty percent for members with five or more
11 years of membership service who are receiving an
12 ordinary disability retirement allowance. However,
13 effective July 1, 1984, for members who retired before
14 July 1, 1979, twenty-five percent shall be used for
15 members who are receiving an ordinary disability
16 retirement allowance.

17 Sec. 5. Section 97A.6, subsection 14, paragraph
18 a, unnumbered paragraph 4, Code 1983, is amended to
19 read as follows:

20 As of the first of July of each year, the monthly
21 pension payable to each surviving child under the
22 ~~provisions of~~ subsections 8, 9 and 12 of this section
23 shall be adjusted to equal six percent of the monthly
24 ~~earnable~~ compensation payable on that July 1 to an
25 active member having the rank of senior patrolman
26 of the Iowa highway safety patrol.

27 Sec. 6. Section 97A.6, subsection 14, paragraph
28 a, Code 1983, is amended by adding the following new
29 unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. For the purpose of this
31 subsection, "monthly compensation" means the regular
32 compensation which a member earns during one month
33 on the basis of the stated compensation for the
34 member's rank or position including the daily amount
35 received for meals under section 80.8 and excluding
36 any amount received for overtime compensation or other
37 special additional compensation, other payments for
38 meal expenses, uniform cleaning allowances, travel
39 expenses, and uniform allowances.

40 Sec. 7. Section 97B.7, subsection 2, paragraph
41 b, subparagraph (6), unnumbered paragraph 2, Code
42 1983, is amended to read as follows:

43 ~~In the event of~~ If there is loss on the redemption
44 or sale of securities, where invested as prescribed
45 by law, neither the treasurer nor the department shall
46 be is personally liable, but such the loss shall be
47 charged against the retirement fund and there is
48 ~~hereby~~ appropriated from such the retirement fund
49 an amount as ~~may be so~~ required for the loss. Expenses
50 incurred in the sale and purchase of securities

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1 belonging to the retirement fund shall be charged
2 to the retirement fund and there is hereby appropriated
3 from ~~such~~ the retirement fund an amount as may be
4 ~~so~~ required ~~and investment~~ for the expenses incurred.
5 Investment management expenses shall be charged to
6 the investment income of the retirement fund and ~~such~~
7 ~~expense shall otherwise be budgeted and appropriated~~
8 ~~in the same manner as administrative expenses for~~
9 ~~the rest of the system~~ there is appropriated from
10 the retirement fund an amount as required for the
11 investment management expenses, subject to the
12 limitations stated in this subparagraph. The amount
13 appropriated for a fiscal year under this subparagraph
14 shall not exceed one percent of the market value of
15 the retirement fund. The department shall report
16 the investment management expenses for a fiscal year
17 as a percent of the market value of the retirement
18 fund in the annual report to the governor required
19 in section 97B.4.

20 Sec. 8. Section 97B.41, subsection 1, paragraph
21 b, subparagraph (6), Code Supplement 1983, is amended
22 to read as follows:

23 (6) For ~~each~~ the calendar year from January 1,
24 1986 ~~and thereafter~~ through December 31, 1986, wages
25 not in excess of twenty-two thousand dollars.

26 Sec. 9. Section 97B.41, subsection 1, paragraph
27 b, Code Supplement 1983, is amended by adding the
28 following new subparagraphs:

29 NEW SUBPARAGRAPH. (6A) For the calendar year
30 from January 1, 1987 through December 31, 1987, wages
31 not in excess of twenty-three thousand dollars.

32 NEW SUBPARAGRAPH. (6B) For each calendar year
33 from January 1, 1988 and thereafter, wages not in
34 excess of twenty-four thousand dollars.

35 Sec. 10. Section 97B.41, subsection 3, paragraph
36 b, subparagraph (7), Code Supplement 1983, is amended
37 to read as follows:

38 (7) Persons employed under the federal
39 ~~Comprehensive Employment Training Act as amended to~~
40 ~~January 17, 1978~~ Job Training Partnership Act of 1982,
41 Pub. L. No. 97-300 unless ~~such~~ these employees shall
42 make an application to the department to be covered
43 under the ~~provisions of~~ this chapter.

44 Sec. 11. Section 97B.41, subsection 3, paragraph
45 b, subparagraph (9), Code Supplement 1983, is amended
46 to read as follows:

47 (9) Members of the ministry, rabbinate, or other
48 religious order who have taken the vow of poverty
49 unless, within one year of commencing employment or
50 no later than July 1, 1985 for individuals who are

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1 members of the system on July 1, 1984, a member makes
2 an application to the department to be covered under
3 this chapter.

4 Sec. 12. Section 97B.41, subsection 3, paragraph
5 b, Code 1983, is amended by adding the following new
6 subparagraphs:

7 NEW SUBPARAGRAPH. Employees of the Iowa dairy
8 industry commission established under chapter 179,
9 the Iowa beef cattle producers association established
10 under chapter 181, the Iowa swine producers association
11 established under chapter 183, the Iowa turkey
12 marketing council established under chapter 184A,
13 the Iowa soybean promotion board established under
14 chapter 185, the Iowa corn promotion board established
15 under chapter 185C, and the Iowa egg council
16 established under chapter 196A.

17 NEW SUBPARAGRAPH. Judicial hospitalization referees
18 appointed under section 229.21.

19 Sec. 13. Section 97B.49, subsection 8, paragraph
20 a, unnumbered paragraphs 1 and 2, Code Supplement
21 1983, is amended to read as follows:

22 Notwithstanding other provisions of this chapter,
23 a member who is or has been employed as a county
24 sheriff, as defined in section 39.17, or as a deputy
25 sheriff appointed pursuant to section 341.1, Code
26 1981, or section 331.903, and who retires between
27 January 1, 1978 and June 30, 1982, and at the time
28 of retirement is at least sixty years of age and has
29 completed at least twenty-five years of membership
30 service as a county sheriff or deputy sheriff, may
31 elect to receive, in lieu of the benefits under
32 subsection 5 of this section, a monthly retirement
33 allowance equal to one-twelfth of forty-seven percent
34 of the member's five-year average covered wage as
35 a sheriff or deputy sheriff, with benefits payable
36 during the member's lifetime. For each sheriff and
37 deputy sheriff eligible for benefits under this
38 subsection who retires between July 1, 1982 and June
39 30, 1983, the percent used in computing the monthly
40 retirement allowance is fifty.

41 Notwithstanding other provisions of this chapter,
42 a member who is or has been employed as a peace
43 officer, and who retires on or after July 1, 1983
44 ~~and meets the age requirements and membership service~~
45 ~~requirements for benefits specified in this paragraph~~
46 is sixty years of age and has completed twenty-five
47 years of membership service may elect to receive a
48 monthly retirement allowance equal to one-twelfth
49 of fifty percent of the member's five-year average
50 covered wage as a peace officer, with benefits payable

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1 during the member's lifetime.

