

Senate Study Bill 273

Bill Text

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1 1 Section 1. STATE COURTS JUSTICES, JUDGES, AND
1 2 MAGISTRATES.

1 3 1. The salary rates specified in subsection 2 are for the
1 4 fiscal year beginning July 1, 1997, effective for the pay
1 5 period beginning June 27, 1997, and for subsequent fiscal
1 6 years until otherwise provided by the general assembly. The
1 7 salaries provided for in this section shall be paid from funds
1 8 appropriated to the judicial department from the salary
1 9 adjustment fund or if the appropriation is not sufficient,
1 10 from the funds appropriated to the judicial department
1 11 pursuant to any Act of the general assembly.

1 12 2. The following annual salary rates shall be paid to the
1 13 persons holding the judicial positions indicated during the
1 14 fiscal year beginning July 1, 1997, effective with the pay
1 15 period beginning June 27, 1997, and for subsequent pay
1 16 periods.

1 17 a. Chief justice of the supreme court:	
1 18	\$ 107,500
1 19 b. Each justice of the supreme court:	
1 20	\$ 103,600
1 21 c. Chief judge of the court of appeals:	
1 22	\$ 103,500
1 23 d. Each associate judge of the court of appeals:	
1 24	\$ 99,600
1 25 e. Each chief judge of a judicial district:	
1 26	\$ 98,700
1 27 f. Each district judge except the chief judge of a 1 28 judicial district:	
1 29	\$ 94,800
1 30 g. Each district associate judge:	
1 31	\$ 82,500
1 32 h. Each judicial magistrate:	
1 33	\$ 21,600
1 34 i. Each senior judge:	
1 35	\$ 5,400

2 1 Sec. 2. SALARY RATE LIMITS. Persons receiving the salary
2 2 rates established under section 1 of this Act shall not
2 3 receive any additional salary adjustments provided by this
2 4 Act.

2 5 Sec. 3. APPOINTED STATE OFFICERS. The governor shall
2 6 establish a salary for appointed nonelected persons in the
2 7 executive branch of state government holding a position
2 8 enumerated in section 4 of this Act within the range provided,
2 9 by considering, among other items, the experience of the
2 10 individual in the position, changes in the duties of the
2 11 position, the incumbent's performance of assigned duties, and
2 12 subordinates' salaries. However, the attorney general shall
2 13 establish the salary for the consumer advocate, the chief
2 14 justice of the state supreme court shall establish the salary
2 15 for the state court administrator, the ethics and campaign
2 16 disclosure board shall establish the salary of the executive
2 17 director, and the state fair board shall establish the salary
2 18 of the secretary of the state fair board, each within the
2 19 salary range provided in section 4 of this Act.

2 20 The governor, in establishing salaries as provided in
2 21 section 4 of this Act, shall take into consideration other

2 22 employee benefits which may be provided for an individual
 2 23 including, but not limited to, housing.
 2 24 A person whose salary is established pursuant to section 4
 2 25 of this Act and who is a full-time permanent employee of the
 2 26 state shall not receive any other remuneration from the state
 2 27 or from any other source for the performance of that person's
 2 28 duties unless the additional remuneration is first approved by
 2 29 the governor or authorized by law. However, this provision
 2 30 does not exclude the reimbursement for necessary travel and
 2 31 expenses incurred in the performance of duties or fringe
 2 32 benefits normally provided to employees of the state.

2 33 Sec. 4. STATE OFFICERS SALARY RATES AND RANGES. The
 2 34 following annual salary ranges are effective for the positions
 2 35 specified in this section for the fiscal year beginning July
 3 1 1, 1997, and for subsequent fiscal years until otherwise
 3 2 provided by the general assembly. The governor or other
 3 3 person designated in section 3 of this Act shall determine the
 3 4 salary to be paid to the person indicated at a rate within the
 3 5 salary ranges indicated from funds appropriated by the general
 3 6 assembly for that purpose.

