Senate Study Bill 1273

Bill Text

PAG LIN

```
Section 1. STATE COURTS JUSTICES, JUDGES, AND
1 2 MAGISTRATES.
  3 1. The salary rates specified in subsection 2 are for the
 4 fiscal year beginning July 1, 2001, effective for the pay
 5 period beginning June 22, 2001, and for subsequent fiscal
 6 years until otherwise provided by the general assembly. The
 7 salaries provided for in this section shall be paid from funds
8 appropriated to the judicial branch from the salary adjustment
9 fund pursuant to section 8 of this Act or if the appropriation
1 10 is not sufficient, from the funds appropriated to the judicial
1 11 branch pursuant to any Act of the general assembly.
      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, 2001, effective with the pay
1 15 period beginning June 22, 2001, and for subsequent pay
1 16 periods.
1 17 a. Chief justice of the supreme court:
1 18 ...... $
                                                    120,920
1 19 b. Each justice of the supreme court:
1 20 .....$
                                                    116,600
1 21 c. Chief judge of the court of appeals:
1 22 ...... $
                                                    116,490
1 23 d. Each associate judge of the court of appeals:
1 24 ...... $
                                                    112,170
1 25 e. Each chief judge of a judicial district:
1 26 ...... $
                                                    111,140
1 27 f. Each district judge except the chief judge of a
1 28 judicial district:
1 29 ..... $
                                                    106,610
1 30 g. Each district associate judge:
1 31 ..... $
                                                     92,910
1 32 h. Each associate juvenile judge:
1 33 ...... $
                                                     92,910
1 34 i. Each associate probate judge:
1 35 ...... $
                                                     92,910
 1 j. Each judicial magistrate:
2 2 ...... $
                                                     27,700
2 3 k. Each senior judge:
2 4 .....$
 5 Sec. 2. SALARY RATE LIMITS. Persons receiving the salary
2 6 rates established under section 1 of this Act shall not
 7 receive any additional salary adjustments provided by this
 8 Act.
      Sec. 3. APPOINTED STATE OFFICERS. The governor shall
2 10 establish a salary for appointed nonelected persons in the
2 11 executive branch of state government holding a position
2 12 enumerated in section 4 of this Act within the range provided,
2 13 by considering, among other items, the experience of the
2 14 individual in the position, changes in the duties of the
2 15 position, the incumbent's performance of assigned duties, and
2 16 subordinates' salaries. However, the attorney general shall
2 17 establish the salary for the consumer advocate, the chief
2 18 justice of the supreme court shall establish the salary for
2 19 the state court administrator, the ethics and campaign
2 20 disclosure board shall establish the salary of the executive
2 21 director, and the state fair board shall establish the salary
```

2 22 of the secretary of the state fair board, each within the 2 23 salary range provided in section 4 of this Act.

The governor, in establishing salaries as provided in 2 25 section 4 of this Act, shall take into consideration other 2 26 employee benefits which may be provided for an individual 2 27 including, but not limited to, housing.

A person whose salary is established pursuant to section 4 2 29 of this Act and who is a full-time, year-round employee of the 2 30 state shall not receive any other remuneration from the state 2 31 or from any other source for the performance of that person's 2 32 duties unless the additional remuneration is first approved by 2 33 the governor or authorized by law. However, this provision 2 34 does not exclude the reimbursement for necessary travel and 2 35 expenses incurred in the performance of duties or fringe 1 benefits normally provided to employees of the state.

3 2 Sec. 4. STATE OFFICERS SALARY RATES AND RANGES. The 3 following annual salary ranges are effective for the positions 4 specified in this section for the fiscal year beginning July 3 5 1, 2001, and for subsequent fiscal years until otherwise 3 6 provided by the general assembly. The governor or other 7 person designated in section 3 of this Act shall determine the 3 8 salary to be paid to the person indicated, at a rate within 3 9 the salary ranges indicated, from funds appropriated by the 3 10 general assembly for that purpose.