2 A peace officer who retires on or after July 1,
3 1984 and has not completed twenty-five years of
4 membership service as required under this subsection
5 is eligible to receive a monthly retirement allowance
6 equal to one-twelfth of fifty percent multiplied by
7 a fraction of years of service as a peace officer.
8 For the purpose of this subsection, "fraction of years
9 of service" means a number, not to exceed one, equal
10 to the sum of the years of membership service as a
11 peace officer, divided by twenty-five years. On or
12 after July 1, 1984, if the peace officer has not
13 reached sixty years of age at retirement, the monthly
14 retirement allowance shall be reduced by five-tenths
15 of one percent per month for each month that the peace
16 officer's retirement precedes the date on which the
17 peace officer attains sixty years of age.

18 For the purpose of this paragraph, "fraction of
19 years of service" means a number, not to exceed one,
20 equal to the sum of the years of membership service
21 as a peace officer, divided by twenty-five years.

22 Sec. 14. Section 97B.49, Code Supplement 1983,
23 is amended by adding the following new subsection:

24 NEW SUBSECTION. a. Each member who retired from
25 the system between January 1, 1976 and June 30, 1982,
26 or a contingent annuitant or beneficiary of such a
27 member, shall receive with the November 1984 and the
28 November 1985 monthly benefit payments a retirement
29 dividend equal to fifty percent of the monthly benefit
30 payment the member received for the preceding June.
31 The retirement dividend does not affect the amount
32 of a monthly benefit payment.

33 b. Each member who retired from the system between
34 July 4, 1953 and December 31, 1975, or a contingent
35 annuitant or beneficiary of such a member, shall
36 receive with the November 1984 and the November 1985
37 monthly benefit payments a retirement dividend equal
38 to seventy-five percent of the monthly benefit payment
39 the member received for the preceding June. The
40 retirement dividend does not affect the amount of
41 a monthly benefit payment.

42 Sec. 15. Section 97B.50, subsection 1, paragraph
43 b, Code 1983, is amended to read as follows:

44 b. For a member who is at least sixty-two years
45 of age and less than sixty-five years of age who has
46 not completed thirty-five years of membership service
47 and prior service, by twenty-five hundredths of one
48 percent per month for each month that the early
49 retirement date precedes the normal retirement date.

50 Sec. 16. Section 97B.50, Code 1983, is amended

1 by adding the following new subsection:
2 NEW SUBSECTION. 4. A member who is at least
3 sixty-two years of age and less than sixty-five years
4 of age who has completed thirty-five or more years
5 of membership service and prior service shall receive
6 full benefits under section 97B.49 determined as if
7 the member had attained sixty-five years of age.
8 Sec. 17. Section 97B.51, subsection 5, Code 1983,
9 is amended by striking the subsection and inserting
10 in lieu thereof the following:
11 5. At retirement, a member may designate that
12 upon the member's death, a specified amount of money
13 shall be paid to a named beneficiary, and the member's
14 monthly retirement allowance will be reduced by an
15 actuarially determined amount to provide for the lump
16 sum payment. The amount designated by the member
17 must be in thousand dollar increments, and the amount
18 designated shall not lower the monthly retirement
19 allowance of the member by more than one-half the
20 amount payable under section 97B.49, subsection 1
21 or 5.
22 Sec. 18. Section 97B.52, subsection 1, Code 1983,
23 is amended by striking the subsection and inserting
24 in lieu thereof the following:
25 1. If a member dies prior to the date the member's
26 first retirement allowance is payable under the system,
27 the accumulated contributions of the member at the
28 date of death plus the product of an amount equal
29 to the highest year of covered wages of the deceased
30 member and the number of years of membership service
31 divided by thirty shall be paid to the member's
32 beneficiary in a lump sum payment. However, a lump
33 sum payment made to a beneficiary under this subsection
34 due to the death of a member shall not be less than
35 the amount that would have been payable on the death
36 of the member on June 30, 1984 under this subsection
37 as it appeared in the 1983 Code.
38 Effective July 1, 1978, a method of payment under
39 this subsection filed with the department by a member
40 does not apply.
41 Sec. 19. Section 97B.52, Code 1983, is amended
42 by adding the following new subsection:
43 NEW SUBSECTION. 5. Following written notification
44 to the department, a beneficiary of a deceased member
45 may waive current and future rights to payments to
46 which the beneficiary would otherwise be entitled
47 under sections 97B.51 and this section. Upon receipt
48 of the waiver, the department shall pay to the estate
49 of the deceased member the amount designated to be
50 received by the beneficiary.

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1 Sec. 20. Section 97B.53, subsection 5, unnumbered
2 paragraph 1, Code 1983, is amended to read as follows:
3 A member ~~shall not be considered as having~~ has
4 not terminated his employment if he the member accepts
5 other employment in the state of Iowa under which
6 he the member is eligible to membership in the Iowa
7 public employees' retirement system, within three
8 months thirty days after he the member has left public
9 employment.

10 Within sixty days after a member has been issued
11 payment for a refund of the member's accumulated
12 contributions, the member may repay the accumulated
13 contributions plus interest that would have accrued,
14 as determined by the department, and receive credit
15 for membership service for the period covered by the
16 refund payment.

17 Sec. 21. NEW SECTION. 97B.66 FORMER MEMBERS.
18 A vested or retired member who was a member of the
19 teachers insurance and annuity association-college
20 retirement equity fund at any time between July 1,
21 1967 and June 30, 1971 and who became a member of
22 the system on July 1, 1971, upon submitting
23 verification of service and wages earned during the
24 period of service under the teachers insurance and
25 annuity association-college retirement equity fund,
26 may make employer and employee contributions to the
27 system based upon the covered wages of the member
28 and the covered wages and the contribution rates in
29 effect for that period of service and receive credit
30 for membership service under this system equivalent
31 to the number of years of service in the teachers
32 insurance and annuity association-college retirement
33 equity fund. In addition, a member making employer
34 and employee contributions because of membership in
35 the teachers insurance and annuity association-college
36 retirement equity fund under this section who was
37 a member of the system on June 30, 1967 and withdrew
38 the member's accumulated contributions because of
39 membership on July 1, 1967 in the teachers insurance
40 and annuity association-college retirement equity
41 fund, may make employee contributions to the system
42 for the period of service under the system prior to
43 July 1, 1967.

44 The contributions paid by the vested or retired
45 member shall be equal to the accumulated contributions
46 as defined in section 97B.41, subsection 13, by the
47 member for that period of service, and the employer
48 contribution for that period of service under the
49 teachers insurance and annuity association-college
50 retirement equity fund, that would have been or had

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1 been contributed by the vested or retired member and
2 the employer, if applicable, plus interest on the
3 contributions that would have accrued for the period
4 from the date the previous service commenced under
5 this system or from the date the service of the member
6 in the teachers insurance and annuity association-
7 college retirement equity fund commenced to the date
8 of payment of the contributions by the member equal
9 to two percent plus the interest dividend rate
10 applicable for each year.

