

APR 27 2005
APPROPRIATIONS CALENDAR

HOUSE FILE 881
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 297)

Passed House, Date 4-29-05 Passed Senate, Date 5-5-05
Vote: Ayes 52 Nays 46 Vote: Ayes 28 Nays 22
Approved 6/14/05

A BILL FOR

1 An Act relating to the compensation and benefits for public
2 officials and employees and members of the general assembly,
3 providing for related matters, making appropriations, and
4 including effective and retroactive applicability date
5 provisions.

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

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HF 881

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

3 1. The salary rates specified in subsection 2 are for the
4 fiscal year beginning July 1, 2005, effective for the pay
5 period beginning July 1, 2005, and for subsequent fiscal years
6 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 or if the appropriation is not sufficient, from funds
10 appropriated to the judicial branch pursuant to any Act of the
11 general assembly.

12 2. The following annual salary rates shall be paid to the
13 persons holding the judicial positions indicated during the
14 fiscal year beginning July 1, 2005, effective with the pay
15 period beginning July 1, 2005, and for subsequent pay periods.

- 16 a. Chief justice of the supreme court:
17 \$ 132,720
- 18 b. Each justice of the supreme court:
19 \$ 128,000
- 20 c. Chief judge of the court of appeals:
21 \$ 127,920
- 22 d. Each associate judge of the court of appeals:
23 \$ 123,120
- 24 e. Each chief judge of a judicial district:
25 \$ 122,000
- 26 f. Each district judge except the chief judge of a
27 judicial district:
28 \$ 117,040
- 29 g. Each district associate judge:
30 \$ 102,000
- 31 h. Each associate juvenile judge:
32 \$ 102,000
- 33 i. Each associate probate judge:
34 \$ 102,000
- 35 j. Each judicial magistrate:

1 \$ 30,400

2 k. Each senior judge:

3 \$ 6,800

4 3. Persons receiving the salary rates established under
5 this section shall not receive any additional salary
6 adjustments provided by this Act.

7 Sec. 2. ELECTIVE EXECUTIVE OFFICIALS.

8 1. The annual salary rates specified in this section are
9 effective for the fiscal year beginning July 1, 2005, with the
10 pay period beginning July 1, 2005, and for subsequent fiscal
11 years until otherwise provided by the general assembly. The
12 salaries provided for in this section shall be paid from funds
13 appropriated to the department or agency specified in this
14 section from the salary adjustment fund or if the
15 appropriation is not sufficient, from funds appropriated to
16 the department or agency pursuant to any Act of the general
17 assembly.

18 2. The following annual salary rates shall be paid to the
19 person holding the position indicated:

20 a. OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR

21 (1) Salary for the governor:

22 \$ 130,000

23 (2) Salary for the lieutenant governor:

24 \$ 103,212

25 b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

26 Salary for the secretary of agriculture:

27 \$ 103,212

28 c. DEPARTMENT OF JUSTICE

29 Salary for the attorney general:

30 \$ 123,669

31 d. OFFICE OF THE AUDITOR OF STATE

32 Salary for the auditor of state:

33 \$ 103,212

34 e. OFFICE OF THE SECRETARY OF STATE

35 Salary for the secretary of state:

1 \$ 103,212

2 f. OFFICE OF THE TREASURER OF STATE

3 Salary for the treasurer of state:

4 \$ 103,212

5 Sec. 3. APPOINTED STATE OFFICERS. Notwithstanding section
6 20.5, subsection 3, the governor shall establish a salary for
7 appointed nonelected persons in the executive branch of state
8 government holding a position enumerated in section 4 of this
9 Act within the range provided, by considering, among other
10 items, the experience of the individual in the position,
11 changes in the duties of the position, the incumbent's
12 performance of assigned duties, and subordinates' salaries.
13 However, the attorney general shall establish the salary for
14 the consumer advocate, the chief justice of the supreme court
15 shall establish the salary for the state court administrator,
16 the ethics and campaign disclosure board shall establish the
17 salary of the executive director, and the state fair board
18 shall establish the salary of the secretary of the state fair
19 board, each within the salary range provided in section 4 of
20 this Act.

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

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

34 Sec. 4. STATE OFFICERS -- SALARY RANGE. The following
35 annual salary ranges are effective for the positions specified

1 in this section for the fiscal year beginning July 1, 2005,
 2 and for subsequent fiscal years until otherwise provided by
 3 the general assembly. The governor or other person designated
 4 in section 3 of this Act shall determine the salary to be paid
 5 to the person indicated at a rate within this salary range
 6 from funds appropriated by the general assembly for that
 7 purpose.

8 1. The following are salary ranges for state officers for
 9 the fiscal year beginning July 1, 2005, effective with the pay
 10 period beginning July 1, 2005:

11 SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
12 a. Range 1	\$ 8,800	\$ 33,753
13 b. Range 2	\$45,395	\$ 68,100
14 c. Range 3	\$52,210	\$ 78,315
15 d. Range 4	\$60,040	\$ 90,062
16 e. Range 5	\$69,045	\$103,571
17 f. Range 6	\$79,405	\$119,107
18 g. Range 7	\$95,055	\$142,578

19 2. The following are range 1 positions: There are no
 20 range 1 positions for the fiscal year beginning July 1, 2005.

21 3. The following are range 2 positions: administrator of
 22 the arts division of the department of cultural affairs,
 23 administrators of the division of persons with disabilities,
 24 the division on the status of women, the division on the
 25 status of Asian and Pacific islander heritage, the division on
 26 the status of African-Americans, the division of deaf
 27 services, and the division of Latino affairs of the department
 28 of human rights, and administrator of the division of
 29 professional licensing and regulation of the department of
 30 commerce.

31 4. The following are range 3 positions: administrator of
 32 the division of homeland security and emergency management of
 33 the department of public defense, administrator of the
 34 division of criminal and juvenile justice planning of the
 35 department of human rights, administrator of the division of

1 community action agencies of the department of human rights,
2 executive director of the commission of veterans affairs, and
3 chairperson and members of the employment appeal board of the
4 department of inspections and appeals.

5 5. The following are range 4 positions: director of the
6 department of human rights, director of the Iowa state civil
7 rights commission, executive director of the college student
8 aid commission, director of the department for the blind,
9 executive director of the ethics and campaign disclosure
10 board, members of the public employment relations board, and
11 chairperson, vice chairperson, and members of the board of
12 parole.

13 6. The following are range 5 positions: state public
14 defender, drug policy coordinator, labor commissioner,
15 workers' compensation commissioner, director of the department
16 of cultural affairs, director of the department of elder
17 affairs, director of the law enforcement academy, and
18 administrator of the historical division of the department of
19 cultural affairs.

20 7. The following are range 6 positions: superintendent of
21 banking, superintendent of credit unions, administrator of the
22 alcoholic beverages division of the department of commerce,
23 director of the department of inspections and appeals,
24 commandant of the veterans home, administrator of the public
25 broadcasting division of the department of education,
26 commissioner of public safety, commissioner of insurance,
27 executive director of the Iowa finance authority, director of
28 the department of natural resources, director of the
29 department of corrections, consumer advocate, and chairperson
30 of the utilities board. The other members of the utilities
31 board shall receive an annual salary within a range of not
32 less than 90 percent but not more than 95 percent of the
33 annual salary of the chairperson of the utilities board.

34 8. The following are range 7 positions: administrator of
35 the state racing and gaming commission of the department of

1 inspections and appeals, director of the department of
2 education, director of human services, director of the
3 department of economic development, executive director of the
4 Iowa telecommunications and technology commission, executive
5 director of the state board of regents, director of the state
6 department of transportation, director of the department of
7 workforce development, director of revenue, director of public
8 health, state court administrator, secretary of the state fair
9 board, director of the department of management, and director
10 of the department of administrative services.

