

House Study Bill 297

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:
6 TLSB 1106XG 81
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1 1 Section 1. STATE COURTS == JUSTICES, JUDGES, AND
1 2 MAGISTRATES.
1 3 1. The salary rates specified in subsection 2 are for the
1 4 fiscal year beginning July 1, 2005, effective for the pay
1 5 period beginning July 1, 2005, and for subsequent fiscal years
1 6 until otherwise provided by the general assembly. The
1 7 salaries provided for in this section shall be paid from funds
1 8 appropriated to the judicial branch from the salary adjustment
1 9 fund or if the appropriation is not sufficient, from funds
1 10 appropriated to the judicial branch pursuant to any Act of the
1 11 general assembly.
1 12 2. The following annual salary rates shall be paid to the
1 13 persons holding the judicial positions indicated during the
1 14 fiscal year beginning July 1, 2005, effective with the pay
1 15 period beginning July 1, 2005, and for subsequent pay periods.
1 16 a. Chief justice of the supreme court:
1 17 \$ 132,720
1 18 b. Each justice of the supreme court:
1 19 \$ 128,000
1 20 c. Chief judge of the court of appeals:
1 21 \$ 127,920
1 22 d. Each associate judge of the court of appeals:
1 23 \$ 123,120
1 24 e. Each chief judge of a judicial district:
1 25 \$ 122,000
1 26 f. Each district judge except the chief judge of a
1 27 judicial district:
1 28 \$ 117,040
1 29 g. Each district associate judge:
1 30 \$ 102,000
1 31 h. Each associate juvenile judge:
1 32 \$ 102,000
1 33 i. Each associate probate judge:
1 34 \$ 102,000
1 35 j. Each judicial magistrate:
2 1 \$ 30,400
2 2 k. Each senior judge:
2 3 \$ 6,800
2 4 3. Persons receiving the salary rates established under
2 5 this section shall not receive any additional salary
2 6 adjustments provided by this Act.
2 7 Sec. 2. ELECTIVE EXECUTIVE OFFICIALS.
2 8 1. The annual salary rates specified in this section are
2 9 effective for the fiscal year beginning July 1, 2005, with the
2 10 pay period beginning July 1, 2005, and for subsequent fiscal
2 11 years until otherwise provided by the general assembly. The
2 12 salaries provided for in this section shall be paid from funds
2 13 appropriated to the department or agency specified in this
2 14 section from the salary adjustment fund or if the
2 15 appropriation is not sufficient, from funds appropriated to
2 16 the department or agency pursuant to any Act of the general
2 17 assembly.
2 18 2. The following annual salary rates shall be paid to the

person holding the position indicated:

2 19	a. OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR		
2 20	(1) Salary for the governor:		
2 21	.....	\$	107,482
2 22	(2) Salary for the lieutenant governor:		
2 23	.....	\$	89,967
2 24	b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP		
2 25	Salary for the secretary of agriculture:		
2 26	.....	\$	103,212
2 27	c. DEPARTMENT OF JUSTICE		
2 28	Salary for the attorney general:		
2 29	.....	\$	123,669
2 30	d. OFFICE OF THE AUDITOR OF STATE		
2 31	Salary for the auditor of state:		
2 32	.....	\$	103,212
2 33	e. OFFICE OF THE SECRETARY OF STATE		
2 34	Salary for the secretary of state:		
2 35	.....	\$	103,212
3 1	f. OFFICE OF THE TREASURER OF STATE		
3 2	Salary for the treasurer of state:		
3 3	.....	\$	103,212

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

3 20 The governor, in establishing salaries as provided in
3 21 section 4 of this Act, shall take into consideration other
3 22 employee benefits which may be provided for an individual
3 23 including, but not limited to, housing.