3 7 1. The following are salary ranges 1 through 5 for the
 3 8 fiscal year beginning July 1, 1997, effective with the pay
 3 9 period beginning June 27, 1997:

3 10 SALARY RANGES		<u>Minimum</u>	<u>Maximum</u>
3 11	(1) Range 1	\$ 8,500	\$26,600
3 12	(2) Range 2	\$31,300	\$53,500
3 13	(3) Range 3	\$42,800	\$62,400
3 14	(4) Range 4	\$51,600	\$71,400
3 15	(5) Range 5	\$60,600	\$80,300

3 16 2. The following are range 1 positions: There are no
 3 17 range 1 positions for the fiscal year beginning July 1, 1997.

3 18 3. The following are range 2 positions: administrator of
 3 19 the arts division of the department of cultural affairs,
 3 20 administrators of the division of persons with disabilities,
 3 21 the division on the status of women, the division on the
 3 22 status of African-Americans, the division for deaf services,
 3 23 and the division of Latino affairs of the department of human
 3 24 rights, administrator of the division of professional
 3 25 licensing and regulation of the department of commerce, and
 3 26 executive director of the commission of veterans affairs.

3 27 4. The following are range 3 positions: administrator of
 3 28 the division of emergency management of the department of
 3 29 public defense, administrator of the division of criminal and
 3 30 juvenile justice planning of the department of human rights,
 3 31 administrator of the division of community action agencies of
 3 32 the department of human rights, and chairperson and members of
 3 33 the employment appeal board of the department of inspections
 3 34 and appeals.

3 35 5. The following are range 4 positions: superintendent of
 4 1 banking, superintendent of credit unions, drug abuse
 4 2 prevention coordinator, administrator of the alcoholic
 4 3 beverages division of the department of commerce, state public
 4 4 defender, and chairperson and members of the board of parole.

4 5 6. The following are range 5 positions: consumer
 4 6 advocate, labor commissioner, industrial commissioner,
 4 7 administrator of the historical division of the department of
 4 8 cultural affairs, administrator of the public broadcasting
 4 9 division of the department of education, and commandant of the
 4 10 veterans home.

4 11 7. The following are salary ranges 6 through 9 for the
 4 12 fiscal year beginning July 1, 1997, effective with the pay
 4 13 period beginning June 27, 1997:

4 14 SALARY RANGES		<u>Minimum</u>	<u>Maximum</u>
4 15	(1) Range 6	\$46,800	\$ 71,400
4 16	(2) Range 7	\$64,100	\$ 81,000
4 17	(3) Range 8	\$68,700	\$ 94,000
4 18	(4) Range 9	\$76,700	\$112,000

4 19 8. The following are range 6 positions: director of the
4 20 department of human rights, director of the Iowa state civil
4 21 rights commission, executive director of the college student
4 22 aid commission, director of the department for the blind, and
4 23 executive director of the ethics and campaign disclosure
4 24 board.

4 25 9. The following are range 7 positions: director of the
4 26 department of cultural affairs, executive director of the
4 27 department of elder affairs, director of the department of
4 28 commerce, director of the law enforcement academy, and
4 29 director of the department of inspections and appeals.

4 30 10. The following are range 8 positions: the admin-
4 31 istrator of the state racing and gaming commission of the
4 32 department of inspections and appeals, director of the
4 33 department of general services, director of the department of
4 34 personnel, director of public health, commissioner of public
4 35 safety, commissioner of insurance, executive director of the
5 1 Iowa finance authority, director of revenue and finance,
5 2 director of the department of natural resources, director of
5 3 the department of corrections, and chairperson of the
5 4 utilities board. The other members of the utilities board
5 5 shall receive an annual salary within a range of not less than
5 6 ninety percent but not more than ninety-five percent of the
5 7 annual salary of the chairperson of the utilities board.