11 Sec. 5. COLLECTIVE BARGAINING AGREEMENTS FUNDED -- GENERAL
12 FUND. There is appropriated from the general fund of the
13 state to the salary adjustment fund for distribution by the
14 department of management to the various state departments,
15 boards, commissions, councils, and agencies, excluding the
16 state board of regents, for the fiscal year beginning July 1,
17 2005, and ending June 30, 2006, the amount of \$38,500,000, or
18 so much thereof as may be necessary, to fully fund annual pay
19 adjustments, expense reimbursements, and related benefits
20 implemented pursuant to the following:

21 1. The collective bargaining agreement negotiated pursuant
22 to chapter 20 for employees in the blue collar bargaining
23 unit.

24 2. The collective bargaining agreement negotiated pursuant
25 to chapter 20 for employees in the public safety bargaining
26 unit.

27 3. The collective bargaining agreement negotiated pursuant
28 to chapter 20 for employees in the security bargaining unit.

29 4. The collective bargaining agreement negotiated pursuant
30 to chapter 20 for employees in the technical bargaining unit.

31 5. The collective bargaining agreement negotiated pursuant
32 to chapter 20 for employees in the professional fiscal and
33 staff bargaining unit.

34 6. The collective bargaining agreement negotiated pursuant
35 to chapter 20 for employees in the clerical bargaining unit.

1 7. The collective bargaining agreement negotiated pursuant
2 to chapter 20 for employees in the professional social
3 services bargaining unit.

4 8. The collective bargaining agreement negotiated pursuant
5 to chapter 20 for employees in the community-based corrections
6 bargaining unit.

7 9. The collective bargaining agreements negotiated
8 pursuant to chapter 20 for employees in the judicial branch of
9 government bargaining units.

10 10. The collective bargaining agreement negotiated
11 pursuant to chapter 20 for employees in the patient care
12 bargaining unit.

13 11. The collective bargaining agreement negotiated
14 pursuant to chapter 20 for employees in the science bargaining
15 unit.

16 12. The annual pay adjustments, related benefits, and
17 expense reimbursements referred to in section 6 of this Act
18 for employees not covered by a collective bargaining
19 agreement.

20 Of the amount appropriated in this section, \$4,880,000
21 shall be allocated to the judicial branch for the purpose of
22 funding annual pay adjustments, expense reimbursements, and
23 related benefits implemented for judicial branch employees.

24 Sec. 6. NONCONTRACT STATE EMPLOYEES -- GENERAL.

25 1. a. For the fiscal year beginning July 1, 2005, the
26 maximum salary levels of all pay plans provided for in section
27 8A.413, subsection 2, as they exist for the fiscal year ending
28 June 30, 2005, shall be increased by 2.5 percent for the pay
29 period beginning March 24, 2006, and any additional changes in
30 the pay plans shall be approved by the governor.

31 b. For the fiscal year beginning July 1, 2005, employees
32 may receive a step increase or the equivalent of a step
33 increase.

34 2. The pay plans for state employees who are exempt from
35 chapter 8A, subchapter IV, and who are included in the

1 department of administrative service's centralized payroll
2 system shall be increased in the same manner as provided in
3 subsection 1, and any additional changes in any executive
4 branch pay plans shall be approved by the governor.

5 3. This section does not apply to members of the general
6 assembly, board members, commission members, salaries of
7 persons set by the general assembly pursuant to this Act or
8 set by the governor, other persons designated in section 3 of
9 this Act, employees designated under section 8A.412,
10 subsection 5, and employees covered by 11 IAC 53.6(3).

11 4. The pay plans for the bargaining eligible employees of
12 the state shall be increased in the same manner as provided in
13 subsection 1, and any additional changes in such executive
14 branch pay plans shall be approved by the governor. As used
15 in this section, "bargaining eligible employee" means an
16 employee who is eligible to organize under chapter 20, but has
17 not done so.

18 5. The policies for implementation of this section shall
19 be approved by the governor.

20 Sec. 7. APPROPRIATIONS FROM ROAD FUNDS.

21 1. There is appropriated from the road use tax fund to the
22 salary adjustment fund for the fiscal year beginning July 1,
23 2005, and ending June 30, 2006, the following amount, or so
24 much thereof as may be necessary, to be used for the purpose
25 designated:

26 To supplement other funds appropriated by the general
27 assembly:
28 \$ 1,635,317

29 2. There is appropriated from the primary road fund to the
30 salary adjustment fund, for the fiscal year beginning July 1,
31 2005, and ending June 30, 2006, the following amount, or so
32 much thereof as may be necessary, to be used for the purpose
33 designated:

34 To supplement other funds appropriated by the general
35 assembly:

1 \$ 9,233,486

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

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

13 Sec. 9. GENERAL FUND SALARY MONEYS. Funds appropriated
14 for distribution from the salary adjustment fund in section 5
15 of this Act relate only to salaries supported from general
16 fund appropriations of the state except for employees of the
17 state board of regents.

18 Sec. 10. FEDERAL FUNDS APPROPRIATED. All federal grants
19 to and the federal receipts of the agencies affected by this
20 Act which are received and may be expended for purposes of
21 this Act are appropriated for those purposes and as set forth
22 in the federal grants or receipts.

23 Sec. 11. STATE TROOPER MEAL ALLOWANCE. The sworn peace
24 officers in the department of public safety who are not
25 covered by a collective bargaining agreement negotiated
26 pursuant to chapter 20 shall receive the same per diem meal
27 allowance as the sworn peace officers in the department of
28 public safety who are covered by a collective bargaining
29 agreement negotiated pursuant to chapter 20.

30 Sec. 12. SICK LEAVE CONVERSION. Effective with the fiscal
31 year beginning July 1, 2006, the sick leave conversion program
32 under the collective bargaining agreement that covers the
33 greatest number of state employees and that affects sick leave
34 accrual and allows sick leave conversion and use upon
35 retirement for payment of certain health insurance premiums,

1 shall be extended to employees in the executive branch,
2 excluding state board of regents employees, not covered by a
3 collective bargaining agreement. Peace officers employed
4 within the department of public safety and department of
5 natural resources that are not covered under a collective
6 bargaining agreement shall have a sick leave conversion
7 program extended to them that is equivalent to the sick leave
8 conversion program of the state police officers council
9 collective bargaining agreement. By December 1, 2005, the
10 department of administrative services shall submit to the
11 general assembly proposed changes to the Code of Iowa and
12 administrative rules needed to implement this program.

13 Sec. 13. APRIL 8, 2005, REVENUE ESTIMATE. For use by the
14 general assembly in the budget process and the governor's
15 approval or disapproval of the appropriations bills for the
16 fiscal year beginning July 1, 2005, and for purposes of
17 calculating the state general fund expenditure limitation
18 pursuant to section 8.54 for the fiscal year beginning July 1,
19 2005, the revenue estimate for the fiscal year beginning July
20 1, 2005, that shall be used in the budget process and such
21 calculation shall be the revenue estimate determined by the
22 revenue estimating conference on April 8, 2005,
23 notwithstanding the provision in section 8.22A, subsection 3,
24 that disallows the use of a revenue estimate agreed to at a
25 later meeting that projects a greater amount than the initial
26 estimated amount agreed to in December 2004. This section
27 also authorizes the use of the estimated revenue figures for
28 the purposes or sources designated in section 8.22A,
29 subsection 5.