3 24 A person whose salary is established pursuant to section 4
3 25 of this Act and who is a full-time, year-round employee of the
3 26 state shall not receive any other remuneration from the state
3 27 or from any other source for the performance of that person's
3 28 duties unless the additional remuneration is first approved by
3 29 the governor or authorized by law. However, this provision
3 30 does not exclude the reimbursement for necessary travel and
3 31 expenses incurred in the performance of duties or fringe
3 32 benefits normally provided to employees of the state.

3 33 Sec. 4. STATE OFFICERS == SALARY RANGE. The following
3 34 annual salary ranges are effective for the positions specified
4 1 in this section for the fiscal year beginning July 1, 2005,
4 2 and for subsequent fiscal years until otherwise provided by
4 3 the general assembly. The governor or other person designated
4 4 in section 3 of this Act shall determine the salary to be paid
4 5 to the person indicated at a rate within this salary range
4 6 from funds appropriated by the general assembly for that
4 7 purpose.

4 8 1. The following are salary ranges for state officers for
4 9 the fiscal year beginning July 1, 2005, effective with the pay
4 10 period beginning July 1, 2005:

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

4 19 2. The following are range 1 positions: There are no
4 20 range 1 positions for the fiscal year beginning July 1, 2005.

4 21 3. The following are range 2 positions: administrator of
4 22 the arts division of the department of cultural affairs,
4 23 administrators of the division of persons with disabilities,
4 24 the division on the status of women, the division on the
4 25 status of Asian and Pacific islander heritage, the division on
4 26 the status of African-Americans, the division of deaf
4 27 services, and the division of Latino affairs of the department
4 28 of human rights, and administrator of the division of
4 29 professional licensing and regulation of the department of

4 30 commerce.

4 31 4. The following are range 3 positions: administrator of
4 32 the division of homeland security and emergency management of
4 33 the department of public defense, administrator of the
4 34 division of criminal and juvenile justice planning of the
4 35 department of human rights, administrator of the division of
5 1 community action agencies of the department of human rights,
5 2 executive director of the commission of veterans affairs, and
5 3 chairperson and members of the employment appeal board of the
5 4 department of inspections and appeals.

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

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

5 21 7. The following are range 6 positions: administrator of
5 22 the alcoholic beverages division of the department of
5 23 commerce, administrator of the state racing and gaming
5 24 commission of the department of inspections and appeals,
5 25 director of the department of inspections and appeals,
5 26 commandant of the veterans home, administrator of the public
5 27 broadcasting division of the department of education,
5 28 commissioner of public safety, commissioner of insurance,
5 29 executive director of the Iowa finance authority, director of
5 30 the department of natural resources, director of the
5 31 department of corrections, consumer advocate, and chairperson
5 32 of the utilities board. The other members of the utilities
5 33 board shall receive an annual salary within a range of not
5 34 less than 90 percent but not more than 95 percent of the
5 35 annual salary of the chairperson of the utilities board.

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

6 12 Sec. 5. COLLECTIVE BARGAINING AGREEMENTS FUNDED == GENERAL
6 13 FUND. There is appropriated from the general fund of the
6 14 state to the salary adjustment fund for distribution by the
6 15 department of management to the various state departments,
6 16 boards, commissions, councils, and agencies, including the
6 17 state board of regents, for the fiscal year beginning July 1,
6 18 2005, and ending June 30, 2006, the amount of \$72,900,000, or
6 19 so much thereof as may be necessary, to fully fund annual pay
6 20 adjustments, expense reimbursements, and related benefits
6 21 implemented pursuant to the following:

6 22 1. The collective bargaining agreement negotiated pursuant
6 23 to chapter 20 for employees in the blue collar bargaining
6 24 unit.

6 25 2. The collective bargaining agreement negotiated pursuant
6 26 to chapter 20 for employees in the public safety bargaining
6 27 unit.

6 28 3. The collective bargaining agreement negotiated pursuant
6 29 to chapter 20 for employees in the security bargaining unit.