1. The following are salary ranges 1 through 5 for the 3 12 fiscal year beginning July 1, 2001, effective with the pay 3 13 period beginning June 22, 2001:

3	14	SALARY	RANGES	<u>Minimum</u>	<u>Maximum</u>
3	15	a.	Range 1	\$ 8,800	\$29,000
3	16	b.	Range 2	\$32,200	\$58,500
3	17	c.	Range 3	\$44,100	\$68,200
3	18	d.	Range 4	\$53,100	\$78,000
3	19	e.	Range 5	\$62,400	\$87,800
3	20	2.	The following are range 1 positions	: There	are no

2. The following are range 1 positions: There are no 3 21 range 1 positions for the fiscal year beginning July 1, 2001.

- 3. The following are range 2 positions: administrator of 3 23 the arts division of the department of cultural affairs, 3 24 administrators of the division of persons with disabilities, 3 25 the division on the status of women, the division on the 3 26 status of African-Americans, the division of deaf services, 3 27 and the division of Latino affairs of the department of human 3 28 rights, and administrator of the division of professional 3 29 licensing and regulation of the department of commerce.
- 3 30 4. The following are range 3 positions: administrator of 3 31 the division of emergency management of the department of 3 32 public defense, administrator of the division of criminal and 3 33 juvenile justice planning of the department of human rights, 3 34 administrator of the division of community action agencies of 3 35 the department of human rights, executive director of the 1 commission of veterans affairs, and chairperson and members of 2 the employment appeal board of the department of inspections 3 and appeals.
- 5. The following are range 4 positions: superintendent of 5 banking, superintendent of credit unions, administrator of the 6 alcoholic beverages division of the department of commerce, 7 state public defender, and chairperson, vice chairperson, and 4 8 members of the board of parole.
- 6. The following are range 5 positions: consumer 4 10 advocate, drug policy coordinator, labor commissioner, 4 11 workers' compensation commissioner, administrator of the 4 12 historical division of the department of cultural affairs, 4 13 administrator of the public broadcasting division of the 4 14 department of education, and commandant of the veterans home.
- 4 15 7. The following are salary ranges 6 through 9 for the 4 16 fiscal year beginning July 1, 2001, effective with the pay

4 17 period beginning June 22, 2001:

4 18 SALARY RANGES

3

3

3

4

```
      4 19
      a. Range 6
      $48,200
      $78,000

      4 20
      b. Range 7
      $66,000
      $88,500

      4 21
      c. Range 8
      $70,800
      $102,700

      4 22
      d. Range 9
      $79,000
      $122,500
```

- 4 23 8. The following are range 6 positions: director of the 4 24 department of human rights, director of the Iowa state civil 4 25 rights commission, executive director of the college student 4 26 aid commission, director of the department for the blind, and 4 27 executive director of the ethics and campaign disclosure 4 28 board.
- 4 29 9. The following are range 7 positions: director of the 4 30 department of cultural affairs, director of the department of 4 31 elder affairs, and director of the law enforcement academy.
- 10. The following are range 8 positions: the 4 33 administrator of the state racing and gaming commission of the 4 34 department of inspections and appeals, director of the 4 35 department of inspections and appeals, director of the 1 department of general services, director of the information 2 technology department, director of the department of 5 3 personnel, commissioner of public safety, commissioner of 5 4 insurance, executive director of the Iowa finance authority, 5 director of revenue and finance, director of the department of 6 natural resources, director of the department of corrections, 7 and chairperson of the utilities board. The other members of 8 the utilities board shall receive an annual salary within a 5 9 range of not less than 90 percent but not more than 95 percent 5 10 of the annual salary of the chairperson of the utilities 5 11 board.
- 11. The following are range 9 positions: director of the department of education, director of human services, director 14 of the department of economic development, executive director 5 15 of the Iowa communications and technology commission, 5 16 executive director of the state board of regents, director of 17 the state department of transportation, director of the 5 18 department of workforce development, lottery commissioner, 5 19 director of public health, the state court administrator, 5 20 secretary of the state fair board, and the director of the 5 21 department of management.
- Sec. 5. COLLECTIVE BARGAINING AGREEMENTS FUNDED GENERAL 5 23 FUND. There is appropriated from the general fund of the 5 24 state to the salary adjustment fund for distribution by the 5 25 department of management to the various state departments, 5 26 boards, commissions, councils, and agencies, including the 5 27 state board of regents but excluding the judicial branch of 5 28 state government, for the fiscal year beginning July 1, 2001, 5 29 and ending June 30, 2002, the amount of \$46,770,200, or so 5 30 much thereof as may be necessary, to fully fund the following 5 31 annual pay adjustments, expense reimbursements, and related 5 32 benefits:
- $5\ 33$ 1. The collective bargaining agreement negotiated pursuant $5\ 34$ to chapter 20 for employees in the blue collar bargaining $5\ 35$ unit.
 - 1 2. The collective bargaining agreement negotiated pursuant 2 to chapter 20 for employees in the public safety bargaining 3 unit.
 - 4 3. The collective bargaining agreement negotiated pursuant 5 to chapter 20 for employees in the security bargaining unit.
 - 6 4. The collective bargaining agreement negotiated pursuant 7 to chapter 20 for employees in the technical bargaining unit.
- 6 8 5. The collective bargaining agreement negotiated pursuant 6 9 to chapter 20 for employees in the professional fiscal and 6 10 staff bargaining unit.
- 6 11 6. The collective bargaining agreement negotiated pursuant 6 12 to chapter 20 for employees in the university of northern Iowa 6 13 faculty bargaining unit.
- 6 14 7. The collective bargaining agreement negotiated pursuant 6 15 to chapter 20 for employees in the clerical bargaining unit.