30 Sec. 14. Section 2.10, subsections 1, 2, 5, and 6, Code
31 2005, are amended to read as follows:

32 1. Every member of the general assembly except the
33 presiding officer of the senate, the speaker of the house, the
34 majority and minority floor leader of each house, and the
35 president pro tempore of the senate and speaker pro tempore of

1 the house, shall receive an annual salary of ~~twenty~~ twenty-
2 five thousand ~~one-hundred-twenty~~ dollars for the year ~~1997~~
3 2007 and subsequent years while serving as a member of the
4 general assembly. In addition, each such member shall receive
5 ~~the sum of eighty-six dollars per day~~ a per diem, as defined
6 in subsection 5, for expenses of office, except travel, for
7 each day the general assembly is in session commencing with
8 the first day of a legislative session and ending with the day
9 of final adjournment of each legislative session as indicated
10 by the journals of the house and senate, except that if the
11 length of the first regular session of the general assembly
12 exceeds one hundred ten calendar days and the second regular
13 session exceeds one hundred calendar days, the payments shall
14 be made only for one hundred ten calendar days for the first
15 session and one hundred calendar days for the second session.
16 Members from Polk county shall receive ~~sixty-five dollars per~~
17 day an amount per day equal to three-fourths of the per diem
18 of the non-Polk county members. Each member shall receive a
19 ~~two~~ three hundred dollar per month allowance for legislative
20 district constituency postage, travel, telephone costs, and
21 other expenses. Travel expenses shall be paid at the rate
22 established by section 8A.363 for actual travel in going to
23 and returning from the seat of government by the nearest
24 traveled route for not more than one time per week during a
25 legislative session unless the general assembly otherwise
26 provides.

27 2. The speaker of the house, presiding officer of the
28 senate, and the majority and minority floor leader of each
29 house shall each receive an annual salary of ~~thirty-one~~
30 thirty-seven thousand thirty five hundred dollars for the year
31 ~~1997~~ 2007 and subsequent years while serving in that capacity.
32 The president pro tempore of the senate and the speaker pro
33 tempore of the house shall receive an annual salary of
34 ~~twenty-one~~ twenty-seven thousand ~~two-hundred-ninety~~ dollars
35 for the year ~~1997~~ 2007 and subsequent years while serving in

1 that capacity. Expense and travel allowances shall be the
2 same for the speaker of the house and the presiding officer of
3 the senate, the president pro tempore of the senate and the
4 speaker pro tempore of the house, and the majority and
5 minority leader of each house as provided for other members of
6 the general assembly.

7 5. In addition to the salaries and expenses authorized by
8 this section, a member of the general assembly shall be paid
9 ~~eighty-six-dollars-per-day~~ a per diem, and necessary travel
10 and actual expenses incurred in attending meetings for which
11 per diem or expenses are authorized by law for members of the
12 general assembly who serve on statutory boards, commissions,
13 or councils, and for standing or interim committee or
14 subcommittee meetings subject to the provisions of section
15 2.14, or when on authorized legislative business when the
16 general assembly is not in session. However, if a member of
17 the general assembly is engaged in authorized legislative
18 business at a location other than at the seat of government
19 during the time the general assembly is in session, payment
20 may be made for the actual transportation and lodging costs
21 incurred because of the business. Such per diem or expenses
22 shall be paid promptly from funds appropriated pursuant to
23 section 2.12.

24 For purposes of this section, "per diem" means the maximum
25 amount generally allowable to employees of the executive
26 branch of the federal government for per diem while away from
27 home at the seat of government.

28 6. If a special session of the general assembly is
29 convened, members of the general assembly shall receive, in
30 addition to their annual salaries, ~~the-sum-of-eighty-six~~
31 ~~dollars-per-day~~ a per diem for each day the general assembly
32 is actually in special session, and the same travel allowances
33 and expenses as authorized by this section. A member of the
34 general assembly shall receive the additional per diem, travel
35 allowances and expenses only for the days of attendance during

1 a special session.

2 Sec. 15. Section 99D.5, subsection 4, Code 2005, is
3 amended to read as follows:

4 4. Commission members are each entitled to receive an
5 annual salary of ~~six~~ ten thousand dollars. Members shall also
6 be reimbursed for actual expenses incurred in the performance
7 of their duties to a maximum of thirty thousand dollars per
8 year for the commission. Each member shall be covered by the
9 blanket surety bond of the state purchased pursuant to section
10 8A.321, subsection 12.

11 Sec. 16. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
12 Section 14 of this Act takes effect upon the convening of the
13 Eighty-second General Assembly in January 2007. The section
14 of this Act relating to the use of the April 8, 2005, revenue
15 estimate, being deemed of immediate importance, takes effect
16 upon enactment and applies retroactively to January 10, 2005.

17 EXPLANATION

18 This bill relates to the funding for the fiscal year
19 beginning July 1, 2005, of salary increases for state elected
20 executive officers, state appointed nonelected officers,
21 justices, judges, magistrates, employees subject to collective
22 bargaining agreements, certain noncontract employees, and
23 members of the general assembly. Board of regents employees
24 are excluded.

25 The annual salaries of the state elected executive officers
26 are increased by approximately 12.8 percent except for the
27 governor's and lieutenant governor's, which increase
28 approximately 20 percent and 38 percent, respectively. The
29 annual salaries of the justices, judges, and judicial
30 magistrates are increased by approximately 5 percent.

31 The bill provides supplemental authorization to fund
32 salaries from trust, revolving, and special funds for which
33 the general assembly has established a budget, except for
34 board of regents employees.

35 The bill provides for sick leave conversion programs for

1 executive branch employees not covered by a collective
2 bargaining agreement, excluding board of regents employees.

3 The bill increases the pay of the members of the general
4 assembly, except for the leadership, from \$21,380.54 to
5 \$25,000. The leadership's increase in pay is from \$32,974.06
6 to \$37,500, with the president pro tem's and speaker pro tem's
7 annual salary increasing from \$22,623.84 to \$27,000. The bill
8 also increases the per diem from \$86 to the maximum amount
9 allowed by the executive branch of the federal government
10 while away from home at the seat of government, with Polk
11 county legislators receiving three-fourths of that amount
12 while the general assembly is in session. The bill increases
13 the monthly legislative district constituency allowance from
14 \$200 to \$300.

15 The provisions relating to the compensation and benefits of
16 the members of the general assembly in the bill take effect
17 upon the convening of the Eighty-second General Assembly, 2007
18 Session.

19 The bill also provides that members of the racing and
20 gaming commission are to receive an annual salary of \$10,000.

21 The bill provides that for purposes of the budgeting
22 process and the state general fund expenditure limitation, the
23 revenue estimate made by the revenue estimating council on
24 April 8, 2005, is to be used.

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S-3234

1 Amend House File 881, as passed by the House, as
2 follows:

3 1. Page 13, by striking lines 12 and 13 and
4 inserting the following:

5 "1. The portion of the section of this Act
6 amending section 2.10, subsections 1 and 2, as it
7 relates to the amount of annual salaries of members
8 and leaders of the general assembly, takes effect on
9 the later of the following:

10 a. Upon the convening of the Eighty-second General
11 Assembly in January 2007.

12 b. Upon the revenue estimating conference
13 approving a finding that both the Iowa economic
14 emergency fund and the cash reserve fund have reached
15 the maximum balances authorized for the funds under
16 sections 8.55 and 8.56 for the fiscal year for which
17 the finding is issued.

18 2. The portion of the section of this Act amending
19 section 2.10, subsections 1, 5, and 6, as it relates
20 to the amount of per diem and per month constituency
21 allowance, takes effect upon the convening of the
22 Eighty-second General Assembly in January 2007.

23 3. The section".

24 2. By renumbering as necessary.

By BOB BRUNKHORST

S-3234 FILED MAY 3, 2005

ROBERTS - CH
JACOBS
MASCHER

88/

HSB 297

APPROPRIATIONS

SENATE/HOUSE FILE _____

BY (PROPOSED GOVERNOR'S BUDGET BILL)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the compensation and benefits for public
2 officials and employees and members of the general assembly,
3 providing for related matters, making appropriations, and
4 including an effective date provision.