5 8 11. The following are range 9 positions: director of the
5 9 department of education, director of human services, director
5 10 of the department of economic development, executive director
5 11 of the state board of regents, director of the state
5 12 department of transportation, director of the department of
5 13 workforce development, lottery commissioner, the state court
5 14 administrator, secretary of the state fair board, and the
5 15 director of the department of management.

5 16 Sec. 5. PUBLIC EMPLOYMENT RELATIONS BOARD.

5 17 1. The salary rates specified in this section are
5 18 effective for the fiscal year beginning July 1, 1997, with the
5 19 pay period beginning June 27, 1997, and for subsequent fiscal
5 20 years until otherwise provided by the general assembly. The
5 21 salaries provided for in this section shall be paid from funds
5 22 appropriated to the public employment relations board from the
5 23 salary adjustment fund, or if the appropriation is not
5 24 sufficient from funds appropriated to the public employment
5 25 relations board pursuant to any other Act of the general
5 26 assembly.

5 27 2. The following annual salary rates shall be paid to the
5 28 persons holding the positions indicated:

- 5 29 a. Chairperson of the public employment relations board:
5 30 \$ 62,900
5 31 b. Two members of the public employment relations board:
5 32 \$ 58,500

5 33 Sec. 6. COLLECTIVE BARGAINING AGREEMENTS FUNDED GENERAL

5 34 FUND. There is appropriated from the general fund of the
5 35 state to the salary adjustment fund for distribution by the
6 1 department of management to the various state departments,
6 2 boards, commissions, councils, and agencies, including the
6 3 state board of regents, for the fiscal year beginning July 1,
6 4 1997, and ending June 30, 1998, the amount of \$47,455,091, or
6 5 so much thereof as may be necessary, to fully fund the
6 6 following annual pay adjustments, expense reimbursements, and
6 7 related benefits:

6 8 1. The collective bargaining agreement negotiated pursuant
6 9 to chapter 20 for employees in the blue collar bargaining
6 10 unit.

6 11 2. The collective bargaining agreement negotiated pursuant
6 12 to chapter 20 for employees in the public safety bargaining
6 13 unit.

6 14 3. The collective bargaining agreement negotiated pursuant
6 15 to chapter 20 for employees in the security bargaining unit.

6 16 4. The collective bargaining agreement negotiated pursuant
6 17 to chapter 20 for employees in the technical bargaining unit.
6 18 5. The collective bargaining agreement negotiated pursuant
6 19 to chapter 20 for employees in the professional fiscal and
6 20 staff bargaining unit.
6 21 6. The collective bargaining agreement negotiated pursuant
6 22 to chapter 20 for employees in the university of northern Iowa
6 23 faculty bargaining unit.
6 24 7. The collective bargaining agreement negotiated pursuant
6 25 to chapter 20 for employees in the clerical bargaining unit.
6 26 8. The collective bargaining agreement negotiated pursuant
6 27 to chapter 20 for employees in the professional social
6 28 services bargaining unit.
6 29 9. The collective bargaining agreement negotiated pursuant
6 30 to chapter 20 for employees in the community-based corrections
6 31 bargaining unit.
6 32 10. The collective bargaining agreement negotiated
6 33 pursuant to chapter 20 for employees in the judicial branch of
6 34 government bargaining unit.
6 35 11. The collective bargaining agreement negotiated
7 1 pursuant to chapter 20 for employees in the patient care
7 2 bargaining unit.
7 3 12. The collective bargaining agreement negotiated
7 4 pursuant to chapter 20 for employees in the science bargaining
7 5 unit.
7 6 13. The collective bargaining agreement negotiated
7 7 pursuant to chapter 20 for employees in the state university
7 8 of Iowa graduate student bargaining unit.
7 9 14. The annual pay adjustments, related benefits, and
7 10 expense reimbursements referred to in sections 7 and 8 of this
7 11 Act for employees not covered by a collective bargaining
7 12 agreement.

7 13 Sec. 7. NONCONTRACT STATE EMPLOYEES GENERAL.

