

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, providing for related matters, and
3 making appropriations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1123XG 82
6 mg/gg/14

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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, 2007, effective for the pay
1 5 period beginning June 29, 2007, and for subsequent fiscal
1 6 years until otherwise provided by the general assembly. The
1 7 salaries provided for in this section shall be paid from funds
1 8 appropriated to the judicial 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, 2007, effective with the pay
1 15 period beginning June 29, 2007, and for subsequent pay
1 16 periods.
1 17 a. Chief justice of the supreme court:
1 18 \$ 153,109
1 19 b. Each justice of the supreme court:
1 20 \$ 146,890
1 21 c. Chief judge of the court of appeals:
1 22 \$ 141,731
1 23 d. Each associate judge of the court of appeals:
1 24 \$ 136,739
1 25 e. Each chief judge of a judicial district:
1 26 \$ 133,619
1 27 f. Each district judge except the chief judge of a
1 28 judicial district:
1 29 \$ 128,544
1 30 g. Each district associate judge:
1 31 \$ 113,214
1 32 h. Each associate juvenile judge:
1 33 \$ 113,214
1 34 i. Each associate probate judge:
1 35 \$ 113,214
2 1 j. Each judicial magistrate:
2 2 \$ 34,882
2 3 k. Each senior judge:
2 4 \$ 7,238
2 5 3. Persons receiving the salary rates established under
2 6 this section shall not receive any additional salary
2 7 adjustments provided by this Act.
2 8 Sec. 2. APPOINTED STATE OFFICERS. The governor shall
2 9 establish a salary for appointed nonelected persons in the
2 10 executive branch of state government holding a position
2 11 enumerated in section 3 of this Act within the range provided,
2 12 by considering, among other items, the experience of the
2 13 individual in the position, changes in the duties of the
2 14 position, the incumbent's performance of assigned duties, and
2 15 subordinates' salaries. However, the attorney general shall
2 16 establish the salary for the consumer advocate, the chief
2 17 justice of the supreme court shall establish the salary for
2 18 the state court administrator, the ethics and campaign

2 19 disclosure board shall establish the salary of the executive
2 20 director, the Iowa public broadcasting board shall establish
2 21 the salary of the administrator of the public broadcasting
2 22 division of the department of education, and the state fair
2 23 board shall establish the salary of the secretary of the state
2 24 fair board, each within the salary range provided in section 3
2 25 of this Act.

2 26 The governor, in establishing salaries as provided in
2 27 section 3 of this Act, shall take into consideration other
2 28 employee benefits which may be provided for an individual
2 29 including, but not limited to, housing.

2 30 A person whose salary is established pursuant to section 3
2 31 of this Act and who is a full-time, year-round employee of the
2 32 state shall not receive any other remuneration from the state
2 33 or from any other source for the performance of that person's
2 34 duties unless the additional remuneration is first approved by
2 35 the governor or authorized by law. However, this provision
3 1 does not exclude the reimbursement for necessary travel and
3 2 expenses incurred in the performance of duties or fringe
3 3 benefits normally provided to employees of the state.

3 4 Sec. 3. STATE OFFICERS == SALARY RANGE. The following
3 5 annual salary ranges are effective for the positions specified
3 6 in this section for the fiscal year beginning July 1, 2007,
3 7 and for subsequent fiscal years until otherwise provided by
3 8 the general assembly. The governor or other person designated
3 9 in section 2 of this Act shall determine the salary to be paid
3 10 to the person indicated at a rate within this salary range
3 11 from funds appropriated by the general assembly for that
3 12 purpose.

3 13 1. The following are salary ranges for state officers for
3 14 the fiscal year beginning July 1, 2007, effective with the pay
3 15 period beginning June 29, 2007:

3 16 SALARY RANGE	3 17 <u>Minimum</u>	3 18 <u>Maximum</u>
3 17 a. Range 1	3 17 \$ 9,069	3 17 \$ 35,464
3 18 b. Range 2	3 18 \$46,758	3 18 \$ 71,552
3 19 c. Range 3	3 19 \$53,768	3 19 \$ 82,285
3 20 d. Range 4	3 20 \$61,838	3 20 \$ 94,619
3 21 e. Range 5	3 21 \$71,115	3 21 \$108,805
3 22 f. Range 6	3 22 \$81,786	3 22 \$125,133
3 23 g. Range 7	3 23 \$97,906	3 23 \$149,802

3 24 2. The following are range 1 positions: There are no
3 25 range 1 positions for the fiscal year beginning July 1, 2007.

