

Senate File 2310

State Government: Blanshan, Chair; Halvorson of Webster and Swearingen.

Amend for 5812 & Do Pass 3/23 (p. 1253)

FILED MAR 27 1984

SENATE FILE **2310**

BY COMMITTEE ON STATE GOVERNMENT

Approved 2/6 (p. 696)
(FORMERLY SSB 2241)

Passed Senate, Date 3-16-84 (p. 867) Passed House, Date 3-28-84 (p. 1419)

Vote: Ayes 44 Nays _____ Vote: Ayes 83 Nays 14

Approved April 26, 1984

*Repassed Senate as amended by House
4-2-84 (p. 1225)
44-0*

A BILL FOR

- 1 An Act relating to payments to state employees for accrued
- 2 sick leave and disability.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H-5812

- 1 Amend Senate File 2310 as passed by the Senate,
- 2 as follows:
- 3 1. Page 2, by striking lines 9 through 14 and
- 4 inserting in lieu thereof the words "~~en-forms-provided~~
- 5 ~~by-the-board.~~"

H-5812 FILED MARCH 23, 1984 BY COMMITTEE ON STATE GOVERNMENT
Adopted 3/28 (p. 1419)

HOUSE AMENDMENT TO SENATE FILE 2310

S-5707

- 1 Amend Senate File 2310 as passed by the Senate,
- 2 as follows:
- 3 1. Page 2, by striking lines 9 through 14 and
- 4 inserting in lieu thereof the words "~~en-forms-provided~~
- 5 ~~by-the-board.~~"

S-5707 FILED RECEIVED FROM THE HOUSE
MARCH 30, 1984 *Senate concurred 4/2 (p. 1224)*

1 Section 1. Section 79.23, Code 1983, is amended to read
2 as follows:

3 79.23 CREDIT FOR ACCRUED SICK LEAVE. ~~Commencing July~~
4 ~~17, 1977, when~~ When a state employee, excluding an employee
5 covered under a collective bargaining agreement which provides
6 otherwise, retires under a retirement system in the state
7 maintained in whole or in part by public contributions or
8 payments, the number of accrued days of active and banked
9 sick leave of the employee shall be credited to the employee.
10 When an employee retires, is eligible and has applied for
11 benefits under a retirement system authorized under chapter
12 97A or 97B, including the teachers insurance annuity
13 association (TIAA) and the college retirement equity fund
14 (CREF), or an employee dies on or after July 1, 1984, while
15 the employee is in active employment but is eligible for
16 retirement benefits under one of the listed chapters, the
17 employee shall receive a cash payment for the employee's
18 accumulated, unused sick leave in both the active and banked
19 sick leave accounts except when, in lieu of cash payment,
20 payment is made for monthly premiums for health or life
21 insurance or both as provided in a collective bargaining
22 agreement negotiated under chapter 20. An employee of the
23 department of public safety or the state conservation
24 commission who has earned benefits of payment of premiums
25 under a collective bargaining agreement and who becomes a
26 manager or supervisor and is no longer covered by the agreement
27 shall not lose the benefits of payment of premium earned while
28 covered by the agreement. The payment shall be calculated
29 by multiplying the number of hours of accumulated, unused
30 sick leave by the employee's hourly rate of pay at the time
31 of retirement. However, the total cash ~~payment~~ payments for
32 accumulated, unused sick leave shall not exceed two thousand
33 dollars per employee and ~~is~~ are payable upon retirement or
34 death. Banked sick leave is defined as accrued sick leave
35 in excess of ninety days. ~~A-state-employee-who-retired-on~~

1 ~~or after July 1, 1977, but before July 1, 1979, may file~~
 2 ~~claims for the employee's accrued sick leave credit authorized~~
 3 ~~in this section. The claim of a state employee paid through~~
 4 ~~the state comptroller's centralized payroll system and the~~
 5 ~~department of transportation payroll system shall be filed~~
 6 ~~with the state comptroller on forms provided by the state~~
 7 ~~comptroller. The claim for an employee of the state board~~
 8 ~~of regents shall be filed with the state board of regents~~
 9 ~~on forms provided by the board. The state comptroller may~~
 10 adopt rules under chapter 17A for the implementation of this
 11 program for all state employees except employees of the state
 12 board of regents. The state board of regents may adopt rules
 13 under chapter 17A for the implementation of this program for
 14 its employees.

15 Sec. 2. Section 79.20, subsection 2, Code 1983, is amended
 16 to read as follows:

17 2. Maximum period benefits paid ~~-----sickness or~~
 18 ~~accident disability to age sixty-five.~~ for both accident or
 19 sickness disability:

20 a. If the disability occurs prior to the time the employee
 21 attains the age of sixty-one years, the maximum benefit period
 22 shall end sixty months after continuous benefit payments begin
 23 or on the date on which the employee attains the age of sixty-
 24 five years, whichever is later.