- 6 16 8. The collective bargaining agreement negotiated pursuant 6 17 to chapter 20 for employees in the professional social
- 6 18 services bargaining unit.

7 4

- 6 19 9. The collective bargaining agreement negotiated pursuant 6 20 to chapter 20 for employees in the community-based corrections 6 21 bargaining unit.
- 6 22 10. The collective bargaining agreement negotiated 6 23 pursuant to chapter 20 for employees in the patient care 6 24 bargaining unit.
- 6 25 11. The collective bargaining agreement negotiated 6 26 pursuant to chapter 20 for employees in the science bargaining 6 27 unit.
- 6 28 12. The collective bargaining agreement negotiated 6 29 pursuant to chapter 20 for employees in the state university 6 30 of Iowa graduate student bargaining unit.
- 6 31 13. The collective bargaining agreement negotiated
 6 32 pursuant to chapter 20 for employees in the state university
 6 33 of Iowa hospital and clinics tertiary health care bargaining
 6 34 unit.
- 6 35 14. The annual pay adjustments, related benefits, and
 7 1 expense reimbursements referred to in sections 6 and 7 of this
 7 2 Act for employees not covered by a collective bargaining
 7 3 agreement.
 - Sec. 6. NONCONTRACT STATE EMPLOYEES GENERAL.
- 7 5 1. a. For the fiscal year beginning July 1, 2001, the 7 6 maximum salary levels of all pay plans provided for in section 7 7 19A.9, subsection 2, as they exist for the fiscal year ending 8 June 30, 2001, shall be increased by 3 percent for the pay 7 9 period beginning June 22, 2001, and any additional changes in 7 10 the pay plans shall be approved by the governor.
- 7 11 b. For the fiscal year beginning July 1, 2001, employees 7 12 may receive a step increase or the equivalent of a step 7 13 increase.
- 7 14 2. The pay plans for state employees who are exempt from 7 15 chapter 19A and who are included in the department of revenue 7 16 and finance's centralized payroll system shall be increased in 7 17 the same manner as provided in subsection 1, and any 7 18 additional changes in any executive branch pay plans shall be 7 19 approved by the governor.
- 7 20 3. This section does not apply to members of the general 7 21 assembly, board members, commission members, salaries of 7 22 persons set by the general assembly pursuant to this Act or 7 23 set by the governor, other persons designated in section 3 of 7 24 this Act, employees designated under section 19A.3, subsection 7 25 5, and employees covered by 581 IAC 4.6(3).
- 7 26 4. The pay plans for the bargaining eligible employees of 7 27 the state shall be increased in the same manner as provided in 7 28 subsection 1, and any additional changes in such executive 7 29 branch pay plans shall be approved by the governor. As used 7 30 in this section, "bargaining eligible employee" means an 7 31 employee who is eligible to organize under chapter 20, but has 7 32 not done so.
- 7 33 5. The policies for implementation of this section shall 7 34 be approved by the governor.
- 7 35 Sec. 7. STATE EMPLOYEES STATE BOARD OF REGENTS. Funds
 8 1 from the appropriation in section 5 of this Act shall be
 8 2 allocated to the state board of regents for the purposes of
 8 3 providing increases for state board of regents employees
 8 4 covered by section 5 of this Act and for employees not covered
 8 5 by a collective bargaining agreement as follows:
- 1. For regents merit system employees and merit
 7 supervisory employees to fund for the fiscal year, increases
 8 comparable to those provided for similar contract-covered
 9 employees in this Act.
- 8 10 2. For faculty members and professional and scientific8 11 employees to fund for the fiscal year, percentage increases8 12 comparable to those provided for contract-covered employees in