6 30 4. The collective bargaining agreement negotiated pursuant
6 31 to chapter 20 for employees in the technical bargaining unit.

6 32 5. The collective bargaining agreement negotiated pursuant
6 33 to chapter 20 for employees in the professional fiscal and
6 34 staff bargaining unit.

6 35 6. The collective bargaining agreement negotiated pursuant
7 1 to chapter 20 for employees in the clerical bargaining unit.

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

7 5 8. The collective bargaining agreement negotiated pursuant

7 6 to chapter 20 for employees in the community-based corrections
7 7 bargaining unit.

7 8 9. The collective bargaining agreements negotiated
7 9 pursuant to chapter 20 for employees in the judicial branch of
7 10 government bargaining units.

7 11 10. The collective bargaining agreement negotiated
7 12 pursuant to chapter 20 for employees in the patient care
7 13 bargaining unit.

7 14 11. The collective bargaining agreement negotiated
7 15 pursuant to chapter 20 for employees in the science bargaining
7 16 unit.

7 17 12. The collective bargaining agreement negotiated
7 18 pursuant to chapter 20 for employees in the university of
7 19 northern Iowa faculty bargaining unit.

7 20 13. The collective bargaining agreement negotiated
7 21 pursuant to chapter 20 for employees in the state university
7 22 of Iowa graduate student bargaining unit.

7 23 14. The collective bargaining agreement negotiated
7 24 pursuant to chapter 20 for employees in the state university
7 25 of Iowa hospital and clinics tertiary health care bargaining
7 26 unit.

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

7 31 Sec. 6. NONCONTRACT STATE EMPLOYEES == GENERAL.

7 32 1. a. For the fiscal year beginning July 1, 2005, the
7 33 maximum salary levels of all pay plans provided for in section
7 34 8A.413, subsection 2, as they exist for the fiscal year ending
7 35 June 30, 2005, shall be increased by 2.5 percent for the pay
8 1 period beginning March 24, 2006, and any additional changes in
8 2 the pay plans shall be approved by the governor.

8 3 b. For the fiscal year beginning July 1, 2005, employees
8 4 may receive a step increase or the equivalent of a step
8 5 increase.

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

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

8 18 4. The pay plans for the bargaining eligible employees of
8 19 the state shall be increased in the same manner as provided in
8 20 subsection 1, and any additional changes in such executive
8 21 branch pay plans shall be approved by the governor. As used
8 22 in this section, "bargaining eligible employee" means an
8 23 employee who is eligible to organize under chapter 20, but has
8 24 not done so.

8 25 5. The policies for implementation of this section shall
8 26 be approved by the governor.

8 27 Sec. 7. STATE EMPLOYEES == STATE BOARD OF REGENTS. Funds
8 28 from the appropriation in section 5 of this Act shall be
8 29 allocated to the state board of regents for the purposes of
8 30 providing increases for state board of regents employees
8 31 covered by section 5 of this Act and for state board of
8 32 regents employees not covered by a collective bargaining
8 33 agreement as follows:

8 34 1. For regents merit system employees and merit
8 35 supervisory employees to fund for the fiscal year, increases
9 1 comparable to those provided for similar contract-covered
9 2 employees in this Act.

9 3 2. For faculty members and professional and scientific
9 4 employees to fund for the fiscal year, percentage increases
9 5 comparable to those provided for contract-covered employees in
9 6 section 5, subsection 12, of this Act.

9 7 Sec. 8. APPROPRIATIONS FROM ROAD FUNDS.

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

9 13 To supplement other funds appropriated by the general
9 14 assembly:

9 15 \$ 1,635,317

9 16 2. There is appropriated from the primary road fund to the

9 17 salary adjustment fund, for the fiscal year beginning July 1,
9 18 2005, and ending June 30, 2006, the following amount, or so
9 19 much thereof as may be necessary, to be used for the purpose
9 20 designated:

9 21 To supplement other funds appropriated by the general
9 22 assembly:

9 23 \$ 5,024,882

9 24 3. Except as otherwise provided in this Act, the amounts
9 25 appropriated in subsections 1 and 2 shall be used to fund the
9 26 annual pay adjustments, expense reimbursements, and related
9 27 benefits for public employees as provided in this Act.