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

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

3 1. The salary rates specified in subsection 2 are for the
4 fiscal year beginning July 1, 2005, effective for the pay
5 period beginning July 1, 2005, and for subsequent fiscal years
6 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 or if the appropriation is not sufficient, from funds
10 appropriated to the judicial branch pursuant to any Act of the
11 general assembly.

12 2. The following annual salary rates shall be paid to the
13 persons holding the judicial positions indicated during the
14 fiscal year beginning July 1, 2005, effective with the pay
15 period beginning July 1, 2005, and for subsequent pay periods.

16	a. Chief justice of the supreme court:	
17	.....	\$ 132,720
18	b. Each justice of the supreme court:	
19	.....	\$ 128,000
20	c. Chief judge of the court of appeals:	
21	.....	\$ 127,920
22	d. Each associate judge of the court of appeals:	
23	.....	\$ 123,120
24	e. Each chief judge of a judicial district:	
25	.....	\$ 122,000
26	f. Each district judge except the chief judge of a	
27	judicial district:	
28	.....	\$ 117,040
29	g. Each district associate judge:	
30	.....	\$ 102,000
31	h. Each associate juvenile judge:	
32	.....	\$ 102,000
33	i. Each associate probate judge:	
34	.....	\$ 102,000
35	j. Each judicial magistrate:	

1 \$ 30,400

2 k. Each senior judge:

3 \$ 6,800

4 3. Persons receiving the salary rates established under
5 this section shall not receive any additional salary
6 adjustments provided by this Act.

7 Sec. 2. ELECTIVE EXECUTIVE OFFICIALS.

8 1. The annual salary rates specified in this section are
9 effective for the fiscal year beginning July 1, 2005, with the
10 pay period beginning July 1, 2005, and for subsequent fiscal
11 years until otherwise provided by the general assembly. The
12 salaries provided for in this section shall be paid from funds
13 appropriated to the department or agency specified in this
14 section from the salary adjustment fund or if the
15 appropriation is not sufficient, from funds appropriated to
16 the department or agency pursuant to any Act of the general
17 assembly.

18 2. The following annual salary rates shall be paid to the
19 person holding the position indicated:

20 a. OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR

21 (1) Salary for the governor:

22 \$ 107,482

23 (2) Salary for the lieutenant governor:

24 \$ 89,967

25 b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

26 Salary for the secretary of agriculture:

27 \$ 103,212

28 c. DEPARTMENT OF JUSTICE

29 Salary for the attorney general:

30 \$ 123,669

31 d. OFFICE OF THE AUDITOR OF STATE

32 Salary for the auditor of state:

33 \$ 103,212

34 e. OFFICE OF THE SECRETARY OF STATE

35 Salary for the secretary of state:

1 \$ 103,212
 2 f. OFFICE OF THE TREASURER OF STATE
 3 Salary for the treasurer of state:
 4 \$ 103,212

5 Sec. 3. APPOINTED STATE OFFICERS. Notwithstanding section
 6 20.5, subsection 3, the governor shall establish a salary for
 7 appointed nonelected persons in the executive branch of state
 8 government holding a position enumerated in section 4 of this
 9 Act within the range provided, by considering, among other
 10 items, the experience of the individual in the position,
 11 changes in the duties of the position, the incumbent's
 12 performance of assigned duties, and subordinates' salaries.
 13 However, the attorney general shall establish the salary for
 14 the consumer advocate, the chief justice of the supreme court
 15 shall establish the salary for the state court administrator,
 16 the ethics and campaign disclosure board shall establish the
 17 salary of the executive director, and the state fair board
 18 shall establish the salary of the secretary of the state fair
 19 board, each within the salary range provided in section 4 of
 20 this Act.

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

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

34 Sec. 4. STATE OFFICERS -- SALARY RANGE. The following
 35 annual salary ranges are effective for the positions specified

1 in this section for the fiscal year beginning July 1, 2005,
 2 and for subsequent fiscal years until otherwise provided by
 3 the general assembly. The governor or other person designated
 4 in section 3 of this Act shall determine the salary to be paid
 5 to the person indicated at a rate within this salary range
 6 from funds appropriated by the general assembly for that
 7 purpose.

8 1. The following are salary ranges for state officers for
 9 the fiscal year beginning July 1, 2005, effective with the pay
 10 period beginning July 1, 2005:

11 SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
12 a. Range 1	\$ 8,800	\$ 33,753
13 b. Range 2	\$45,395	\$ 68,100
14 c. Range 3	\$52,210	\$ 78,315
15 d. Range 4	\$60,040	\$ 90,062
16 e. Range 5	\$69,045	\$103,571
17 f. Range 6	\$79,405	\$119,107
18 g. Range 7	\$95,055	\$142,578

19 2. The following are range 1 positions: There are no
 20 range 1 positions for the fiscal year beginning July 1, 2005.

21 3. The following are range 2 positions: administrator of
 22 the arts division of the department of cultural affairs,
 23 administrators of the division of persons with disabilities,
 24 the division on the status of women, the division on the
 25 status of Asian and Pacific islander heritage, the division on
 26 the status of African-Americans, the division of deaf
 27 services, and the division of Latino affairs of the department
 28 of human rights, and administrator of the division of
 29 professional licensing and regulation of the department of
 30 commerce.

31 4. The following are range 3 positions: administrator of
 32 the division of homeland security and emergency management of
 33 the department of public defense, administrator of the
 34 division of criminal and juvenile justice planning of the
 35 department of human rights, administrator of the division of

1 community action agencies of the department of human rights,
2 executive director of the commission of veterans affairs, and
3 chairperson and members of the employment appeal board of the
4 department of inspections and appeals.

5 5. The following are range 4 positions: superintendent of
6 banking, superintendent of credit unions, director of the
7 department of human rights, director of the Iowa state civil
8 rights commission, executive director of the college student
9 aid commission, director of the department for the blind,
10 executive director of the ethics and campaign disclosure
11 board, members of the public employment relations board, and
12 chairperson, vice chairperson, and members of the board of
13 parole.

14 6. The following are range 5 positions: state public
15 defender, drug policy coordinator, labor commissioner,
16 workers' compensation commissioner, director of the department
17 of cultural affairs, director of the department of elder
18 affairs, director of the law enforcement academy, and
19 administrator of the historical division of the department of
20 cultural affairs.

21 7. The following are range 6 positions: administrator of
22 the alcoholic beverages division of the department of
23 commerce, administrator of the state racing and gaming
24 commission of the department of inspections and appeals,
25 director of the department of inspections and appeals,
26 commandant of the veterans home, administrator of the public
27 broadcasting division of the department of education,
28 commissioner of public safety, commissioner of insurance,
29 executive director of the Iowa finance authority, director of
30 the department of natural resources, director of the
31 department of corrections, consumer advocate, and chairperson
32 of the utilities board. The other members of the utilities
33 board shall receive an annual salary within a range of not
34 less than 90 percent but not more than 95 percent of the
35 annual salary of the chairperson of the utilities board.

1 8. The following are range 7 positions: director of the
2 department of education, director of human services, director
3 of the department of economic development, executive director
4 of the Iowa telecommunications and technology commission,
5 executive director of the state board of regents, director of
6 the state department of transportation, director of the
7 department of workforce development, director of revenue,
8 director of public health, state court administrator,
9 secretary of the state fair board, director of the department
10 of management, and director of the department of
11 administrative services.