8 13 section 5, subsection 6, of this Act. 8 14 Sec. 8. COLLECTIVE BARGAINING AGREEMENTS AND NONCONTRACT 8 15 SALARIES FUNDED GENERAL FUND JUDICIAL BRANCH. There is 8 16 appropriated from the general fund of the state to the salary 8 17 adjustment fund for distribution to the judicial branch of 8 18 state government for the fiscal year beginning July 1, 2001, 8 19 and ending June 30, 2002, the amount of \$6,500,000, or so much 8 20 thereof as may be necessary, to fully fund the following 8 21 annual pay adjustments, expense reimbursements, and related 8 22 benefits: 1. The collective bargaining agreement negotiated pursuant 8 24 to chapter 20 for employees in the judicial branch of 8 25 government bargaining unit. 2. The annual pay adjustments, related benefits, and 8 27 expense reimbursements for judicial branch employees not 8 28 covered by a collective bargaining agreement. 8 29 Sec. 9. APPROPRIATIONS FROM ROAD FUNDS. 8 30 1. There is appropriated from the road use tax fund to the 8 31 salary adjustment fund for the fiscal year beginning July 1, 8 32 2001, and ending June 30, 2002, the following amount, or so 8 33 much thereof as may be necessary, to be used for the purpose 8 35 To supplement other funds appropriated by the general 9 1 assembly: 9 2 \$ 3,122,527 9 3 2. There is appropriated from the primary road fund to the 9 4 salary adjustment fund, for the fiscal year beginning July 1, 9 5 2001, and ending June 30, 2002, the following amount, or so 9 6 much thereof as may be necessary, to be used for the purpose 9 7 designated: 9 8 To supplement other funds appropriated by the general 9 9 assembly: 9 10 \$ 10,305,191 9 11 3. Except as otherwise provided in this Act, the amounts 9 12 appropriated in subsections 1 and 2 shall be used to fund the 9 13 annual pay adjustments, expense reimbursements, and related 9 14 benefits for public employees as provided in this Act. Sec. 10. SPECIAL FUNDS AUTHORIZATION. To departmental 9 16 revolving, trust, or special funds, except for the primary 9 17 road fund or the road use tax fund, for which the general 9 18 assembly has established an operating budget, a supplemental 9 19 expenditure authorization is provided, unless otherwise 9 20 provided, in an amount necessary to fund salary adjustments as 9 21 otherwise provided in this Act. Sec. 11. GENERAL FUND SALARY MONEYS. Funds appropriated 9 22 9 23 from the general fund of the state in this Act relate only to 9 24 salaries supported from general fund appropriations of the 9 25 state. 9 26 Sec. 12. FEDERAL FUNDS APPROPRIATED. All federal grants 9 27 to and the federal receipts of the agencies affected by this 9 28 Act which are received and may be expended for purposes of 9 29 this Act are appropriated for those purposes and as set forth 9 30 in the federal grants or receipts. Sec. 13. STATE TROOPER MEAL ALLOWANCE. The sworn peace 9 32 officers in the department of public safety who are not 9 33 covered by a collective bargaining agreement negotiated 9 34 pursuant to chapter 20 shall receive the same per diem meal 9 35 allowance as the sworn peace officers in the department of 10 1 public safety who are covered by a collective bargaining 10 2 agreement negotiated pursuant to chapter 20. 10 3 Sec. 14. SALARY MODEL COORDINATOR. Of the funds 10 4 appropriated by section 5 of this Act, \$133,800 for the fiscal 10 5 year beginning July 1, 2001, is allocated to the department of