7 14 1. a. For the fiscal year beginning July 1, 1997, the
7 15 maximum salary levels of all pay plans provided for in section
7 16 19A.9, subsection 2, as they exist for the fiscal year ending
7 17 June 30, 1997, shall be increased by 3 percent for the pay
7 18 period beginning June 27, 1997.
7 19 b. In addition to the increases specified in this
7 20 subsection, for the fiscal year beginning July 1, 1997,
7 21 employees may receive a step increase or the equivalent of a
7 22 step increase.

7 23 2. The pay plans for state employees who are exempt from
7 24 chapter 19A and who are included in the department of revenue
7 25 and finance's centralized payroll system shall be increased in
7 26 the same manner as provided in subsection 1.

7 27 3. This section does not apply to members of the general
7 28 assembly, board members, commission members, salaries of
7 29 persons set by the general assembly pursuant to this Act, or
7 30 set by the governor, employees designated under section 19A.3,
7 31 subsection 5, and employees covered by 581 IAC 4.5(17).

7 32 4. The pay plans for the bargaining eligible employees of
7 33 the state shall be increased in the same manner as provided in
7 34 subsection 1. As used in this section, "bargaining eligible
7 35 employee" means an employee who is eligible to organize under
8 1 chapter 20, but has not done so.

8 2 5. The policies for implementation of this section shall
8 3 be approved by the governor.

8 4 Sec. 8. STATE EMPLOYEES STATE BOARD OF REGENTS. Funds
8 5 from the appropriation in section 6 of this Act shall be
8 6 allocated to the state board of regents for the purposes of
8 7 providing increases for state board of regents employees
8 8 covered by section 6 of this Act and for employees not covered
8 9 by a collective bargaining agreement as follows:

8 10 1. For regents merit system employees and merit
8 11 supervisory employees to fund for the fiscal year, increases
8 12 comparable to those provided for similar contract-covered

8 13 employees in this Act.

8 14 2. For faculty members and professional and scientific
8 15 employees to fund for the fiscal year, percentage increases
8 16 comparable to those provided for contract-covered employees in
8 17 section 6, subsection 6, of this Act.

8 18 Sec. 9. APPROPRIATIONS FROM ROAD FUNDS.

8 19 1. There is appropriated from the road use tax fund to the
8 20 salary adjustment fund for the fiscal year beginning July 1,
8 21 1997, and ending June 30, 1998, the following amount, or so
8 22 much thereof as may be necessary, to be used for the purpose
8 23 designated:

8 24 To supplement other funds appropriated by the general
8 25 assembly:

8 26 \$ 864,802

8 27 2. There is appropriated from the primary road fund to the
8 28 salary adjustment fund, for the fiscal year beginning July 1,
8 29 1997, and ending June 30, 1998, the following amount, or so
8 30 much thereof as may be necessary, to be used for the purpose
8 31 designated:

8 32 To supplement other funds appropriated by the general
8 33 assembly:

8 34 \$ 4,163,835

8 35 3. Except as otherwise provided in this Act, the amounts
9 1 appropriated in subsections 1 and 2 shall be used to fund the
9 2 annual pay adjustments, expense reimbursements, and related
9 3 benefits for public employees as provided in this Act.

9 4 Sec. 10. SPECIAL FUNDS AUTHORIZATION. To departmental
9 5 revolving, trust, or special funds, except for the primary
9 6 road fund or the road use tax fund, for which the general
9 7 assembly has established an operating budget, a supplemental
9 8 expenditure authorization is provided, unless otherwise
9 9 provided, in an amount necessary to fund salary adjustments as
9 10 otherwise provided in this Act.

9 11 Sec. 11. GENERAL FUND SALARY MONEYS. Funds appropriated
9 12 from the general fund of the state in this Act relate only to
9 13 salaries supported from general fund appropriations of the
9 14 state except for employees of the state board of regents. The
9 15 funds appropriated from the general fund of the state for
9 16 employees of the state board of regents shall exclude general
9 17 university indirect costs and general university federal
9 18 funds.