12 Sec. 5. COLLECTIVE BARGAINING AGREEMENTS FUNDED -- GENERAL
13 FUND. There is appropriated from the general fund of the
14 state to the salary adjustment fund for distribution by the
15 department of management to the various state departments,
16 boards, commissions, councils, and agencies, including the
17 state board of regents, for the fiscal year beginning July 1,
18 2005, and ending June 30, 2006, the amount of \$72,900,000, or
19 so much thereof as may be necessary, to fully fund annual pay
20 adjustments, expense reimbursements, and related benefits
21 implemented pursuant to the following:

- 22 1. The collective bargaining agreement negotiated pursuant
23 to chapter 20 for employees in the blue collar bargaining
24 unit.
- 25 2. The collective bargaining agreement negotiated pursuant
26 to chapter 20 for employees in the public safety bargaining
27 unit.
- 28 3. The collective bargaining agreement negotiated pursuant
29 to chapter 20 for employees in the security bargaining unit.
- 30 4. The collective bargaining agreement negotiated pursuant
31 to chapter 20 for employees in the technical bargaining unit.
- 32 5. The collective bargaining agreement negotiated pursuant
33 to chapter 20 for employees in the professional fiscal and
34 staff bargaining unit.
- 35 6. The collective bargaining agreement negotiated pursuant

1 to chapter 20 for employees in the clerical bargaining unit.

2 7. The collective bargaining agreement negotiated pursuant
3 to chapter 20 for employees in the professional social
4 services bargaining unit.

5 8. The collective bargaining agreement negotiated pursuant
6 to chapter 20 for employees in the community-based corrections
7 bargaining unit.

8 9. The collective bargaining agreements negotiated
9 pursuant to chapter 20 for employees in the judicial branch of
10 government bargaining units.

11 10. The collective bargaining agreement negotiated
12 pursuant to chapter 20 for employees in the patient care
13 bargaining unit.

14 11. The collective bargaining agreement negotiated
15 pursuant to chapter 20 for employees in the science bargaining
16 unit.

17 12. The collective bargaining agreement negotiated
18 pursuant to chapter 20 for employees in the university of
19 northern Iowa faculty bargaining unit.

20 13. The collective bargaining agreement negotiated
21 pursuant to chapter 20 for employees in the state university
22 of Iowa graduate student bargaining unit.

23 14. The collective bargaining agreement negotiated
24 pursuant to chapter 20 for employees in the state university
25 of Iowa hospital and clinics tertiary health care bargaining
26 unit.

27 15. The annual pay adjustments, related benefits, and
28 expense reimbursements referred to in sections 6 and 7 of this
29 Act for employees not covered by a collective bargaining
30 agreement.

31 Sec. 6. NONCONTRACT STATE EMPLOYEES -- GENERAL.

32 1. a. For the fiscal year beginning July 1, 2005, the
33 maximum salary levels of all pay plans provided for in section
34 8A.413, subsection 2, as they exist for the fiscal year ending
35 June 30, 2005, shall be increased by 2.5 percent for the pay

1 period beginning March 24, 2006, and any additional changes in
2 the pay plans shall be approved by the governor.

3 b. For the fiscal year beginning July 1, 2005, employees
4 may receive a step increase or the equivalent of a step
5 increase.

6 2. The pay plans for state employees who are exempt from
7 chapter 8A, subchapter IV, and who are included in the
8 department of administrative service's centralized payroll
9 system shall be increased in the same manner as provided in
10 subsection 1, and any additional changes in any executive
11 branch pay plans shall be approved by the governor.

12 3. This section does not apply to members of the general
13 assembly, board members, commission members, salaries of
14 persons set by the general assembly pursuant to this Act or
15 set by the governor, other persons designated in section 3 of
16 this Act, employees designated under section 8A.412,
17 subsection 5, and employees covered by 11 IAC 53.6(3).

18 4. The pay plans for the bargaining eligible employees of
19 the state shall be increased in the same manner as provided in
20 subsection 1, and any additional changes in such executive
21 branch pay plans shall be approved by the governor. As used
22 in this section, "bargaining eligible employee" means an
23 employee who is eligible to organize under chapter 20, but has
24 not done so.

25 5. The policies for implementation of this section shall
26 be approved by the governor.

27 Sec. 7. STATE EMPLOYEES -- STATE BOARD OF REGENTS. Funds
28 from the appropriation in section 5 of this Act shall be
29 allocated to the state board of regents for the purposes of
30 providing increases for state board of regents employees
31 covered by section 5 of this Act and for state board of
32 regents employees not covered by a collective bargaining
33 agreement as follows:

34 1. For regents merit system employees and merit
35 supervisory employees to fund for the fiscal year, increases

1 comparable to those provided for similar contract-covered
2 employees in this Act.

3 2. For faculty members and professional and scientific
4 employees to fund for the fiscal year, percentage increases
5 comparable to those provided for contract-covered employees in
6 section 5, subsection 12, of this Act.

7 Sec. 8. APPROPRIATIONS FROM ROAD FUNDS.

8 1. There is appropriated from the road use tax fund to the
9 salary adjustment fund for the fiscal year beginning July 1,
10 2005, and ending June 30, 2006, the following amount, or so
11 much thereof as may be necessary, to be used for the purpose
12 designated:

13 To supplement other funds appropriated by the general
14 assembly:

15 \$ 1,635,317

16 2. There is appropriated from the primary road fund to the
17 salary adjustment fund, for the fiscal year beginning July 1,
18 2005, and ending June 30, 2006, the following amount, or so
19 much thereof as may be necessary, to be used for the purpose
20 designated:

21 To supplement other funds appropriated by the general
22 assembly:

23 \$ 5,024,882

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

28 Sec. 9. SPECIAL FUNDS -- AUTHORIZATION. To departmental
29 revolving, trust, or special funds, except for the primary
30 road fund or the road use tax fund, for which the general
31 assembly has established an operating budget, a supplemental
32 expenditure authorization is provided, unless otherwise
33 provided, in an amount necessary to fund salary adjustments as
34 otherwise provided in this Act.

35 Sec. 10. GENERAL FUND SALARY MONEYS. Funds appropriated

1 for distribution from the salary adjustment fund in section 5
2 of this Act relate only to salaries supported from general
3 fund appropriations of the state except for employees of the
4 state board of regents. The funds allocated in this Act for
5 employees of the state board of regents shall exclude general
6 university indirect costs and general university federal
7 funds.

8 Sec. 11. FEDERAL FUNDS APPROPRIATED. All federal grants
9 to and the federal receipts of the agencies affected by this
10 Act which are received and may be expended for purposes of
11 this Act are appropriated for those purposes and as set forth
12 in the federal grants or receipts.

13 Sec. 12. STATE TROOPER MEAL ALLOWANCE. The sworn peace
14 officers in the department of public safety who are not
15 covered by a collective bargaining agreement negotiated
16 pursuant to chapter 20 shall receive the same per diem meal
17 allowance as the sworn peace officers in the department of
18 public safety who are covered by a collective bargaining
19 agreement negotiated pursuant to chapter 20.

20 Sec. 13. SICK LEAVE CONVERSION. Effective with the fiscal
21 year beginning July 1, 2006, the sick leave conversion program
22 under the collective bargaining agreement that covers the
23 greatest number of state employees and that affects sick leave
24 accrual and allows sick leave conversion and use upon
25 retirement for payment of certain health insurance premiums,
26 shall be extended to employees in the executive branch,
27 excluding state board of regents employees, not covered by a
28 collective bargaining agreement. By December 1, 2005, the
29 department of administrative services shall submit to the
30 general assembly proposed changes to the Code of Iowa and
31 administrative rules needed to implement this program.