11 Verification of service and wages earned and payment
12 of contributions shall be made to the department not
13 later than June 30, 1985.

14 Sec. 22. Section 97B.72, unnumbered paragraph
15 1, Code 1983, is amended to read as follows:

16 Persons who are members of the Sixty-eighth Seventy-
17 first General Assembly or a succeeding general assembly
18 who submit proof to the department of membership in
19 the general assembly during any period beginning July
20 4, 1953 and ending January 8, 1979 may make
21 contributions to the system for service equal to the
22 accumulated contributions as defined in section 97B.41,
23 subsection 13, which would have been made if the
24 member of the general assembly had been a member of
25 the system during the member's service in the general
26 assembly. The proof of membership in the general
27 assembly and payment of accumulated contributions
28 shall be transmitted to the department ~~not later than~~
29 ~~December 31, 1979~~. Persons eligible to receive
30 retirement allowances under this section shall be
31 eligible to commence receiving retirement allowances
32 on January 8, 1979 14, 1985.

33 Sec. 23. Section 97B.73, Code 1983, is amended
34 to read as follows:

35 97B.73 MEMBERS FROM OTHER PUBLIC SYSTEMS. A
36 vested or retired member who was a member of a public
37 retirement system in another state but was not vested
38 or retired under that system may, upon submitting
39 verification of membership and service in the other
40 public retirement system to the department ~~not later~~
41 ~~than July 1, 1979 for members vested on July 1, 1978~~
42 ~~or within one year after the member becomes vested,~~
43 make employer and employee contributions to the system
44 for the period of service in the other public
45 retirement system and receive credit for membership
46 service in this system equivalent to the number of
47 years of service in the other public retirement system.
48 The contributions paid by the vested or retired member
49 for service in the other public retirement system
50 shall be equal to the accumulated contributions as

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1 defined in section 97B.41, subsection 13, by the
2 member for that period of service and the employer
3 contribution for that period of service that would
4 have been contributed by the vested or retired member
5 and the employer plus interest on the contributions
6 that would have accrued if the member had been a
7 member of this system earning the same wages earned
8 under the other system for the period from the date
9 of service of the member in the other public retirement
10 system to the date of payment of the contributions
11 by the member equal to two percent plus the interest
12 dividend rate applicable for each year.

13 This section is applicable to a vested or retired
14 member who was a member of a public retirement system
15 established in sections 294.8, 294.9, and 294.10 but
16 was not vested or retired under that system. However,
17 ~~the verification and contributions must be submitted~~
18 ~~not later than July 17, 1981 for members who were~~
19 ~~vested members on July 17, 1980 or within one year~~
20 ~~after the member becomes a vested member of this~~
21 ~~system.~~

22 Sec. 24. Section 97C.11, Code 1983, is amended
23 to read as follows:

24 97C.11 PAYMENT--ADJUSTMENT OR REFUND. Taxes
25 deducted by the employer from the earnings of employees
26 or upon the employers shall be paid in a manner, at
27 times and under conditions prescribed by the state
28 agency. ~~However, the taxes shall be remitted monthly~~
29 ~~by the employer.~~ If more or less than the correct
30 amount of the tax imposed upon the employer is paid
31 or deducted, proper adjustments or refund, if
32 adjustment is impracticable, shall be made in a manner
33 and at times as the state agency prescribes.

34 Sec. 25. Section 294.15, unnumbered paragraph
35 1, Code 1983, is amended to read as follows:

36 Any A person ~~having attained~~ attaining the age
37 of sixty-five who ~~shall have been~~ was an employee,
38 holding a valid teaching certificate, in the public
39 schools of this state with a record of service of
40 twenty-five years or more, including a maximum of
41 five years out-of-state service followed by at least
42 ten years' service in this state prior to retirement
43 and who ~~shall have~~ retired prior to July 4, 1953,
44 ~~shall be entitled to~~ effective July 1, 1984, may
45 receive retirement allowance payments from the state
46 of Iowa of ~~one hundred dollars per month and beginning~~
47 ~~July 17, 1975, shall be entitled to receive~~ equal to
48 two hundred twenty dollars per month. ~~Such sums as~~
49 are An amount necessary to meet this requirement shall
50 be added to the retirement allowance payments, if

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1 any, now being received from the state of Iowa by
2 individuals covered ~~by the provisions of~~ under this
3 section. No such person shall receive retirement
4 benefits from the state of more than two hundred
5 dollars per month. The word "employee" as used ~~herein~~
6 ~~shall be construed to include~~ in this section includes
7 persons who were state superintendents, county
8 superintendents, or deputy county superintendents.

9 However, a person receiving retirement allowance
10 payments under this section may elect in writing to
11 the Iowa department of job service to continue to
12 receive two hundred dollars per month.

13 Sec. 26. Section 411.1, subsection 12, Code 1983,
14 is amended by striking the subsection and inserting
15 in lieu thereof the following:

16 12. "Earnable compensation" or "compensation
17 earnable" means the total direct monetary compensation
18 paid during a year by a city to a fire fighter or
19 police officer for service covered under this chapter
20 plus the amount of any compensation paid by a city
21 for service covered under this chapter that is deferred
22 under a deferred compensation program.

23 Sec. 27. Section 411.6, subsection 12, paragraph
24 a, unnumbered paragraph 1, Code 1983, is amended to
25 read as follows:

26 On each July 1 and January 1, the monthly pensions
27 authorized in this section payable to retired members
28 and to beneficiaries, except children of a deceased
29 member, shall be adjusted as provided in this
30 paragraph. An amount equal to the following
31 percentages of the difference between the monthly
32 ~~earnable~~ compensation payable to an active member
33 of the department, of the same rank and position on
34 the salary scale as was held by the retired or deceased
35 member at the time of the member's retirement or
36 death, for the month in which the last preceding
37 adjustment was made and the monthly ~~earnable~~
38 compensation payable to an active member of the
39 department of the same rank and position on the salary
40 scale for the month in which the adjustment is made
41 shall be added to the monthly pension of each retired
42 member and each beneficiary as follows:

43 Sec. 28. Section 411.6, subsection 12, paragraph
44 a, subparagraph (2), Code 1983, is amended to read
45 as follows:

46 (2) Twenty percent for members with five or more
47 years of membership service who are receiving an
48 ordinary disability retirement allowance. However,
49 effective July 1, 1984, for members who retired before
50 July 1, 1979, twenty-five percent shall be used for

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1 members who are receiving an ordinary disability
2 allowance.

3 Sec. 29. Section 411.6, subsection 12, paragraph
4 a, unnumbered paragraph 4, Code 1983, is amended to
5 read as follows:

6 As of July 1 and January 1 of each year, the monthly
7 pension payable to each surviving child under the
8 ~~provisions of~~ subsections 8, 9, and 11 of this section
9 shall be adjusted to equal six percent of the monthly
10 ~~earnable~~ compensation payable on that July 1 or January
11 1 to an active member holding the highest grade in
12 the rank of fire fighter, for a child of a deceased
13 member of a fire department, or holding the highest
14 grade in the rank of police patrol officer, for a
15 child of a deceased member of a police department.