9 19 Sec. 12. FEDERAL FUNDS APPROPRIATED. All federal grants
9 20 to and the federal receipts of the agencies affected by this
9 21 Act which are received and may be expended for purposes of
9 22 this Act are appropriated for those purposes and as set forth
9 23 in the federal grants or receipts.

9 24 Sec. 13. USE OF SURPLUS HEALTH INSURANCE FUNDS. The
9 25 executive council shall expend moneys from surplus funds in
9 26 the health insurance reserve operating or terminal liability
9 27 account to decrease state employee health insurance premium
9 28 costs for the fiscal period beginning August 1997 and ending
9 29 August 1998. However, the amount of the surplus expended
9 30 shall not exceed \$4,000,000 for the fiscal period beginning
9 31 August 1997 and ending August 1998 and shall only be expended
9 32 to reduce the insurance premium costs that would otherwise be
9 33 paid for by moneys from the general fund of the state during
9 34 the fiscal period.

9 35 Sec. 14. STATE TROOPER MEAL ALLOWANCE. The sworn peace
10 1 officers in the department of public safety who are not
10 2 covered by a collective bargaining agreement negotiated
10 3 pursuant to chapter 20, excluding capitol police supervisors,
10 4 shall receive the same per diem meal allowance as the sworn
10 5 peace officers in the department of public safety who are
10 6 covered by a collective bargaining agreement negotiated
10 7 pursuant to chapter 20.

10 8 The department of management shall estimate the cost of
10 9 providing per diem meal allowances as provided in this section

10 10 and shall allocate the funding for the allowance from the
10 11 salary adjustment fund.

10 12 Sec. 15. SALARY MODEL ADMINISTRATOR/COORDINATOR. Of the
10 13 funds appropriated by section 6 of this Act, \$56,209 for the
10 14 fiscal year beginning July 1, 1997, is allocated to the
10 15 department of management for salary and support of the salary
10 16 model administrator/coordinator who shall work in conjunction
10 17 with the legislative fiscal bureau to maintain the state's
10 18 salary model used for analyzing, comparing, and projecting
10 19 state employee salary and benefit information, including
10 20 information relating to employees of the state board of
10 21 regents. The information shall be used in collective
10 22 bargaining processes under chapter 20 and in calculating the
10 23 funding needs contained within the annual salary adjustment
10 24 legislation. A state employee organization as defined in
10 25 section 20.3, subsection 4, may request information produced
10 26 by the model, but the information provided shall not contain
10 27 information attributable to individual employees.

10 28 Sec. 16. Section [2.10](#), Code 1997, is amended by adding the
10 29 following new subsection:

10 30 NEW SUBSECTION. 8. Commencing upon the convening of the
10 31 Seventy-eighth General Assembly in January 1999, the annual
10 32 salaries of members and officers of the general assembly, as
10 33 the annual salaries existed during the preceding calendar
10 34 year, shall be adjusted annually by an amount equal to the
10 35 average of the annual cost-of-living pay adjustments
11 1 negotiated for the members of the collective bargaining units
11 2 represented by the state police officers council labor union,
11 3 the American federation of state, county, and municipal
11 4 employees, and the Iowa united professionals for the fiscal
11 5 year beginning July 1, 1997. In subsequent years, during the
11 6 month of January, the annual salaries of members and officers
11 7 of the general assembly shall be adjusted by an amount equal
11 8 to the average of the cost-of-living annual pay adjustments
11 9 received by the members of those collective bargaining units
11 10 for the fiscal year beginning eighteen months previously.

11 11 Sec. 17. NEW SECTION. 7H.1 ANNUAL SALARIES OF ELECTED
11 12 STATE OFFICERS.