10 6 management for salary and support of the salary model

10 7 coordinator who shall work in conjunction with the legislative 10 8 fiscal bureau to maintain the state's salary model used for 10 9 analyzing, comparing, and projecting state employee salary and

10 10 benefit information, including information relating to 10 11 employees of the state board of regents. The department of 10 12 revenue and finance, the department of personnel, the five 10 13 institutions under the jurisdiction of the state board of 10 14 regents, the eight judicial district departments of 10 15 correctional services, and the state department of 10 16 transportation shall provide salary data to the department of 10 17 management and the legislative fiscal bureau to operate the 10 18 state's salary model. The format and frequency of provision 10 19 of the salary data shall be determined by the department of 10 20 management and the legislative fiscal bureau. The information 10 21 shall be used in collective bargaining processes under chapter 10 22 20 and in calculating the funding needs contained within the 10 23 annual salary adjustment legislation. A state employee 10 24 organization as defined in section 20.3, subsection 4, may 10 25 request information produced by the model, but the information 10 26 provided shall not contain information attributable to 10 27 individual employees. 10 28 Sec. 15. PATIENT CARE BARGAINING UNIT OVERTIME. 10 29 1. Of the funds appropriated in section 5 of this Act, the 10 30 following amount, or so much thereof as is necessary, shall be 10 31 allocated to the department of revenue and finance for the 10 32 fiscal year beginning July 1, 2001, and ending June 30, 2002, 10 33 to be used for the purpose designated: To reimburse state agencies for expenditures related to the 10 35 payment of overtime to state employees covered under the 11 1 patient care bargaining unit: 11 2 \$ 11 3 2. The department of revenue and finance shall provide 11 4 guidelines and forms for documentation that a state agency 11 5 shall submit for the overtime reimbursement provided for in 11 6 subsection 1. The reimbursement shall be restricted to the 7 amount of moneys appropriated from the general fund of the 11 11 8 state that is used to pay overtime of state employees covered 11 9 under the patient care bargaining unit for the fiscal year 11 10 beginning July 1, 2001, and ending June 30, 2002. 11 11 Sec. 16. HEALTH INSURANCE INCENTIVE PROGRAMS. For the 11 12 fiscal year beginning July 1, 2001, and ending June 30, 2002, 11 13 the department of revenue and finance shall administer the 11 14 health insurance incentive programs as contained in the 11 15 collective bargaining agreements. The incentive payment shall 11 16 be distributed in the paycheck of an eligible state employee 11 17 if the employee is employed by a central state agency. Each 11 18 judicial district department of correctional services and the 11 19 state board of regents shall provide monthly to the department 11 20 of revenue and finance a list of their employee counts by 11 21 benefit plan that qualify for the incentive and the amount of 11 22 the incentive due. The judicial district department of 11 23 correctional services and the state board of regents shall 11 24 include the amount of the incentive payment to their eligible 11 25 employees' paychecks as soon as the payment is 11 26 administratively practical. 11 27 Sec. 17. STATE EMPLOYEE BENEFIT PROGRAMS ADMINISTRATIVE 11 28 COSTS. For the fiscal year beginning July 1, 2001, and ending 11 29 June 30, 2002, the department of personnel shall include a 11 30 monthly administration charge of \$2.00 per contract on all 11 31 health insurance plans administered by the department. A 11 32 health insurance administration fund is created in the state 11 33 treasury. The proceeds of the monthly administrative charge 11 34 shall be remitted to the health insurance administrative fund. 11 35 The total amount of administration charges remitted to the 1 health insurance administration fund shall not exceed \$600,000 2 per fiscal year. Any unencumbered or unobligated balance in 3 the health insurance administration fund at the end of the 12 4 fiscal year shall be transferred to the health insurance 12 5 surplus fund. 12 6 Sec. 18. NEW SECTION. 421.46 TERMINAL LIABILITY HEALTH

12 7 INSURANCE FUND.