32 Sec. 14. Section 2.10, subsections 1, 2, 5, and 6, Code
33 2005, are amended to read as follows:

34 1. Every member of the general assembly except the
35 presiding officer of the senate, the speaker of the house, the

1 majority and minority floor leader of each house, and the
2 president pro tempore of the senate and speaker pro tempore of
3 the house, shall receive an annual salary of twenty twenty-
4 five thousand one-hundred-twenty dollars for the year 1997
5 2007 and subsequent years while serving as a member of the
6 general assembly. In addition, each such member shall receive
7 the-sum-of-eighty-six-dollars-per-day a per diem, as defined
8 in subsection 5, for expenses of office, except travel, for
9 each day the general assembly is in session commencing with
10 the first day of a legislative session and ending with the day
11 of final adjournment of each legislative session as indicated
12 by the journals of the house and senate, except that if the
13 length of the first regular session of the general assembly
14 exceeds one hundred ten calendar days and the second regular
15 session exceeds one hundred calendar days, the payments shall
16 be made only for one hundred ten calendar days for the first
17 session and one hundred calendar days for the second session.
18 Members from Polk county shall receive sixty-five-dollars-per
19 day an amount per day equal to three-fourths of the per diem
20 of the non-Polk county members. Each member shall receive a
21 two three hundred dollar per month allowance for legislative
22 district constituency postage, travel, telephone costs, and
23 other expenses. Travel expenses shall be paid at the rate
24 established by section 8A.363 for actual travel in going to
25 and returning from the seat of government by the nearest
26 traveled route for not more than one time per week during a
27 legislative session unless the general assembly otherwise
28 provides.

29 2. The speaker of the house, presiding officer of the
30 senate, and the majority and minority floor leader of each
31 house shall each receive an annual salary of thirty-one
32 thirty-seven thousand thirty five hundred dollars for the year
33 1997 2007 and subsequent years while serving in that capacity.
34 The president pro tempore of the senate and the speaker pro
35 tempore of the house shall receive an annual salary of

1 ~~twenty-one~~ twenty-seven thousand two-hundred-ninety dollars
2 for the year ~~1997~~ 2007 and subsequent years while serving in
3 that capacity. Expense and travel allowances shall be the
4 same for the speaker of the house and the presiding officer of
5 the senate, the president pro tempore of the senate and the
6 speaker pro tempore of the house, and the majority and
7 minority leader of each house as provided for other members of
8 the general assembly.

9 5. In addition to the salaries and expenses authorized by
10 this section, a member of the general assembly shall be paid
11 ~~eighty-six-dollars-per-day~~ a per diem, and necessary travel
12 and actual expenses incurred in attending meetings for which
13 per diem or expenses are authorized by law for members of the
14 general assembly who serve on statutory boards, commissions,
15 or councils, and for standing or interim committee or
16 subcommittee meetings subject to the provisions of section
17 2.14, or when on authorized legislative business when the
18 general assembly is not in session. However, if a member of
19 the general assembly is engaged in authorized legislative
20 business at a location other than at the seat of government
21 during the time the general assembly is in session, payment
22 may be made for the actual transportation and lodging costs
23 incurred because of the business. Such per diem or expenses
24 shall be paid promptly from funds appropriated pursuant to
25 section 2.12.

26 For purposes of this section, "per diem" means the maximum
27 amount generally allowable to employees of the executive
28 branch of the federal government for per diem while away from
29 home at the seat of government.

30 6. If a special session of the general assembly is
31 convened, members of the general assembly shall receive, in
32 addition to their annual salaries, ~~the-sum-of-eighty-six~~
33 ~~dollars-per-day~~ a per diem for each day the general assembly
34 is actually in special session, and the same travel allowances
35 and expenses as authorized by this section. A member of the

1 general assembly shall receive the additional per diem, travel
2 allowances and expenses only for the days of attendance during
3 a special session.

4 Sec. 15. Section 99D.5, subsection 4, Code 2005, is
5 amended to read as follows:

6 4. Commission members are each entitled to receive an
7 annual salary of ~~six~~ ten thousand dollars. Members shall also
8 be reimbursed for actual expenses incurred in the performance
9 of their duties to a maximum of thirty thousand dollars per
10 year for the commission. Each member shall be covered by the
11 blanket surety bond of the state purchased pursuant to section
12 8A.321, subsection 12.

13 Sec. 16. EFFECTIVE DATE. Section 14 of this Act takes
14 effect upon the convening of the Eighty-second General
15 Assembly in January 2007.

16

EXPLANATION

17 This bill relates to the funding for the fiscal year
18 beginning July 1, 2005, of salary increases for state elected
19 executive officers, state appointed nonelected officers,
20 justices, judges, magistrates, employees subject to collective
21 bargaining agreements, certain noncontract employees, and
22 members of the general assembly.

23 The annual salaries of the state elected executive officers
24 are increased by approximately 12.8 percent except for the
25 governor's, which remains the same. The annual salaries of
26 the justices, judges, and judicial magistrates are increased
27 by approximately 5 percent.

28 The bill provides supplemental authorization to fund
29 salaries from trust, revolving, and special funds for which
30 the general assembly has established a budget.

31 The bill provides for a sick leave conversion program for
32 executive branch employees not covered by a collective
33 bargaining agreement, excluding board of regents employees.

34 The bill increases the pay of the members of the general
35 assembly, except for the leadership, from \$21,380.54 to

1 \$25,000. The leadership's increase in pay is from \$32,974.06
2 to \$37,500, with the president pro tem's and speaker pro tem's
3 annual salary increasing from \$22,623.84 to \$27,000. The bill
4 also increases the per diem from \$86 to the maximum amount
5 allowed by the executive branch of the federal government
6 while away from home at the seat of government, with Polk
7 county legislators receiving three-fourths of that amount
8 while the general assembly is in session. The bill increases
9 the monthly legislative district constituency allowance from
10 \$200 to \$300.

11 The provisions relating to the compensation and benefits of
12 the members of the general assembly in the bill take effect
13 upon the convening of the Eighty-second General Assembly, 2007
14 Session.

15 The bill also provides that members of the racing and
16 gaming commission are to receive an annual salary of \$10,000.

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ACTION TEXT

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By Appropriations.

A bill for an act relating to the compensation and benefits for public officials and employees and members of the general assembly, providing for related matters, making appropriations, and including effective and retroactive applicability date provisions. Effective 07-01-05, with exception fo section 13 effective 06-14-05 and section 14 effective 01-08-07.

- Apr. 27 05 Introduced, placed on Appropriations calendar. H.J. 1596.
Apr. 29 05 Asked and received unanimous consent for the immediate consideration. H.J. 1695.
Apr. 29 05 Passed House, ayes 52, nays 46. H.J. 1696.
Apr. 29 05 Immediate message. H.J. 1696.
May 02 05 Message from House. S.J. 1092.
May 02 05 Read first time, referred to Appropriations. S.J. 1093.
May 02 05 Subcommittee, Angelo, Dvorsky, Connolly, and Gaskill. S.J. 1099.
May 03 05 Committee report, without recommendation. S.J. 1116.
May 03 05 Amendment S-3234 filed. S.J. 1117.
May 05 05 Amendment S-3234 lost. S.J. 1146.
May 05 05 Passed Senate, ayes 28, nays 22. S.J. 1146.
May 05 05 Motion filed to reconsider vote on bill. S.J. 1159.
May 20 05 Motion to reconsider vote withdrawn. S.J. 1225.
May 20 05 Immediate message. S.J. 1225.
May 20 05 Message from Senate. H.J. 2221.
May 20 05 Reported correctly enrolled, signed by Speaker and President. H.J. 2228.
May 20 05 Sent to Governor. H.J. 2228.
Jun. 14 05 Signed by Governor. H.J. 2236.

* * * * * END OF 2005 ACTIONS * * * * *

HOUSE FILE 881

AN ACT

RELATING TO THE COMPENSATION AND BENEFITS FOR PUBLIC OFFICIALS AND EMPLOYEES AND MEMBERS OF THE GENERAL ASSEMBLY, PROVIDING FOR RELATED MATTERS, MAKING APPROPRIATIONS, AND INCLUDING EFFECTIVE AND RETROACTIVE APPLICABILITY DATE PROVISIONS.