16 Sec. 30. Section 411.6, subsection 12, paragraph
17 a, Code 1983, is amended by adding the following new
18 unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. For the purpose of this
20 paragraph, "monthly compensation" means the regular
21 compensation which a member would earn during one
22 month on the basis of the stated compensation for
23 the member's rank or position excluding any amount
24 received for overtime compensation or other special
25 additional compensation, meal and travel expenses,
26 and uniform allowances.

27 Sec. 31. Section 509A.7, Code 1983, is amended
28 to read as follows:

29 509A.7 EMPLOYEE DEFINED. The word "employee"
30 as used in this division does not include temporary
31 or retired employees except as otherwise provided
32 in this chapter. However, this section does not
33 prevent a retired employee sixty-five years of age
34 or older from voluntarily continuing in force, at
35 the employee's own expense, an existing contract.

36 Sec. 32. NEW SECTION. CONTINUATION OF GROUP
37 INSURANCE. If a governing body, a county board of
38 supervisors, or a city council has procured for its
39 employees accident, health, or hospitalization
40 insurance, or a medical service plan, or has contracted
41 with a health maintenance organization authorized
42 to do business in this state, the governing body,
43 county board of supervisors, or city council shall
44 allow its employees who retired before attaining
45 sixty-five years of age to continue participation
46 in the group plan or under the group contract at the
47 employee's own expense until the employee attains
48 sixty-five years of age.

49 Sec. 33. Section 602.1611, subsections 1 and 2,
50 Code Supplement 1983, are amended to read as follows:

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1 1. Justices of the supreme court, judges of the
2 court of appeals and district judges are members of
3 ~~either the judicial retirement system or the Iowa~~
4 ~~public employees' retirement system~~, as determined
5 under ~~section 97B.69~~ and article 9, part 1.

6 2. District associate judges ~~who were municipal~~
7 ~~court judges prior to July 1, 1973, and who~~ are members
8 of the judicial retirement system under article 9
9 ~~shall remain members of the system. Other district~~
10 ~~associate judges are members of~~, part 1, or the Iowa
11 public employees' retirement system, except that
12 alternate. Alternate district associate judges whose
13 appointment is authorized under section 602.6303 are
14 not members of either the judicial retirement system
15 or the Iowa public employees' retirement system.

16 Sec. 34. Section 602.1613, Code Supplement 1983,
17 is amended to read as follows:

18 602.1613 COURT EMPLOYEE RETIREMENT. Court
19 employees are members of the Iowa public employees'
20 retirement system under chapter 97B, except as
21 otherwise provided in that chapter 97B or this chapter.

22 Sec. 35. NEW SECTION. 602.11115 DISTRICT
23 ASSOCIATE JUDGES' RETIREMENT. If a full-time judicial
24 magistrate who became a district associate judge on
25 January 1, 1981 pursuant to statute or a person who
26 was appointed a district associate judge between
27 January 1, 1981 and June 30, 1984 is a member of the
28 Iowa public employees' retirement system on June 30,
29 1984, the district associate judge may elect, by
30 informing the state court administrator by June 30,
31 1984, one of the following retirement benefit options
32 to be effective July 1, 1984:

33 1. To remain covered under the Iowa public
34 employees' retirement system pursuant to chapter 97B.

35 2. To commence coverage under the judicial
36 retirement system pursuant to ~~chapter~~ 602, article
37 9, part 1, effective July 1, 1984, but to become an
38 inactive member of the Iowa public employees'
39 retirement system pursuant to chapter 97B and remain
40 eligible for benefits under section 97B.49 for the
41 period of membership service under chapter 97B.

42 3. To commence coverage under the judicial
43 retirement system pursuant to chapter 602, article
44 9, part 1, retroactive to the date the district
45 associate judge became a district associate judge
46 or a full-time judicial magistrate, whichever was
47 earlier, and to cease to be a member of the Iowa
48 public employees' retirement system, effective July
49 1, 1984. The Iowa department of job service shall
50 transmit by January 1, 1985 to the state court

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administrator for deposit in the judicial retirement fund the district associate judge's accumulated contributions as defined in section 97B.41, subsection 13 for the judge's period of membership service as a district associate judge or full-time judicial magistrate, or both. Before July 1, 1986, or at retirement previous to that date, a district associate judge who becomes a member of the judicial retirement system pursuant to this subsection shall contribute to the judicial retirement fund an amount equal to the difference between four percent of the district associate judge's total basic salary for the entire period of service before July 1, 1984 as a district associate judge or judicial magistrate, or both, and the district associate judge's accumulated contributions transmitted by the department of job service to the state court administrator pursuant to this subsection. The district associate judge's contribution shall not be limited to the amount specified in section 602.9104, subsection 1. The state court administrator shall credit a district associate judge with service under the judicial retirement system for the period of service for which contributions at the four percent level are made.

Sec. 36. Section 602.9115, unnumbered paragraph 1, Code Supplement 1983, is amended to read as follows:

The survivor of a judge who was qualified for retirement compensation under the system at the time of ~~his~~ the judge's death, is entitled to receive an annuity of one-half the amount of the annuity the judge was receiving or would have been entitled to receive at the time of ~~his~~ the judge's death, or if the judge died before age sixty-five, then one-half of the amount ~~he~~ the judge would have been entitled to receive at age sixty-five based on ~~his~~ the judge's years of service. ~~Such~~ The annuity shall begin on the judge's death, ~~or on the date the judge would have been sixty-five if he died earlier than age sixty-five,~~ or upon the survivor reaching age sixty, whichever is later.

Sec. 37. Section 97B.69, Code 1983, is repealed."

S-6017 FILED

APRIL 19, 1984

BY ROBERT M. CARR

JOHN N. NYSTROM

TOM SLATER

CHARLES BRUNER

FORREST V. SCHWENGELS

*Adopted as amended by
6022, 6023, 6026 4/19 (p. 1701)*

HOUSE FILE 2528

S-6026

1 Amend the amendment S-6017 to House File 2528 as
2 amended, passed and reprinted by the House as follows:

3 1. By striking page 1, line 26 through page 2,
4 line 6.

5 2. By striking page 2, line 17 through page 2,
6 line 39.

7 3. Page 10, by striking lines 13 through 22 and
8 inserting in lieu thereof the following:

9 "Sec. 26. Section 411.1, subsection 12, Code 1983,
10 is amended to read as follows:

11 12. "Earnable compensation" or "compensation
12 earnable" shall mean the regular compensation which
13 a member would earn during one year on the basis of
14 the stated compensation for the member's rank or
15 position including compensation for longevity and
16 holidays and excluding any amount received for overtime
17 compensation or other special additional compensation,
18 meal and travel expenses, and uniform allowances and
19 excluding any amount received upon termination or
20 retirement in payment for accumulated sick leave or
21 vacation.