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

9 35 Sec. 10. GENERAL FUND SALARY MONEYS. Funds appropriated
10 1 for distribution from the salary adjustment fund in section 5
10 2 of this Act relate only to salaries supported from general
10 3 fund appropriations of the state except for employees of the
10 4 state board of regents. The funds allocated in this Act for
10 5 employees of the state board of regents shall exclude general
10 6 university indirect costs and general university federal
10 7 funds.

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

10 13 Sec. 12. STATE TROOPER MEAL ALLOWANCE. The sworn peace
10 14 officers in the department of public safety who are not
10 15 covered by a collective bargaining agreement negotiated
10 16 pursuant to chapter 20 shall receive the same per diem meal
10 17 allowance as the sworn peace officers in the department of
10 18 public safety who are covered by a collective bargaining
10 19 agreement negotiated pursuant to chapter 20.

10 20 Sec. 13. SICK LEAVE CONVERSION. Effective with the fiscal
10 21 year beginning July 1, 2006, the sick leave conversion program
10 22 under the collective bargaining agreement that covers the
10 23 greatest number of state employees and that affects sick leave
10 24 accrual and allows sick leave conversion and use upon
10 25 retirement for payment of certain health insurance premiums,
10 26 shall be extended to employees in the executive branch,
10 27 excluding state board of regents employees, not covered by a
10 28 collective bargaining agreement. By December 1, 2005, the
10 29 department of administrative services shall submit to the
10 30 general assembly proposed changes to the Code of Iowa and
10 31 administrative rules needed to implement this program.

10 32 Sec. 14. Section 2.10, subsections 1, 2, 5, and 6, Code
10 33 2005, are amended to read as follows:

10 34 1. Every member of the general assembly except the
10 35 presiding officer of the senate, the speaker of the house, the
11 1 majority and minority floor leader of each house, and the
11 2 president pro tempore of the senate and speaker pro tempore of
11 3 the house, shall receive an annual salary of ~~twenty~~ twenty=
11 4 five thousand one hundred twenty dollars for the year ~~1997~~

11 5 2007 and subsequent years while serving as a member of the
11 6 general assembly. In addition, each such member shall receive
11 7 ~~the sum of eighty-six dollars per day a per diem, as defined~~

11 8 in subsection 5, for expenses of office, except travel, for
11 9 each day the general assembly is in session commencing with
11 10 the first day of a legislative session and ending with the day
11 11 of final adjournment of each legislative session as indicated
11 12 by the journals of the house and senate, except that if the
11 13 length of the first regular session of the general assembly
11 14 exceeds one hundred ten calendar days and the second regular
11 15 session exceeds one hundred calendar days, the payments shall
11 16 be made only for one hundred ten calendar days for the first
11 17 session and one hundred calendar days for the second session.
11 18 Members from Polk county shall receive ~~sixty-five dollars per~~
11 19 ~~day an amount per day equal to three-fourths of the per diem~~
11 20 of the non=Polk county members. Each member shall receive a

11 21 two three hundred dollar per month allowance for legislative
11 22 district constituency postage, travel, telephone costs, and
11 23 other expenses. Travel expenses shall be paid at the rate
11 24 established by section 8A.363 for actual travel in going to
11 25 and returning from the seat of government by the nearest
11 26 traveled route for not more than one time per week during a
11 27 legislative session unless the general assembly otherwise

11 28 provides.