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

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

1. The salary rates specified in subsection 2 are for the fiscal year beginning July 1, 2005, effective for the pay period beginning July 1, 2005, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the judicial branch from the salary adjustment fund or if the appropriation is not sufficient, from funds appropriated to the judicial branch pursuant to any Act of the general assembly.

2. The following annual salary rates shall be paid to the persons holding the judicial positions indicated during the fiscal year beginning July 1, 2005, effective with the pay period beginning July 1, 2005, and for subsequent pay periods.

a. Chief justice of the supreme court:	..... \$	132,720
b. Each justice of the supreme court:	..... \$	128,000
c. Chief judge of the court of appeals:	..... \$	127,920
d. Each associate judge of the court of appeals:	..... \$	123,120

e. Each chief judge of a judicial district:	..... \$	122,000
f. Each district judge except the chief judge of a judicial district:	..... \$	117,040
g. Each district associate judge:	..... \$	102,000
h. Each associate juvenile judge:	..... \$	102,000
i. Each associate probate judge:	..... \$	102,000
j. Each judicial magistrate:	..... \$	30,400
k. Each senior judge:	..... \$	6,800

3. Persons receiving the salary rates established under this section shall not receive any additional salary adjustments provided by this Act.

Sec. 2. ELECTIVE EXECUTIVE OFFICIALS.

1. The annual salary rates specified in this section are effective for the fiscal year beginning July 1, 2005, with the pay period beginning July 1, 2005, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the department or agency specified in this section from the salary adjustment fund or if the appropriation is not sufficient, from funds appropriated to the department or agency pursuant to any Act of the general assembly.

2. The following annual salary rates shall be paid to the person holding the position indicated:

a. OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR	
(1) Salary for the governor:	..... \$ 130,000

(2) Salary for the lieutenant governor:
 \$ 103,212

b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 Salary for the secretary of agriculture:
 \$ 103,212

c. DEPARTMENT OF JUSTICE
 Salary for the attorney general:
 \$ 123,669

d. OFFICE OF THE AUDITOR OF STATE
 Salary for the auditor of state:
 \$ 103,212

e. OFFICE OF THE SECRETARY OF STATE
 Salary for the secretary of state:
 \$ 103,212

f. OFFICE OF THE TREASURER OF STATE
 Salary for the treasurer of state:
 \$ 103,212

Sec. 3. APPOINTED STATE OFFICERS. Notwithstanding section 20.5, subsection 3, the governor shall establish a salary for appointed nonelected persons in the executive branch of state government holding a position enumerated in section 4 of this Act within the range provided, by considering, among other items, the experience of the individual in the position, changes in the duties of the position, the incumbent's performance of assigned duties, and subordinates' salaries. However, the attorney general shall establish the salary for the consumer advocate, the chief justice of the supreme court shall establish the salary for the state court administrator, the ethics and campaign disclosure board shall establish the salary of the executive director, and the state fair board shall establish the salary of the secretary of the state fair board, each within the salary range provided in section 4 of this Act.

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

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

Sec. 4. STATE OFFICERS -- SALARY RANGE. The following annual salary ranges are effective for the positions specified in this section for the fiscal year beginning July 1, 2005, and for subsequent fiscal years until otherwise provided by the general assembly. The governor or other person designated in section 3 of this Act shall determine the salary to be paid to the person indicated at a rate within this salary range from funds appropriated by the general assembly for that purpose.

1. The following are salary ranges for state officers for the fiscal year beginning July 1, 2005, effective with the pay period beginning July 1, 2005:

SALARY RANGE	Minimum	Maximum
a. Range 1	\$ 8,800	\$ 33,753
b. Range 2	\$45,395	\$ 68,100
c. Range 3	\$52,210	\$ 78,315
d. Range 4	\$60,040	\$ 90,062
e. Range 5	\$69,045	\$103,571
f. Range 6	\$79,405	\$119,107
g. Range 7	\$95,055	\$142,578

2. The following are range 1 positions: There are no range 1 positions for the fiscal year beginning July 1, 2005.

3. The following are range 2 positions: administrator of the arts division of the department of cultural affairs, administrators of the division of persons with disabilities, the division on the status of women, the division on the status of Asian and Pacific islander heritage, the division on the status of African-Americans, the division of deaf services, and the division of Latino affairs of the department of human rights, and administrator of the division of professional licensing and regulation of the department of commerce.

4. The following are range 3 positions: administrator of the division of homeland security and emergency management of the department of public defense, administrator of the division of criminal and juvenile justice planning of the department of human rights, administrator of the division of community action agencies of the department of human rights, executive director of the commission of veterans affairs, and chairperson and members of the employment appeal board of the department of inspections and appeals.

5. The following are range 4 positions: director of the department of human rights, director of the Iowa state civil rights commission, executive director of the college student aid commission, director of the department for the blind, executive director of the ethics and campaign disclosure board, members of the public employment relations board, and chairperson, vice chairperson, and members of the board of parole.

6. The following are range 5 positions: state public defender, drug policy coordinator, labor commissioner, workers' compensation commissioner, director of the department of cultural affairs, director of the department of elder affairs, director of the law enforcement academy, and

administrator of the historical division of the department of cultural affairs.

7. The following are range 6 positions: superintendent of banking, superintendent of credit unions, administrator of the alcoholic beverages division of the department of commerce, director of the department of inspections and appeals, commandant of the veterans home, administrator of the public broadcasting division of the department of education, commissioner of public safety, commissioner of insurance, executive director of the Iowa finance authority, director of the department of natural resources, director of the department of corrections, consumer advocate, and chairperson of the utilities board. The other members of the utilities board shall receive an annual salary within a range of not less than 90 percent but not more than 95 percent of the annual salary of the chairperson of the utilities board.

8. The following are range 7 positions: administrator of the state racing and gaming commission of the department of inspections and appeals, director of the department of education, director of human services, director of the department of economic development, executive director of the Iowa telecommunications and technology commission, executive director of the state board of regents, director of the state department of transportation, director of the department of workforce development, director of revenue, director of public health, state court administrator, secretary of the state fair board, director of the department of management, and director of the department of administrative services.

Sec. 5. COLLECTIVE BARGAINING AGREEMENTS FUNDED -- GENERAL FUND. There is appropriated from the general fund of the state to the salary adjustment fund for distribution by the department of management to the various state departments, boards, commissions, councils, and agencies, excluding the state board of regents, for the fiscal year beginning July 1,

2005, and ending June 30, 2006, the amount of \$38,500,000, or so much thereof as may be necessary, to fully fund annual pay adjustments, expense reimbursements, and related benefits implemented pursuant to the following:

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

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

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

4. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the technical bargaining unit.

5. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the professional fiscal and staff bargaining unit.

6. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the clerical bargaining unit.

7. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the professional social services bargaining unit.

8. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the community-based corrections bargaining unit.

9. The collective bargaining agreements negotiated pursuant to chapter 20 for employees in the judicial branch of government bargaining units.

10. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the patient care bargaining unit.

11. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the science bargaining unit.

12. The annual pay adjustments, related benefits, and expense reimbursements referred to in section 6 of this Act for employees not covered by a collective bargaining agreement.

Of the amount appropriated in this section, \$4,880,000 shall be allocated to the judicial branch for the purpose of funding annual pay adjustments, expense reimbursements, and related benefits implemented for judicial branch employees.

Sec. 6. NONCONTRACT STATE EMPLOYEES -- GENERAL.