22 4. Page 10, by striking lines 23 through 42.

23 5. Page 11, by striking lines 3 through 26.

S-6026 FILED

BY ROBERT CARR

APRIL 19, 1984

Adopted 4/19 (p. 1700)

HOUSE FILE 2528

S-6021

- 1 Amend the amendment S-6017 to House File 2528,
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 6, by inserting after line 7 the following:
- 5 "Sec. ____ Section 97B.50, Code 1983, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. Notwithstanding the other
- 8 subsections of this section, a member who holds a
- 9 certificate issued under chapter 260 may retire from
- 10 employment governed by a contract issued under section
- 11 279.13 prior to the member's normal retirement date
- 12 without reduction in the monthly retirement allowance
- 13 to which the member would otherwise be entitled."

BY WALLY E. HORN

S-6021 FILED

APRIL 19, 1984

Lost 4/19 (p. 1701)

HOUSE FILE 2528

S-6022

- 1 Amend the amendment S-6017 to House File 2528 as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 3, line 14, by striking the word "one"
- 5 and inserting in lieu thereof the word "one-half".

BY WILLIAM D. PALMER

S-6022 FILED

APRIL 19, 1984

Adopted 4/19 (p. 1701)

HOUSE FILE 2528

S-6023

- 1 Amend the amendment S-6017 to House File 2528,
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 13, by inserting after line 41 the
- 5 following:
- 6 "Sec. ____ During the fiscal year commencing July
- 7 1, 1984, the Iowa public employees' retirement system
- 8 division of the Iowa department of job service shall
- 9 evaluate the present contracts it has with investment
- 10 portfolio managers to determine the performance of
- 11 the portfolio managers and solicit competitive bids
- 12 for those services for the fiscal year commencing
- 13 July 1, 1985."

BY WILLIAM D. PALMER

S-6023 FILED

APRIL 19, 1984

Adopted 4/19 (p. 1701)

SENATE AMENDMENT TO HOUSE FILE 2528

H-6509

1 Amend House File 2528, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 97.51, Code 1983, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. Effective July 1, 1984, a person
8 receiving benefits, on or after July 1, 1984, under
9 this chapter, shall receive a monthly increase in
10 benefits equal to ten percent of the monthly benefits
11 received for June 1984 or which the person was eligible
12 to receive for June 1984, except as otherwise provided
13 in this subsection. A person who becomes eligible
14 for benefits under chapter 97, Code 1950, on or after
15 July 1, 1984 shall receive the ten percent increase.

16 A person eligible to receive benefits under this
17 chapter on June 30, 1984, may elect in writing to
18 the Iowa department of job service not to receive
19 the monthly benefit increase granted in this
20 subsection.

21 There is appropriated annually from the general
22 fund of the state to the Iowa old-age and survivors'
23 insurance liquidation fund from funds not otherwise
24 appropriated an amount sufficient to pay the benefit
25 increases provided in this subsection.

26 Sec. 2. Section 97A.6, subsection 14, paragraph
27 a, subparagraph (2), Code 1983, is amended to read
28 as follows:

29 (2) Twenty percent for members with five or more
30 years of membership service who are receiving an
31 ordinary disability retirement allowance. However,
32 effective July 1, 1984, for members who retired before
33 July 1, 1979, twenty-five percent shall be used for
34 members who are receiving an ordinary disability
35 retirement allowance.

36 Sec. 3. Section 97B.7, subsection 2, paragraph
37 b, subparagraph (6), unnumbered paragraph 2, Code
38 1983, is amended to read as follows:

39 ~~In-the-event-of~~ If there is loss on the redemption
40 or sale of securities, where invested as prescribed
41 by law, neither the treasurer nor the department shall
42 be is personally liable, but such the loss shall be
43 charged against the retirement fund and there is
44 hereby appropriated from such the retirement fund
45 an amount as may-be-so required for the loss. Expenses
46 incurred in the sale and purchase of securities
47 belonging to the retirement fund shall be charged
48 to the retirement fund and there is ~~hereby~~ appropriated
49 from ~~such the retirement fund~~ an amount as ~~may-be~~
50 ~~so required and-investment~~ for the expenses incurred.

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1 Investment management expenses shall be charged to
2 the investment income of the retirement fund and such
3 expense shall otherwise be budgeted and appropriated
4 in the same manner as administrative expenses for
5 the rest of the system there is appropriated from
6 the retirement fund an amount as required for the
7 investment management expenses, subject to the
8 limitations stated in this subparagraph. The amount
9 appropriated for a fiscal year under this subparagraph
10 shall not exceed one-half percent of the market value
11 of the retirement fund. The department shall report
12 the investment management expenses for a fiscal year
13 as a percent of the market value of the retirement
14 fund in the annual report to the governor required
15 in section 97B.4.

16 Sec. 4. Section 97B.41, subsection 1, paragraph
17 b, subparagraph (6), Code Supplement 1983, is amended
18 to read as follows:

19 (6) For each the calendar year from January 1,
20 1986 and thereafter through December 31, 1986, wages
21 not in excess of twenty-two thousand dollars.

22 Sec. 5. Section 97B.41, subsection 1, paragraph
23 b, Code Supplement 1983, is amended by adding the
24 following new subparagraphs:

25 NEW SUBPARAGRAPH. (6A) For the calendar year
26 from January 1, 1987 through December 31, 1987, wages
27 not in excess of twenty-three thousand dollars.

28 NEW SUBPARAGRAPH. (6B) For each calendar year
29 from January 1, 1988 and thereafter, wages not in
30 excess of twenty-four thousand dollars.

31 Sec. 6. Section 97B.41, subsection 3, paragraph
32 b, subparagraph (7), Code Supplement 1983, is amended
33 to read as follows:

34 (7) Persons employed under the federal
35 ~~Comprehensive-Employment-Training-Act-as-amended-to~~
36 ~~January-1,-1978~~ Job Training Partnership Act of 1982,
37 Pub. L. No. 97-300 unless ~~such~~ these employees shall
38 make an application to the department to be covered
39 under ~~the provisions of~~ this chapter.

40 Sec. 7. Section 97B.41, subsection 3, paragraph
41 b, subparagraph (9), Code Supplement 1983, is amended
42 to read as follows:

43 (9) Members of the ministry, rabbinate, or other
44 religious order who have taken the vow of poverty
45 unless, within one year of commencing employment or
46 no later than July 1, 1985 for individuals who are
47 members of the system on July 1, 1984, a member makes
48 an application to the department to be covered under
49 this chapter.

50 Sec. 8. Section 97B.41, subsection 3, paragraph

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1 b, Code 1983, is amended by adding the following new
2 subparagraphs:

3 NEW SUBPARAGRAPH. Employees of the Iowa dairy
4 industry commission established under chapter 179,
5 the Iowa beef cattle producers association established
6 under chapter 181, the Iowa swine producers association
7 established under chapter 183, the Iowa turkey
8 marketing council established under chapter 184A,
9 the Iowa soybean promotion board established under
10 chapter 185, the Iowa corn promotion board established
11 under chapter 185C, and the Iowa egg council
12 established under chapter 196A.