11 13 The annual salary of the governor, lieutenant governor,
11 14 attorney general, auditor of state, secretary of agriculture,
11 15 secretary of state, and treasurer of state shall be determined
11 16 as provided in this section. Commencing with the first pay
11 17 period which ends during the new fiscal year in July, the
11 18 annual salaries of the elected state officers enumerated in
11 19 this section as their annual salaries existed during the
11 20 preceding fiscal year shall be adjusted by an amount equal to
11 21 the average of the annual cost-of-living pay adjustments
11 22 negotiated for the members of the collective bargaining units
11 23 represented by the state police officers council labor union,
11 24 the American federation of state, county, and municipal
11 25 employees, and the Iowa united professionals for the same
11 26 fiscal year.

11 27 Sec. 18. Section [546.2](#), subsection 2, Code 1997, is
11 28 amended to read as follows:

11 29 2. The chief administrative officer of the department is
11 30 the director. The director shall be appointed

~~annually~~

~~by the~~

11 31 governor from among those individuals who serve as heads of
11 32 the divisions within the department.

~~The appointment shall~~

11 33

~~rotate among the division heads such that the division head of~~

11 34

~~any one division shall not be appointed to be the director for~~

11 35

~~a second year until such time as each division head has served~~

12 1

~~as the director.~~

A division head appointed to be the director

12 2 shall fulfill the responsibilities and duties of the director

12 3 in addition to the individual's responsibilities and duties as

12 4 the head of a division.

~~However, the administrator of the~~

12 5

~~alcoholic beverages division shall serve as director until~~

12 6

~~June 30, 1995~~

~~The director shall serve at the pleasure of the~~

12 7 governor.

12 8

EXPLANATION

12 9 This bill relates to and appropriates moneys for the fiscal

12 10 year beginning July 1, 1997, to fund salary adjustments for

12 11 state appointed nonelected officers, justices, judges,

12 12 magistrates, employees subject to collective bargaining

12 13 agreements, and noncontract employees.

12 14 For each fiscal year, the salary rates and ranges of state

12 15 nonelected officers, justices, and judges are increased by

12 16 approximately 3 percent. Other state employees, except the

12 17 officers and employees of the state board of regents, will

12 18 receive a 3 percent increase with the pay period beginning

12 19 June 27, 1997. These state employees may also receive step

12 20 increases.

12 21 The state board of regents officers and employees not under

12 22 collective bargaining receive similar pay increases to the

12 23 regents contract employees.

12 24 The bill funds the salary adjustments for each fiscal year.

12 25 The bill also directs the use of up to \$4,000,000 for the

12 26 insurance benefit year ending in 1998 of excess insurance

12 27 reserve funds to reduce state employee health insurance

12 28 premium costs.

12 29 The bill also modifies provisions concerning the

12 30 appointment of the director of the department of commerce.

12 31 The requirements in Code section 546.2 regarding annual

12 32 director appointments by the governor from a rotating list of

12 33 commerce department divisions are removed. The bill provides

12 34 that the director shall serve at the pleasure of the governor.

12 35 The bill provides annual cost-of-living pay adjustments to

13 1 legislators and elected state officers. The cost-of-living

13 2 pay adjustment equals the average of the cost-of-living

13 3 adjustment negotiated for collective bargaining units

13 4 represented by the state police officers council labor union,

13 5 the American federation of state, county, and municipal

13 6 employees, and the Iowa united professionals. The cost-of-

13 7 living adjustment for the governor, lieutenant governor,

13 8 attorney general, auditor of state, secretary of agriculture,

13 9 secretary of state, and treasurer of state begins in July

13 10 1997. The legislators' cost-of-living adjustment commences

13 11 January 1999 and reflects the cost-of-living adjustment paid

13 12 18 months earlier to the members of the collective bargaining
13 13 units.
13 14 The bill also provides a meal allowance to noncontract,
13 15 supervisory sworn state peace officers except capitol police
13 16 supervisors.
13 17 LSB 2787SC 77
13 18 tj/jw/5