25 b. If the disability occurs on or after the time the
 26 employee attains the age of sixty-one years, the maximum
 27 benefit period shall end sixty months after continuous benefit
 28 payments begin or on the date on which the employee attains
 29 the age of seventy years, whichever is earlier.

30 EXPLANATION

31 This bill provides that active employees who die and are
 32 eligible for retirement benefits of up to \$2,000 of credit
 33 for accrued sick leave will be paid the same as for actively-
 34 employed state employees who are eligible for retirement but
 35 have continued working. The bill also provides that disabled

1 employees under sixty-one years of age are eligible for
2 disability payments for five years or until the employee
3 reaches age sixty-five, whichever is later, and for an employee
4 who has reached sixty-one years of age, for five years or
5 until the employee reaches age seventy, whichever is earlier.

6 The bill takes effect July 1 following its enactment.

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FISCAL NOTE

10 REQUESTED BY SENATOR NYSTROM

11 In compliance with a written request there is hereby submitted a
12 Fiscal Note for Senate File 2310 pursuant to Joint Rule 17.

13 Senate File 2310 provides that active state employees who die and
14 are eligible for retirement benefits of up to \$2,000 of credit for
15 accrued sick leave will be paid the same as for actively-employed
16 state employees who are eligible for retirement but have continued
17 working. The bill also provides that disabled employees under
18 sixty-one years of age are eligible for disability payments for
19 five years or until the employee reaches age sixty-five, which is
20 later, and for an employee who has reached sixty-one years of age,
21 for five years or until the employee reaches age seventy, whichev-
22 er is earlier.

23 This bill is estimated to increase state expenditures as follows

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FY 1985

FY 1986

General Fund	\$37,700	\$38,500
Other State Funds	28,400	29,000
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Total	\$66,100	\$67,500

The estimate is based on a five percent salary increase each year.

Source: State Comptroller, D.O.T., Board of Regents
(4189S,84-B,JMN)

RECEIVED BY THE SECRETARY OF THE SENATE, MARCH 19, 1984

FILED: BY DENNIS C. PROUTY, DIRECTOR
LEGISLATIVE FISCAL BUREAU

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SENATE FILE 2310

AN ACT

RELATING TO PAYMENTS TO STATE EMPLOYEES FOR ACCRUED SICK LEAVE AND DISABILITY.

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

Section 1. Section 79.23, Code 1983, is amended to read as follows:

79.23 CREDIT FOR ACCRUED SICK LEAVE. ~~Commencing July 17, 1977, when~~ when a state employee, excluding an employee covered under a collective bargaining agreement which provides otherwise, retires under a retirement system in the state maintained in whole or in part by public contributions or payments, the number of accrued days of active and banked sick leave of the employee shall be credited to the employee. When an employee retires, is eligible and has applied for benefits under a retirement system authorized under chapter 97A or 97B, including the teachers insurance annuity association (TIAA) and the college retirement equity fund (CREF), or an employee dies on or after July 1, 1984, while the employee is in active employment but is eligible for retirement benefits under one of the listed chapters, the employee shall receive a cash payment for the employee's accumulated, unused sick leave in both the active and banked sick leave accounts except when, in lieu of cash payment, payment is made for monthly premiums for health or life insurance or both as provided in a collective bargaining

agreement negotiated under chapter 20. An employee of the department of public safety or the state conservation commission who has earned benefits of payment of premiums under a collective bargaining agreement and who becomes a manager or supervisor and is no longer covered by the agreement shall not lose the benefits of payment of premium earned while covered by the agreement. The payment shall be calculated by multiplying the number of hours of accumulated, unused sick leave by the employee's hourly rate of pay at the time of retirement. However, the total cash payment ~~payments~~ for accumulated, unused sick leave shall not exceed two thousand dollars per employee and ~~to~~ are payable upon retirement or death. Banked sick leave is defined as accrued sick leave in excess of ninety days. ~~A state employee who retired on or after July 17, 1977, but before July 17, 1979, may file a claim for the employee's accrued sick leave credit authorized in this section. The claim of a state employee paid through the state comptroller's centralized payroll system and the department of transportation payroll system shall be filed with the state comptroller on forms provided by the state comptroller. The claim for an employee of the state board of regents shall be filed with the state board of regents on forms provided by the board.~~

Sec. 2. Section 79.20, subsection 2, Code 1983, is amended to read as follows:

2. Maximum period benefits paid ~~+++++sickness or accident disability to age sixty-five for both accident or sickness disability:~~

a. If the disability occurs prior to the time the employee attains the age of sixty-one years, the maximum benefit period shall end sixty months after continuous benefit payments begin or on the date on which the employee attains the age of sixty-five years, whichever is later.

b. If the disability occurs on or after the time the employee attains the age of sixty-one years, the maximum

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benefit period shall end sixty months after continuous benefit payments begin or on the date on which the employee attains the age of seventy years, whichever is earlier.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2310, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 26, 1984

TERRY E. BRANSTAD
Governor