13 NEW SUBPARAGRAPH. Judicial hospitalization referees
14 appointed under section 229.21.

15 Sec. 9. Section 97B.49, subsection 8, paragraph
16 a, unnumbered paragraphs 1 and 2, Code Supplement
17 1983, is amended to read as follows:

18 Notwithstanding other provisions of this chapter,
19 a member who is or has been employed as a county
20 sheriff, as defined in section 39.17, or as a deputy
21 sheriff appointed pursuant to section 341.1, Code
22 1981, or section 331.903, and who retires between
23 January 1, 1978 and June 30, 1982, and at the time
24 of retirement is at least sixty years of age and has
25 completed at least twenty-five years of membership
26 service as a county sheriff or deputy sheriff, may
27 elect to receive, in lieu of the benefits under
28 subsection 5 of this section, a monthly retirement
29 allowance equal to one-twelfth of forty-seven percent
30 of the member's five-year average covered wage as
31 a sheriff or deputy sheriff, with benefits payable
32 during the member's lifetime. For each sheriff and
33 deputy sheriff eligible for benefits under this
34 subsection who retires between July 1, 1982 and June
35 30, 1983, the percent used in computing the monthly
36 retirement allowance is fifty.

37 Notwithstanding other provisions of this chapter,
38 a member who is or has been employed as a peace
39 officer, and who retires on or after July 1, 1983
40 ~~and meets-the-age-requirements-and-membership-service~~
41 ~~requirements-for-benefits-specified-in-this-paragraph~~
42 is sixty years of age and has completed twenty-five
43 years of membership service may elect to receive a
44 monthly retirement allowance equal to one-twelfth
45 of fifty percent of the member's five-year average
46 covered wage as a peace officer, with benefits payable
47 during the member's lifetime.

48 A peace officer who retires on or after July 1,
49 1984 and has not completed twenty-five years of
50 membership service as required under this subsection

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1 is eligible to receive a monthly retirement allowance
 2 equal to one-twelfth of fifty percent multiplied by
 3 a fraction of years of service as a peace officer.
 4 For the purpose of this subsection, "fraction of years
 5 of service" means a number, not to exceed one, equal
 6 to the sum of the years of membership service as a
 7 peace officer, divided by twenty-five years. On or
 8 after July 1, 1984, if the peace officer has not
 9 reached sixty years of age at retirement, the monthly
 10 retirement allowance shall be reduced by five-tenths
 11 of one percent per month for each month that the peace
 12 officer's retirement precedes the date on which the
 13 peace officer attains sixty years of age.

14 For the purpose of this paragraph, "fraction of
 15 years of service" means a number, not to exceed one,
 16 equal to the sum of the years of membership service
 17 as a peace officer, divided by twenty-five years.

18 Sec. 10. Section 97B.49, Code Supplement 1983,
 19 is amended by adding the following new subsection:
 20 NEW SUBSECTION. a. Each member who retired from
 21 the system between January 1, 1976 and June 30, 1982,
 22 or a contingent annuitant or beneficiary of such a
 23 member, shall receive with the November 1984 and the
 24 November 1985 monthly benefit payments a retirement
 25 dividend equal to fifty percent of the monthly benefit
 26 payment the member received for the preceding June.
 27 The retirement dividend does not affect the amount
 28 of a monthly benefit payment.

29 b. Each member who retired from the system between
 30 July 4, 1953 and December 31, 1975, or a contingent
 31 annuitant or beneficiary of such a member, shall
 32 receive with the November 1984 and the November 1985
 33 monthly benefit payments a retirement dividend equal
 34 to seventy-five percent of the monthly benefit payment
 35 the member received for the preceding June. The
 36 retirement dividend does not affect the amount of
 37 a monthly benefit payment.

38 Sec. 11. Section 97B.50, subsection 1, paragraph
 39 b, Code 1983, is amended to read as follows:

40 b. For a member who is at least sixty-two years
 41 of age and less than sixty-five years of age who has
 42 not completed thirty-five years of membership service
 43 and prior service, by twenty-five hundredths of one
 44 percent per month for each month that the early
 45 retirement date precedes the normal retirement date.

46 Sec. 12. Section 97B.50, Code 1983, is amended
 47 by adding the following new subsection:

48 NEW SUBSECTION. 4. A member who is at least
 49 sixty-two years of age and less than sixty-five years
 50 of age who has completed thirty-five or more years

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1 of membership service and prior service shall receive
2 full benefits under section 97B.49 determined as if
3 the member had attained sixty-five years of age.

4 Sec. 13. Section 97B.51, subsection 5, Code 1983,
5 is amended by striking the subsection and inserting
6 in lieu thereof the following:

7 5. At retirement, a member may designate that
8 upon the member's death, a specified amount of money
9 shall be paid to a named beneficiary, and the member's
10 monthly retirement allowance will be reduced by an
11 actuarially determined amount to provide for the lump
12 sum payment. The amount designated by the member
13 must be in thousand dollar increments, and the amount
14 designated shall not lower the monthly retirement
15 allowance of the member by more than one-half the
16 amount payable under section 97B.49, subsection 1
17 or 5.

18 Sec. 14. Section 97B.52, subsection 1, Code 1983,
19 is amended by striking the subsection and inserting
20 in lieu thereof the following:

21 1. If a member dies prior to the date the member's
22 first retirement allowance is payable under the system,
23 the accumulated contributions of the member at the
24 date of death plus the product of an amount equal
25 to the highest year of covered wages of the deceased
26 member and the number of years of membership service
27 divided by thirty shall be paid to the member's
28 beneficiary in a lump sum payment. However, a lump
29 sum payment made to a beneficiary under this subsection
30 due to the death of a member shall not be less than
31 the amount that would have been payable on the death
32 of the member on June 30, 1984 under this subsection
33 as it appeared in the 1983 Code.

34 Effective July 1, 1978, a method of payment under
35 this subsection filed with the department by a member
36 does not apply.

37 Sec. 15. Section 97B.52, Code 1983, is amended
38 by adding the following new subsection:

39 NEW SUBSECTION. 5. Following written notification
40 to the department, a beneficiary of a deceased member
41 may waive current and future rights to payments to
42 which the beneficiary would otherwise be entitled
43 under sections 97B.51 and this section. Upon receipt
44 of the waiver, the department shall pay to the estate
45 of the deceased member the amount designated to be
46 received by the beneficiary.

47 Sec. 16. Section 97B.53, subsection 5, unnumbered
48 paragraph 1, Code 1983, is amended to read as follows:

49 A member ~~shall not be considered as having~~ has
50 not terminated ~~his~~ employment if ~~he~~ the member accepts

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1 other employment in the state of Iowa under which
2 he the member is eligible to membership in the Iowa
3 public employees' retirement system, within ~~three~~
4 ~~months~~ thirty days after he the member has left public
5 employment.