11 29 2. The speaker of the house, presiding officer of the
11 30 senate, and the majority and minority floor leader of each
11 31 house shall each receive an annual salary of ~~thirty-one~~
11 32 thirty-seven thousand ~~thirty five hundred~~ dollars for the year
11 33 ~~1997~~ 2007 and subsequent years while serving in that capacity.
11 34 The president pro tempore of the senate and the speaker pro
11 35 tempore of the house shall receive an annual salary of
12 1 ~~twenty-one~~ twenty-seven thousand ~~two hundred ninety~~ dollars
12 2 for the year ~~1997~~ 2007 and subsequent years while serving in
12 3 that capacity. Expense and travel allowances shall be the
12 4 same for the speaker of the house and the presiding officer of
12 5 the senate, the president pro tempore of the senate and the
12 6 speaker pro tempore of the house, and the majority and
12 7 minority leader of each house as provided for other members of
12 8 the general assembly.

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

12 26 For purposes of this section, "per diem" means the maximum
12 27 amount generally allowable to employees of the executive
12 28 branch of the federal government for per diem while away from
12 29 home at the seat of government.

12 30 6. If a special session of the general assembly is
12 31 convened, members of the general assembly shall receive, in
12 32 addition to their annual salaries, ~~the sum of eighty-six~~
12 33 ~~dollars per day a per diem~~ for each day the general assembly
12 34 is actually in special session, and the same travel allowances
12 35 and expenses as authorized by this section. A member of the
13 1 general assembly shall receive the additional per diem, travel
13 2 allowances and expenses only for the days of attendance during
13 3 a special session.

13 4 Sec. 15. Section 99D.5, subsection 4, Code 2005, is
13 5 amended to read as follows:

13 6 4. Commission members are each entitled to receive an
13 7 annual salary of ~~six ten~~ thousand dollars. Members shall also
13 8 be reimbursed for actual expenses incurred in the performance
13 9 of their duties to a maximum of thirty thousand dollars per
13 10 year for the commission. Each member shall be covered by the
13 11 blanket surety bond of the state purchased pursuant to section
13 12 8A.321, subsection 12.

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

13 16 EXPLANATION

13 17 This bill relates to the funding for the fiscal year
13 18 beginning July 1, 2005, of salary increases for state elected
13 19 executive officers, state appointed nonelected officers,
13 20 justices, judges, magistrates, employees subject to collective
13 21 bargaining agreements, certain noncontract employees, and
13 22 members of the general assembly.

13 23 The annual salaries of the state elected executive officers
13 24 are increased by approximately 12.8 percent except for the
13 25 governor's, which remains the same. The annual salaries of
13 26 the justices, judges, and judicial magistrates are increased
13 27 by approximately 5 percent.

13 28 The bill provides supplemental authorization to fund
13 29 salaries from trust, revolving, and special funds for which
13 30 the general assembly has established a budget.

13 31 The bill provides for a sick leave conversion program for
13 32 executive branch employees not covered by a collective
13 33 bargaining agreement, excluding board of regents employees.

13 34 The bill increases the pay of the members of the general
13 35 assembly, except for the leadership, from \$21,380.54 to
14 1 \$25,000. The leadership's increase in pay is from \$32,974.06
14 2 to \$37,500, with the president pro tem's and speaker pro tem's
14 3 annual salary increasing from \$22,623.84 to \$27,000. The bill

14 4 also increases the per diem from \$86 to the maximum amount
14 5 allowed by the executive branch of the federal government
14 6 while away from home at the seat of government, with Polk
14 7 county legislators receiving three-fourths of that amount
14 8 while the general assembly is in session. The bill increases
14 9 the monthly legislative district constituency allowance from
14 10 \$200 to \$300.
14 11 The provisions relating to the compensation and benefits of
14 12 the members of the general assembly in the bill take effect
14 13 upon the convening of the Eighty-second General Assembly, 2007
14 14 Session.
14 15 The bill also provides that members of the racing and
14 16 gaming commission are to receive an annual salary of \$10,000.
14 17 LSB 1106XG 81
14 18 mg:rj/sh/8.3