3 26 3. The following are range 2 positions: administrator of
3 27 the arts division of the department of cultural affairs,
3 28 administrators of the division of persons with disabilities,
3 29 the division on the status of women, the division on the
3 30 status of Iowans of Asian and Pacific islander heritage, the
3 31 division on the status of African-Americans, the division of
3 32 deaf services, and the division of Latino affairs of the
3 33 department of human rights.

3 34 4. The following are range 3 positions: administrator of
3 35 the division of homeland security and emergency management of
4 1 the department of public defense, administrator of the
4 2 division of criminal and juvenile justice planning of the
4 3 department of human rights, administrator of the division of
4 4 community action agencies of the department of human rights,
4 5 executive director of the department of veterans affairs, and
4 6 chairperson and members of the employment appeal board of the
4 7 department of inspections and appeals.

4 8 5. The following are range 4 positions: director of the
4 9 department of human rights, director of the Iowa state civil
4 10 rights commission, executive director of the college student
4 11 aid commission, director of the department for the blind,
4 12 executive director of the ethics and campaign disclosure
4 13 board, members of the public employment relations board, and
4 14 chairperson, vice chairperson, and members of the board of
4 15 parole.

4 16 6. The following are range 5 positions: state public
4 17 defender, drug policy coordinator, labor commissioner,
4 18 workers' compensation commissioner, director of the department
4 19 of cultural affairs, director of the department of elder
4 20 affairs, director of the law enforcement academy, and
4 21 administrator of the historical division of the department of
4 22 cultural affairs.

4 23 7. The following are range 6 positions: director of
4 24 office of renewable energy, superintendent of banking,
4 25 superintendent of credit unions, administrator of the
4 26 alcoholic beverages division of the department of commerce,
4 27 director of the department of inspections and appeals,
4 28 commandant of the Iowa veterans home, administrator of the
4 29 public broadcasting division of the department of education,

4 30 commissioner of public safety, commissioner of insurance,
4 31 executive director of the Iowa finance authority, director of
4 32 the department of natural resources, consumer advocate, and
4 33 chairperson of the utilities board. The other members of the
4 34 utilities board shall receive an annual salary within a range
4 35 of not less than 90 percent but not more than 95 percent of
5 1 the annual salary of the chairperson of the utilities board.
5 2 8. The following are range 7 positions: director of the
5 3 department of corrections, administrator of the state racing
5 4 and gaming commission of the department of inspections and
5 5 appeals, director of the department of education, members of
5 6 the property assessment appeal board, director of human
5 7 services, director of the department of economic development,
5 8 executive director of the Iowa telecommunications and
5 9 technology commission, executive director of the state board
5 10 of regents, director of transportation, director of the
5 11 department of workforce development, director of revenue,
5 12 director of public health, state court administrator,
5 13 secretary of the Iowa state fair board, director of the
5 14 department of management, and director of the department of
5 15 administrative services.

5 16 Sec. 4. COLLECTIVE BARGAINING AGREEMENTS FUNDED == GENERAL
5 17 FUND. There is appropriated from the general fund of the
5 18 state to the salary adjustment fund for distribution by the
5 19 department of management to the various state departments,
5 20 boards, commissions, councils, and agencies, including the
5 21 state board of regents and the judicial branch, for the fiscal
5 22 year beginning July 1, 2007, and ending June 30, 2008, the
5 23 amount of \$107,198,094, or so much thereof as may be
5 24 necessary, to fully fund annual pay adjustments, expense
5 25 reimbursements, and related benefits implemented pursuant to
5 26 the following:

5 27 1. The collective bargaining agreement negotiated pursuant
5 28 to chapter 20 for employees in the blue collar bargaining
5 29 unit.