1. a. For the fiscal year beginning July 1, 2005, the maximum salary levels of all pay plans provided for in section 8A.413, subsection 2, as they exist for the fiscal year ending June 30, 2005, shall be increased by 2.5 percent for the pay period beginning March 24, 2006, and any additional changes in the pay plans shall be approved by the governor.

b. For the fiscal year beginning July 1, 2005, employees may receive a step increase or the equivalent of a step increase.

2. The pay plans for state employees who are exempt from chapter 8A, subchapter IV, and who are included in the department of administrative service's centralized payroll system shall be increased in the same manner as provided in subsection 1, and any additional changes in any executive branch pay plans shall be approved by the governor.

3. This section does not apply to members of the general assembly, board members, commission members, salaries of persons set by the general assembly pursuant to this Act or set by the governor, other persons designated in section 3 of this Act, employees designated under section 8A.412, subsection 5, and employees covered by 11 IAC 53.6(3).

4. The pay plans for the bargaining eligible employees of the state shall be increased in the same manner as provided in subsection 1, and any additional changes in such executive branch pay plans shall be approved by the governor. As used

in this section, "bargaining eligible employee" means an employee who is eligible to organize under chapter 20, but has not done so.

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

Sec. 7. APPROPRIATIONS FROM ROAD FUNDS.

1. There is appropriated from the road use tax fund to the salary adjustment fund for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

To supplement other funds appropriated by the general assembly:

..... \$ 1,635,317

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

To supplement other funds appropriated by the general assembly:

..... \$ 9,233,486

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

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

Sec. 9. GENERAL FUND SALARY MONEYS. Funds appropriated for distribution from the salary adjustment fund in section 5 of this Act relate only to salaries supported from general fund appropriations of the state except for employees of the state board of regents.

Sec. 10. FEDERAL FUNDS APPROPRIATED. All federal grants to and the federal receipts of the agencies affected by this Act which are received and may be expended for purposes of this Act are appropriated for those purposes and as set forth in the federal grants or receipts.

Sec. 11. STATE TROOPER MEAL ALLOWANCE. The sworn peace officers in the department of public safety who are not covered by a collective bargaining agreement negotiated pursuant to chapter 20 shall receive the same per diem meal allowance as the sworn peace officers in the department of public safety who are covered by a collective bargaining agreement negotiated pursuant to chapter 20.

Sec. 12. SICK LEAVE CONVERSION. Effective with the fiscal year beginning July 1, 2006, the sick leave conversion program under the collective bargaining agreement that covers the greatest number of state employees and that affects sick leave accrual and allows sick leave conversion and use upon retirement for payment of certain health insurance premiums, shall be extended to employees in the executive branch, excluding state board of regents employees, not covered by a collective bargaining agreement. Peace officers employed within the department of public safety and department of natural resources that are not covered under a collective bargaining agreement shall have a sick leave conversion program extended to them that is equivalent to the sick leave conversion program of the state police officers council collective bargaining agreement. By December 1, 2005, the department of administrative services shall submit to the general assembly proposed changes to the Code of Iowa and administrative rules needed to implement this program.

Sec. 13. APRIL 8, 2005, REVENUE ESTIMATE. For use by the general assembly in the budget process and the governor's approval or disapproval of the appropriations bills for the fiscal year beginning July 1, 2005, and for purposes of calculating the state general fund expenditure limitation pursuant to section 8.54 for the fiscal year beginning July 1, 2005, the revenue estimate for the fiscal year beginning July 1, 2005, that shall be used in the budget process and such calculation shall be the revenue estimate determined by the revenue estimating conference on April 8, 2005, notwithstanding the provision in section 8.22A, subsection 3, that disallows the use of a revenue estimate agreed to at a later meeting that projects a greater amount than the initial estimated amount agreed to in December 2004. This section also authorizes the use of the estimated revenue figures for the purposes or sources designated in section 8.22A, subsection 5.

Sec. 14. Section 2.10, subsections 1, 2, 5, and 6, Code 2005, are amended to read as follows:

1. Every member of the general assembly except the presiding officer of the senate, the speaker of the house, the majority and minority floor leader of each house, and the president pro tempore of the senate and speaker pro tempore of the house, shall receive an annual salary of twenty twenty-five thousand one-hundred-twenty dollars for the year 1997 2007 and subsequent years while serving as a member of the general assembly. In addition, each such member shall receive the sum of eighty-six dollars per day a per diem, as defined in subsection 5, for expenses of office, except travel, for each day the general assembly is in session commencing with the first day of a legislative session and ending with the day of final adjournment of each legislative session as indicated by the journals of the house and senate, except that if the length of the first regular session of the general assembly

exceeds one hundred ten calendar days and the second regular session exceeds one hundred calendar days, the payments shall be made only for one hundred ten calendar days for the first session and one hundred calendar days for the second session. Members from Polk county shall receive ~~sixty-five dollars per day~~ an amount per day equal to three-fourths of the per diem of the non-Polk county members. Each member shall receive a ~~two~~ three hundred dollar per month allowance for legislative district constituency postage, travel, telephone costs, and other expenses. Travel expenses shall be paid at the rate established by section 8A.363 for actual travel in going to and returning from the seat of government by the nearest traveled route for not more than one time per week during a legislative session unless the general assembly otherwise provides.

2. The speaker of the house, presiding officer of the senate, and the majority and minority floor leader of each house shall each receive an annual salary of thirty-one thirty-seven thousand thirty five hundred dollars for the year 1997 2007 and subsequent years while serving in that capacity. The president pro tempore of the senate and the speaker pro tempore of the house shall receive an annual salary of twenty-one twenty-seven thousand two-hundred-ninety dollars for the year 1997 2007 and subsequent years while serving in that capacity. Expense and travel allowances shall be the same for the speaker of the house and the presiding officer of the senate, the president pro tempore of the senate and the speaker pro tempore of the house, and the majority and minority leader of each house as provided for other members of the general assembly.

5. In addition to the salaries and expenses authorized by this section, a member of the general assembly shall be paid eighty-six dollars per day a per diem, and necessary travel and actual expenses incurred in attending meetings for which

per diem or expenses are authorized by law for members of the general assembly who serve on statutory boards, commissions, or councils, and for standing or interim committee or subcommittee meetings subject to the provisions of section 2.14, or when on authorized legislative business when the general assembly is not in session. However, if a member of the general assembly is engaged in authorized legislative business at a location other than at the seat of government during the time the general assembly is in session, payment may be made for the actual transportation and lodging costs incurred because of the business. Such per diem or expenses shall be paid promptly from funds appropriated pursuant to section 2.12.

For purposes of this section, "per diem" means the maximum amount generally allowable to employees of the executive branch of the federal government for per diem while away from home at the seat of government.

6. If a special session of the general assembly is convened, members of the general assembly shall receive, in addition to their annual salaries, ~~the sum of eighty-six dollars per day~~ a per diem for each day the general assembly is actually in special session, and the same travel allowances and expenses as authorized by this section. A member of the general assembly shall receive the additional per diem, travel allowances and expenses only for the days of attendance during a special session.

Sec. 15. Section 99D.5, subsection 4, Code 2005, is amended to read as follows:

4. Commission members are each entitled to receive an annual salary of six ten thousand dollars. Members shall also be reimbursed for actual expenses incurred in the performance of their duties to a maximum of thirty thousand dollars per year for the commission. Each member shall be covered by the blanket surety bond of the state purchased pursuant to section 8A.321, subsection 12.

Sec. 16. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
Section 14 of this Act takes effect upon the convening of the Eighty-second General Assembly in January 2007. The section of this Act relating to the use of the April 8, 2005, revenue estimate, being deemed of immediate importance, takes effect upon enactment and applies retroactively to January 10, 2005.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 881, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 6/14, 2005

THOMAS J. VILSACK
Governor