6 Within sixty days after a member has been issued
7 payment for a refund of the member's accumulated
8 contributions, the member may repay the accumulated
9 contributions plus interest that would have accrued,
10 as determined by the department, and receive credit
11 for membership service for the period covered by the
12 refund payment.

13 Sec. 17. NEW SECTION. 97B.66 FORMER MEMBERS.
14 A vested or retired member who was a member of the
15 teachers insurance and annuity association-college
16 retirement equity fund at any time between July 1,
17 1967 and June 30, 1971 and who became a member of
18 the system on July 1, 1971, upon submitting
19 verification of service and wages earned during the
20 period of service under the teachers insurance and
21 annuity association-college retirement equity fund,
22 may make employer and employee contributions to the
23 system based upon the covered wages of the member
24 and the covered wages and the contribution rates in
25 effect for that period of service and receive credit
26 for membership service under this system equivalent
27 to the number of years of service in the teachers
28 insurance and annuity association-college retirement
29 equity fund. In addition, a member making employer
30 and employee contributions because of membership in
31 the teachers insurance and annuity association-college
32 retirement equity fund under this section who was
33 a member of the system on June 30, 1967 and withdrew
34 the member's accumulated contributions because of
35 membership on July 1, 1967 in the teachers insurance
36 and annuity association-college retirement equity
37 fund, may make employee contributions to the system
38 for the period of service under the system prior to
39 July 1, 1967.

40 The contributions paid by the vested or retired
41 member shall be equal to the accumulated contributions
42 as defined in section 97B.41, subsection 13, by the
43 member for that period of service, and the employer
44 contribution for that period of service under the
45 teachers insurance and annuity association-college
46 retirement equity fund, that would have been or had
47 been contributed by the vested or retired member and
48 the employer, if applicable, plus interest on the
49 contributions that would have accrued for the period
50 from the date the previous service commenced under

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1 this system or from the date the service of the member
2 in the teachers insurance and annuity association-
3 college retirement equity fund commenced to the date
4 of payment of the contributions by the member equal
5 to two percent plus the interest dividend rate
6 applicable for each year.

7 Verification of service and wages earned and payment
8 of contributions shall be made to the department not
9 later than June 30, 1985.

10 Sec. 18. Section 97B.72, unnumbered paragraph

11 1, Code 1983, is amended to read as follows:

12 Persons who are members of the ~~Sixty-eighth~~ Seventy-
13 first General Assembly or a succeeding general assembly
14 who submit proof to the department of membership in
15 the general assembly during any period beginning July
16 4, 1953 ~~and ending January 8, 1979~~ may make
17 contributions to the system for service equal to the
18 accumulated contributions as defined in section 97B.41,
19 subsection 13, which would have been made if the
20 member of the general assembly had been a member of
21 the system during the member's service in the general
22 assembly. The proof of membership in the general
23 assembly and payment of accumulated contributions
24 shall be transmitted to the department ~~not later than~~
25 ~~December 31, 1979~~. Persons eligible to receive
26 retirement allowances under this section shall be
27 eligible to commence receiving retirement allowances
28 on January ~~8, 1979~~ 14, 1985.

29 Sec. 19. Section 97B.73, Code 1983, is amended
30 to read as follows:

31 97B.73 MEMBERS FROM OTHER PUBLIC SYSTEMS. A
32 vested or retired member who was a member of a public
33 retirement system in another state but was not vested
34 or retired under that system may, upon submitting
35 verification of membership and service in the other
36 public retirement system to the department ~~not later~~
37 ~~than July 1, 1979 for members vested on July 1, 1978~~
38 ~~or within one year after the member becomes vested,~~
39 make employer and employee contributions to the system
40 for the period of service in the other public
41 retirement system and receive credit for membership
42 service in this system equivalent to the number of
43 years of service in the other public retirement system.
44 The contributions paid by the vested or retired member
45 for service in the other public retirement system
46 shall be equal to the accumulated contributions as
47 defined in section 97B.41, subsection 13, by the
48 member for that period of service and the employer
49 contribution for that period of service that would
have been contributed by the vested or retired member

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1 and the employer plus interest on the contributions
2 that would have accrued if the member had been a
3 member of this system earning the same wages earned
4 under the other system for the period from the date
5 of service of the member in the other public retirement
6 system to the date of payment of the contributions
7 by the member equal to two percent plus the interest
8 dividend rate applicable for each year.

9 This section is applicable to a vested or retired
10 member who was a member of a public retirement system
11 established in sections 294.8, 294.9, and 294.10 but
12 was not vested or retired under that system. However,
13 ~~the verification and contributions must be submitted~~
14 ~~not later than July 1, 1981 for members who were~~
15 ~~vested members on July 1, 1980 or within one year~~
16 ~~after the member becomes a vested member of this~~
17 ~~system.~~

18 Sec. 20. Section 97C.11, Code 1983, is amended
19 to read as follows:

20 97C.11 PAYMENT--ADJUSTMENT OR REFUND. Taxes
21 deducted by the employer from the earnings of employees
22 or upon the employers shall be paid in a manner, at
23 times and under conditions prescribed by the state
24 agency. However, ~~the taxes shall be remitted monthly~~
25 ~~by the employer.~~ If more or less than the correct
26 amount of the tax imposed upon the employer is paid
27 or deducted, proper adjustments or refund, if
28 adjustment is impracticable, shall be made in a manner
29 and at times as the state agency prescribes.

30 Sec. 21. Section 294.15, unnumbered paragraph
31 1, Code 1983, is amended to read as follows:

32 Any A person ~~having attained~~ attaining the age
33 of sixty-five who ~~shall have been~~ was an employee,
34 holding a valid teaching certificate, in the public
35 schools of this state with a record of service of
36 twenty-five years or more, including a maximum of
37 five years out-of-state service followed by at least
38 ten years' service in this state prior to retirement
39 and who ~~shall have~~ retired prior to July 4, 1953,
40 ~~shall be entitled to~~ effective July 1, 1984, may
41 receive retirement allowance payments from the state
42 of Iowa ~~of one hundred dollars per month and beginning~~
43 ~~July 1, 1975, shall be entitled to receive equal to~~
44 two hundred twenty dollars per month. ~~Such sums as~~
45 are An amount necessary to meet this requirement shall
46 be added to the retirement allowance payments, if
47 any, now being received from the state of Iowa by
48 individuals covered ~~by the provisions of~~ under this
49 section. No such person shall receive retirement
50 benefits from the state of more than two hundred

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1 dollars per month. The word "employee" as used herein
 2 ~~shall-be-construed-to-include~~ in this section includes
 3 persons who were state superintendents, county
 4 superintendents, or deputy county superintendents.

5 However, a person receiving retirement allowance
 6 payments under this section may elect in writing to
 7 the Iowa department of job service to continue to
 8 receive two hundred dollars per month.