5 30 2. The collective bargaining agreement negotiated pursuant
5 31 to chapter 20 for employees in the public safety bargaining
5 32 unit.

5 33 3. The collective bargaining agreement negotiated pursuant
5 34 to chapter 20 for employees in the security bargaining unit.

5 35 4. The collective bargaining agreement negotiated pursuant
6 1 to chapter 20 for employees in the technical bargaining unit.

6 2 5. The collective bargaining agreement negotiated pursuant
6 3 to chapter 20 for employees in the professional fiscal and
6 4 staff bargaining unit.

6 5 6. The collective bargaining agreement negotiated pursuant
6 6 to chapter 20 for employees in the clerical bargaining unit.

6 7 7. The collective bargaining agreement negotiated pursuant
6 8 to chapter 20 for employees in the professional social
6 9 services bargaining unit.

6 10 8. The collective bargaining agreement negotiated pursuant
6 11 to chapter 20 for employees in the community-based corrections
6 12 bargaining unit.

6 13 9. The collective bargaining agreements negotiated
6 14 pursuant to chapter 20 for employees in the judicial branch of
6 15 government bargaining units.

6 16 10. The collective bargaining agreement negotiated
6 17 pursuant to chapter 20 for employees in the patient care
6 18 bargaining unit.

6 19 11. The collective bargaining agreement negotiated
6 20 pursuant to chapter 20 for employees in the science bargaining
6 21 unit.

6 22 12. The collective bargaining agreement negotiated
6 23 pursuant to chapter 20 for employees in the university of
6 24 northern Iowa faculty bargaining unit.

6 25 13. The collective bargaining agreement negotiated
6 26 pursuant to chapter 20 for employees in the state university
6 27 of Iowa graduate student bargaining unit.

6 28 14. The collective bargaining agreement negotiated
6 29 pursuant to chapter 20 for employees in the state university
6 30 of Iowa hospital and clinics tertiary health care bargaining
6 31 unit.

6 32 15. The annual pay adjustments, related benefits, and
6 33 expense reimbursements referred to in sections 5 and 6 of this
6 34 Act for employees not covered by a collective bargaining
6 35 agreement.

7 1 Sec. 5. NONCONTRACT STATE EMPLOYEES == GENERAL.

7 2 1. a. For the fiscal year beginning July 1, 2007, the
7 3 maximum and minimum salary levels of all pay plans provided
7 4 for in section 8A.413, subsection 2, as they exist for the
7 5 fiscal year ending June 30, 2007, shall be increased by 3

7 6 percent for the pay period beginning June 29, 2007, and any
7 7 additional changes in the pay plans shall be approved by the
7 8 governor.

7 9 b. For the fiscal year beginning July 1, 2007, employees
7 10 may receive a step increase or the equivalent of a step
7 11 increase.

7 12 2. The pay plans for state employees who are exempt from
7 13 chapter 8A, subchapter IV, and who are included in the
7 14 department of administrative service's centralized payroll
7 15 system shall be increased in the same manner as provided in
7 16 subsection 1, and any additional changes in any executive
7 17 branch pay plans shall be approved by the governor.

7 18 3. This section does not apply to members of the general
7 19 assembly, board members, commission members, salaries of
7 20 persons set by the general assembly pursuant to this Act or
7 21 set by the governor, other persons designated in section 2 of
7 22 this Act, employees designated under section 8A.412,
7 23 subsection 5, and employees covered by 11 IAC 53.6(3).

7 24 4. The pay plans for the bargaining eligible employees of
7 25 the state shall be increased in the same manner as provided in
7 26 subsection 1, and any additional changes in such executive
7 27 branch pay plans shall be approved by the governor. As used
7 28 in this section, "bargaining eligible employee" means an
7 29 employee who is eligible to organize under chapter 20, but has
7 30 not done so.

7 31 5. The policies for implementation of this section shall
7 32 be approved by the governor.

7 33 Sec. 6. STATE EMPLOYEES == STATE BOARD OF REGENTS. Funds
7 34 from the appropriation in section 4 of this Act shall be
7 35 allocated to the state board of regents for the purposes of
8 1 providing increases for state board of regents employees
8 2 covered by section 4 of this Act and for state board of
8 3 regents employees not covered by a collective bargaining
8 4 agreement as follows:

8 5 1. For regents merit system employees and merit
8 6 supervisory employees to fund for the fiscal year, increases
8 7 comparable to those provided for similar contract-covered
8 8 employees in this Act.