13 4

13 5

13 6

13

13

12 8 A terminal liability health insurance fund is created in 12 9 the state treasury under the control of the department of 12 10 personnel. The proceeds of the terminal liability health 12 11 insurance fund shall be used by the department of personnel to 12 12 pay the state's share of the terminal liability of the 12 13 existing health insurance contract administered by the $12\ 14\ department$ of personnel. The moneys appropriated to the 12 15 terminal liability health insurance fund plus any additional 12 16 funds appropriated pursuant to this Act or other Acts of the 12 17 general assembly shall constitute the total amount due to pay 12 18 the terminal liability specified in this section.

Notwithstanding section 8.33, any unencumbered or 12 19 12 20 unobligated balance remaining in the terminal liability health 12 21 insurance fund at the close of a fiscal year shall not revert. 12 22 However, upon total payment of the terminal liability of the 12 23 existing health insurance contract administered by the 12 24 department of personnel, any remaining balance in the terminal 12 25 liability health insurance fund shall revert to the credit of 12 26 the fund from which the appropriation was made as provided in 12 27 section 8.33.

12 28 Sec. 19. Section 455G.3, Code 2001, is amended by adding 12 29 the following new subsection:

NEW SUBSECTION. 6. There is appropriated from the 12 31 unassigned revenue fund administered by the Iowa comprehensive 12 32 underground storage tank fund board to the terminal liability 12 33 health insurance fund created pursuant to section 421.46 for 12 34 the fiscal year beginning July 1, 2001, and ending June 30, 12 35 2002, the amount of eighteen million dollars to be used by the 1 department of personnel to pay the state's share of the 13 2 terminal liability of the existing Wellmark health insurance 13 3 contract.

> This subsection is repealed effective July 1, 2002. EXPLANATION

This bill relates to and appropriates moneys for the fiscal 7 year beginning July 1, 2001, to fund salary adjustments for 8 state appointed nonelected officers, justices, judges, 13 9 magistrates, employees subject to collective bargaining 13 10 agreements, and certain noncontract employees.

13 11 The contract state employees under the American federation 13 12 of state, county and municipal employees receive a 3 percent 13 13 increase. The contract employees under the state police 13 14 officers council and Iowa united professionals receive a 3 13 15 percent increase.

13 16 The salaries of justices, judges, and judicial magistrates 13 17 are increased approximately 3 percent. Noncontract employee 13 18 pay plans are increased by 3 percent and any additional 13 19 changes in executive branch noncontract employee pay plans are 13 20 subject to approval of the governor. An eligible noncontract 13 21 employee may receive a step increase or its equivalent.

13 22 The state board of regents is allocated appropriations to 13 23 fund its collective bargaining agreements and provide merit 13 24 employees not covered under a collective bargaining agreement 13 25 with increases comparable to similar contract-covered 13 26 employees and faculty and the professional and scientific 13 27 employees not covered under a collective bargaining agreement 13 28 with a percentage increase similar to the university of 13 29 northern Iowa faculty bargaining unit.

The bill also provides supplemental authorization to fund 13 31 salaries from trust, revolving, and special funds for which 13 32 the general assembly has established an operating budget.

Funds appropriated from the general fund of the state 13 34 relate only to salaries supported from general fund 13 35 appropriations. The bill provides that federal grants and 1 receipts may be spent for the purposes authorized by the 14 2 federal grant or receipt.

A salary model coordinator is funded to maintain in

14 4 conjunction with the legislative fiscal bureau the state's 14 5 salary model.

14 6 The bill allocates funds to the department of revenue and 14 7 finance to reimburse state agencies for overtime paid to 14 8 employees of the patient care bargaining unit.

14 9 The bill also provides for health insurance incentive 14 10 programs for contract and noncontract employees and provides 14 11 for an incentive payment to eligible employees.

14 12 The bill authorizes the department of personnel to collect 14 13 an administration charge of \$2.00 per contract on all health 14 14 insurance plans to pay the administrative costs of state 14 15 benefit programs.

14 16 The bill appropriates moneys from the unassigned revenue 14 17 fund administered by the Iowa comprehensive underground

14 18 storage tank fund board to the department of personnel to pay 14 19 the state's share of the terminal liability of the existing

14 20 health insurance contract.

14 21 LSB 3675SC 79

14 22 tj/pj/5