9 Sec. 22. Section 411.1, subsection 12, Code 1983,
 10 is amended to read as follows:

11 12. "Earnable compensation" or "compensation
 12 earnable" shall mean the regular compensation which
 13 a member would earn during one year on the basis of
 14 the stated compensation for the member's rank or
 15 position including compensation for longevity and
 16 holidays and excluding any amount received for overtime
 17 compensation or other special additional compensation,
 18 meal and travel expenses, and uniform allowances and
 19 excluding any amount received upon termination or
 20 retirement in payment for accumulated sick leave or
 21 vacation.

22 Sec. 23. Section 411.6, subsection 12, paragraph
 23 a, subparagraph (2), Code 1983, is amended to read
 24 as follows:

25 (2) Twenty percent for members with five or more
 26 years of membership service who are receiving an
 27 ordinary disability retirement allowance. However,
 28 effective July 1, 1984, for members who retired before
 29 July 1, 1979, twenty-five percent shall be used for
 30 members who are receiving an ordinary disability
 31 allowance.

32 Sec. 24. Section 509A.7, Code 1983, is amended
 33 to read as follows:

34 509A.7 EMPLOYEE DEFINED. The word "employee"
 35 as used in this division does not include temporary
 36 or retired employees except as otherwise provided
 37 in this chapter. However, this section does not
 38 prevent a retired employee sixty-five years of age
 39 or older from voluntarily continuing in force, at
 40 the employee's own expense, an existing contract.

41 Sec. 25. NEW SECTION. CONTINUATION OF GROUP
 42 INSURANCE. If a governing body, a county board of
 43 supervisors, or a city council has procured for its
 44 employees accident, health, or hospitalization
 45 insurance, or a medical service plan, or has contracted
 46 with a health maintenance organization authorized
 47 to do business in this state, the governing body,
 48 county board of supervisors, or city council shall
 49 allow its employees who retired before attaining
 50 sixty-five years of age to continue participation

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1 in the group plan or under the group contract at the
2 employee's own expense until the employee attains
3 sixty-five years of age.

4 Sec. 26. Section 602.1611, subsections 1 and 2,
5 Code Supplement 1983, are amended to read as follows:

6 1. Justices of the supreme court, judges of the
7 court of appeals and district judges are members of
8 either the judicial retirement system ~~or the Iowa~~
9 ~~public employees' retirement system~~, as determined
10 under ~~section 97B.69 and~~ article 9, part 1.

11 2. District associate judges ~~who were municipal~~
12 ~~court judges prior to July 1, 1973, and who~~ are members
13 of the judicial retirement system under article 9
14 ~~shall remain members of the system. -- Other district~~
15 ~~associate judges are members of~~, part 1, or the Iowa
16 public employees' retirement system, except that
17 alternate. Alternate district associate judges whose
18 appointment is authorized under section 602.6303 are
19 not members of either the judicial retirement system
20 or the Iowa public employees' retirement system.

21 Sec. 27. Section 602.1613, Code Supplement 1983,
22 is amended to read as follows:

23 602.1613 COURT EMPLOYEE RETIREMENT. Court
24 employees are members of the Iowa public employees'
25 retirement system under chapter 97B, except as
26 otherwise provided in that chapter 97B or this chapter.

27 Sec. 28. NEW SECTION. 602.11115 DISTRICT
28 ASSOCIATE JUDGES' RETIREMENT. If a full-time judicial
29 magistrate who became a district associate judge on
30 January 1, 1981 pursuant to statute or a person who
31 was appointed a district associate judge between
32 January 1, 1981 and June 30, 1984 is a member of the
33 Iowa public employees' retirement system on June 30,
34 1984, the district associate judge may elect, by
35 informing the state court administrator by June 30,
36 1984, one of the following retirement benefit options
37 to be effective July 1, 1984:

38 1. To remain covered under the Iowa public
39 employees' retirement system pursuant to chapter 97B.

40 2. To commence coverage under the judicial
41 retirement system pursuant to chapter 602, article
42 9, part 1, effective July 1, 1984, but to become an
43 inactive member of the Iowa public employees'
44 retirement system pursuant to chapter 97B and remain
45 eligible for benefits under section 97B.49 for the
46 period of membership service under chapter 97B.

47 3. To commence coverage under the judicial
48 retirement system pursuant to chapter 602, article
49 9, part 1, retroactive to the date the district
50 associate judge became a district associate judge

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1 or a full-time judicial magistrate, whichever was
 2 earlier, and to cease to be a member of the Iowa
 3 public employees' retirement system, effective July
 4 1, 1984. The Iowa department of job service shall
 5 transmit by January 1, 1985 to the state court
 6 administrator for deposit in the judicial retirement
 7 fund the district associate judge's accumulated
 8 contributions as defined in section 97B.41, subsection
 9 13 for the judge's period of membership service as
 10 a district associate judge or full-time judicial
 11 magistrate, or both. Before July 1, 1986, or at
 12 retirement previous to that date, a district associate
 13 judge who becomes a member of the judicial retirement
 14 system pursuant to this subsection shall contribute
 15 to the judicial retirement fund an amount equal to
 16 the difference between four percent of the district
 17 associate judge's total basic salary for the entire
 18 period of service before July 1, 1984 as a district
 19 associate judge or judicial magistrate, or both, and
 20 the district associate judge's accumulated
 21 contributions transmitted by the department of job
 22 service to the state court administrator pursuant
 23 to this subsection. The district associate judge's
 24 contribution shall not be limited to the amount
 25 specified in section 602.9104, subsection 1. The
 26 state court administrator shall credit a district
 27 associate judge with service under the judicial
 28 retirement system for the period of service for which
 29 contributions at the four percent level are made.

30 Sec. 29. Section 602.9115, unnumbered paragraph
 31 1, Code Supplement 1983, is amended to read as follows:

32 The survivor of a judge who was qualified for
 33 retirement compensation under the system at the time
 34 of ~~his~~ the judge's death, is entitled to receive an
 35 annuity of one-half the amount of the annuity the
 36 judge was receiving or would have been entitled to
 37 receive at the time of ~~his~~ the judge's death, or if
 38 the judge died before age sixty-five, then one-half
 39 of the amount ~~he~~ the judge would have been entitled
 40 to receive at age sixty-five based on ~~his~~ the judge's
 41 years of service. ~~Such~~ The annuity shall begin on
 42 the judge's death, ~~or on the date the judge would~~
 43 ~~have been sixty-five if he died earlier than age~~
 44 ~~sixty-five,~~ or upon the survivor reaching age sixty,
 45 whichever is later.

46 Sec. 30. Section 97B.69, Code 1983, is repealed.

47 Sec. 31. During the fiscal year commencing July
 48 1, 1984, the Iowa public employees' retirement system
 49 division of the Iowa department of job service shall
 evaluate the present contracts it has with investment

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1 portfolio managers to determine the performance of
2 the portfolio managers and solicit competitive bids
3 for those services for the fiscal year commencing
4 July 1, 1985."

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