8 9 2. For faculty members and professional and scientific
8 10 employees to fund for the fiscal year, percentage increases
8 11 comparable to those provided for contract-covered employees in
8 12 section 4, subsection 12, of this Act.

8 13 Sec. 7. APPROPRIATIONS FROM ROAD FUNDS.

8 14 1. There is appropriated from the road use tax fund to the
8 15 salary adjustment fund for the fiscal year beginning July 1,
8 16 2007, and ending June 30, 2008, the following amount, or so
8 17 much thereof as may be necessary, to be used for the purpose
8 18 designated:

8 19 To supplement other funds appropriated by the general
8 20 assembly:

8 21 \$ 2,294,814

8 22 2. There is appropriated from the primary road fund to the
8 23 salary adjustment fund, for the fiscal year beginning July 1,
8 24 2007, and ending June 30, 2008, the following amount, or so
8 25 much thereof as may be necessary, to be used for the purpose
8 26 designated:

8 27 To supplement other funds appropriated by the general
8 28 assembly:

8 29 \$ 11,788,266

8 30 3. Except as otherwise provided in this Act, the amounts
8 31 appropriated in subsections 1 and 2 shall be used to fund the
8 32 annual pay adjustments, expense reimbursements, and related
8 33 benefits for public employees as provided in this Act.

8 34 Sec. 8. SPECIAL FUNDS == AUTHORIZATION. To departmental
8 35 revolving, trust, or special funds, except for the primary
9 1 road fund or the road use tax fund, for which the general
9 2 assembly has established an operating budget, a supplemental
9 3 expenditure authorization is provided, unless otherwise
9 4 provided, in an amount necessary to fund salary adjustments as
9 5 otherwise provided in this Act.

9 6 Sec. 9. GENERAL FUND SALARY MONEYS. Funds appropriated
9 7 for distribution from the salary adjustment fund in section 4
9 8 of this Act relate only to salaries supported from general
9 9 fund appropriations of the state. Funds appropriated from the
9 10 general fund of the state for employees of the state board of
9 11 regents relate only to salaries supported from general fund
9 12 appropriations of the state and shall exclude general
9 13 university indirect costs and general university federal
9 14 funds.

9 15 Sec. 10. FEDERAL FUNDS APPROPRIATED. All federal grants
9 16 to and the federal receipts of the agencies affected by this

9 17 Act which are received and may be expended for purposes of
9 18 this Act are appropriated for those purposes and as set forth
9 19 in the federal grants or receipts.

9 20 Sec. 11. STATE TROOPER MEAL ALLOWANCE. The sworn peace
9 21 officers in the department of public safety who are not
9 22 covered by a collective bargaining agreement negotiated
9 23 pursuant to chapter 20 shall receive the same per diem meal
9 24 allowance as the sworn peace officers in the department of
9 25 public safety who are covered by a collective bargaining
9 26 agreement negotiated pursuant to chapter 20.

9 27 Sec. 12. STATE POLICE OFFICER COUNCIL BARGAINING UNIT ==
9 28 OVERTIME. Of the funds appropriated in section 4 of this Act,
9 29 the following amount, or so much thereof as is necessary,
9 30 shall be allocated to the department of public safety,
9 31 division of state patrol, to be used for the purpose
9 32 designated:

9 33 To provide for expenditures related to the payment of
9 34 overtime for uniformed peace officers covered by a collective
9 35 bargaining agreement:

10 1 \$ 750,000

10 2 Sec. 13. SALARY MODEL ADMINISTRATOR. The salary model
10 3 administrator shall work in conjunction with the legislative
10 4 services agency to maintain the state's salary model used for
10 5 analyzing, comparing, and projecting state employee salary and
10 6 benefit information, including information relating to
10 7 employees of the state board of regents. The department of
10 8 revenue, the department of administrative services, the five
10 9 institutions under the jurisdiction of the state board of
10 10 regents, the judicial district departments of correctional
10 11 services, and the state department of transportation shall
10 12 provide salary data to the department of management and the
10 13 legislative services agency to operate the state's salary
10 14 model. The format and frequency of provision of the salary
10 15 data shall be determined by the department of management and
10 16 the legislative services agency. The information shall be
10 17 used in collective bargaining processes under chapter 20 and
10 18 in calculating the funding needs contained within the annual
10 19 salary adjustment legislation. A state employee organization
10 20 as defined in section 20.3, subsection 4, may request
10 21 information produced by the model, but the information
10 22 provided shall not contain information attributable to
10 23 individual employees.

10 24 Sec. 14. Section 20.5, subsection 3, Code 2007, is amended
10 25 to read as follows:

10 26 3. In selecting the members of the board, consideration
10 27 shall be given to their knowledge, ability, and experience in
10 28 the field of labor-management relations. The chairperson and
10 29 the remaining two members shall ~~each receive an annual salary~~
~~10 30 as set by the general assembly be compensated as provided in~~
10 31 section 7E.6, subsection 5.

10 32 Sec. 15. Section 421.1A, subsection 6, Code 2007, is
10 33 amended to read as follows:

10 34 6. The members of the property assessment appeal board
10 35 shall receive compensation from the state ~~commensurate with~~
~~11 1 the salary of a district judge as provided in section 7E.6,~~
11 2 subsection 5. The members of the board shall be considered

11 3 state employees for purposes of salary and benefits. The
11 4 members of the board and any employees of the board, when
11 5 required to travel in the discharge of official duties, shall
11 6 be paid their actual and necessary expenses incurred in the
11 7 performance of duties.

11 8 Sec. 16. Section 602.1301, subsection 2, paragraph b, Code
11 9 2007, is amended to read as follows:

11 10 b. Before December 1, the supreme court shall submit to
11 11 the director of management an estimate of the total
11 12 expenditure requirements of the judicial branch including a
11 13 detailed listing of requested increases in salaries of all
11 14 judges and magistrates for the succeeding fiscal year. The
11 15 director of management shall submit this estimate received
11 16 from the supreme court to the governor for inclusion without
11 17 change in the governor's proposed budget for the succeeding
11 18 fiscal year. The estimate shall also be submitted to the
11 19 chairpersons of the committees on appropriations.

11 20 EXPLANATION

11 21 This bill relates to the funding for the fiscal year
11 22 beginning July 1, 2007, of salary increases for state
11 23 appointed nonelected officers, justices, judges, magistrates,
11 24 employees subject to collective bargaining agreements, certain
11 25 noncontract employees, and board of regents employees.

11 26 The annual salaries of the justices, judges, and judicial
11 27 magistrates are increased by approximately 2 percent.

11 28 The bill increases the maximum and minimum salary levels of
11 29 all pay plans of noncontract state employees by 3 percent and
11 30 authorizes a step increase or the equivalent of a step
11 31 increase.

11 32 The bill provides supplemental authorization to fund
11 33 salaries from trust, revolving, and special funds for which
11 34 the general assembly has established a budget.

11 35 The bill provides for the salary model administrator to
12 1 work in conjunction with the department of management and the
12 2 legislative services agency to analyze, compare, and project
12 3 state salary and benefit information.

12 4 The bill provides for the payment of overtime for uniformed
12 5 peace officers in the division of state patrol who are covered
12 6 by a collective bargaining agreement.

12 7 The bill makes amendments to the Code provisions relating
12 8 to compensation of members of the public employment relations
12 9 board and the property assessment appeal board to provide that
12 10 they are to be compensated as provided by law in lieu of being
12 11 set by the general assembly in the case of the public
12 12 employment relations board or being commensurate with a
12 13 district judge's salary in the case of the property assessment
12 14 appeal board.

12 15 The bill also specifies that when the supreme court submits
12 16 the estimate of the total expenditure requirements of the
12 17 judicial branch, that estimate include a detailed listing of
12 18 requested judicial salary increases for the following fiscal
12 19 year.

12 20 LSB 1123XG 82
12 21 mg:rj/gg/14.3