

1 SEC. 25. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and after its final approval and publica-  
 3 tion in The Cedar Rapids Gazette, a newspaper published at Cedar  
 4 Rapids, Iowa, and in The Muscatine Journal, a newspaper published  
 5 at Muscatine, Iowa.

Approved April 17, 1970.

I hereby certify that the foregoing Act, House File 1251, was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, April 23, 1970, and in The Muscatine Journal, Muscatine, Iowa, April 24, 1970.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 1055

### EMPLOYMENT SECURITY CONTINGENCY FUND

H. F. 788

AN ACT to establish a special employment security contingency fund consisting of interest and penalties collected on delinquent employment security contributions and reports.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section ninety-six point thirteen (96.13), Code 1966,  
 2 is hereby amended by adding thereto the following new subsection:  
 3 "3. *Special employment security contingency fund.* There is hereby  
 4 created in the state treasury a special fund to be known as the special  
 5 employment security contingency fund. All interest, fines, and pen-  
 6 alties, regardless of when the same become payable, collected from  
 7 employers under the provisions of section ninety-six point fourteen  
 8 (96.14) of the Code subsequent to July 1, 1970, shall be paid into this  
 9 fund. Said moneys shall not be expended or available for expenditure  
 10 in any manner which would permit their substitution for federal funds  
 11 which would in the absence of said moneys be available to finance ex-  
 12 penditures for the administration of the employment security law.  
 13 Nothing in this section shall prevent said moneys from being used as a  
 14 revolving fund to cover expenditures for which federal funds have  
 15 been duly requested but not yet received, subject to the charging of  
 16 such expenditures against such funds when received. Said fund may  
 17 be used for the payment of costs of administration which are found  
 18 not to have been properly and validly chargeable against federal grants  
 19 or other funds, received for or in the employment security administra-  
 20 tion fund. The moneys in this fund are hereby specifically made avail-  
 21 able to replace, within a reasonable time, any moneys received by this  
 22 state in the form of grants from the federal government for adminis-  
 23 trative expenses which because of any action or contingency have  
 24 been expended for purposes other than, or in excess of, those necessary  
 25 for the proper administration of the employment security law. All  
 26 moneys in the special employment security contingency fund shall be  
 27 deposited, administered, and disbursed in the same manner and under  
 28 the same conditions and requirements as are provided by law for other  
 29 special funds in the state treasury.

30 The treasurer of state shall be the custodian of said funds and shall  
 31 give a separate and additional bond conditioned upon the faithful per-  
 32 formance of his duties in connection with the special employment se-  
 33 curity contingency fund in an amount and with such sureties as shall  
 34 be fixed and approved by the governor. The premiums for such bonds  
 35 shall be paid from the moneys in the special employment security con-  
 36 tingency fund. All sums recovered on such bond for losses sustained  
 37 by the special employment security contingency fund shall be deposited  
 38 in the fund. Refunds of interest and penalties collected on or after  
 39 July 1, 1970, pursuant to this chapter shall be paid only from this fund.

40 Balances to the credit of the special employment security contin-  
 41 gency fund shall not lapse at any time but shall continuously be  
 42 available to the commission for expenditures consistent herewith.  
 43 However, if on July first of any year the balance in the special employ-  
 44 ment security contingency fund exceeds fifty thousand dollars by ten  
 45 thousand dollars or more, the treasurer of state shall promptly transfer  
 46 the entire amount over fifty thousand dollars to the unemployment  
 47 compensation fund established in section ninety-six point nine (96.9)  
 48 of the Code, unless the commission determines that such transfer  
 49 should not be made because of immediate obligations to be met from  
 50 the fund."

1 SEC. 2. Section ninety-six point nine (96.9), Code 1966, is hereby  
 2 amended as follows:

3 1. By striking from subsection one (1), paragraph *a*, lines two (2)  
 4 and three (3) the words "together with any interest thereon collected  
 5 pursuant to section 96.14,".

6 2. By striking all of subsection one (1), paragraph *b*.

7 3. By striking from subsection two (2), paragraph *c*, line two (2),  
 8 the word "fund" and inserting in lieu thereof the words "unemploy-  
 9 ment compensation fund and all interest and penalties on delinquent  
 10 contributions and reports".

11 4. By inserting in subsection two (2), paragraph *c*, line five (5),  
 12 after the word "account" the words ", but the interest and penalties  
 13 on delinquent contributions and reports shall not be deemed to be a  
 14 part of the fund".

15 5. By inserting in subsection two (2), paragraph *c*, line five (5),  
 16 after the word "Refunds" the words "of contributions".

17 6. By inserting in subsection two (2), paragraph *c*, line ten (10),  
 18 after the word "account" the words ", except interest and penalties  
 19 on delinquent contributions and reports,".

20 7. By inserting in subsection two (2), paragraph *c*, line nineteen  
 21 (19), after the period the following:

22 "Interest and penalties on delinquent contributions and reports col-  
 23 lected from employers shall be transferred from the clearing account  
 24 to the special employment security contingency fund."

Approved March 26, 1970.

## CHAPTER 1056

## UNEMPLOYMENT CONTRIBUTIONS

S. F. 1273

AN ACT to authorize cooperation between this state and other states which extend a like comity in the collection of delinquent unemployment contributions, penalties, interest, and benefit overpayments.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section ninety-six point fourteen (96.14), subsection  
2 three (3), Code 1966, is hereby amended by adding thereto the follow-  
3 ing new paragraph:  
4 "The courts of this state shall recognize and enforce liabilities for  
5 unemployment contributions, penalties, interest and benefit overpay-  
6 ments imposed by other states which extend a like comity to this state.  
7 The commission is hereby empowered to sue in the courts of any other  
8 jurisdiction which extends such comity to collect unemployment con-  
9 tributions, penalties, interest and benefit overpayments due this state.  
10 The officials of other states which, by statute or otherwise, extend a  
11 like comity to this state may sue in the district court to collect for such  
12 contributions, penalties, interest and benefit overpayments. In any  
13 such case the chairman of the commission of this state, as agent for  
14 and on behalf of any other state, may, through the attorney general,  
15 institute and conduct such suit for such other state. Venue of such  
16 proceedings shall be the same as for actions to collect delinquent con-  
17 tributions, penalties, interest and benefit overpayments due under this  
18 Act. A certificate by the secretary of any such state attesting the  
19 authority of such official to collect the contributions, penalties, interest  
20 and benefit overpayments, is conclusive evidence of such authority.  
21 The requesting state shall pay the court costs."

Approved May 5, 1970.

## CHAPTER 1057

## IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM

H. F. 1176

AN ACT relating to the Iowa public employees' retirement system, wages covered and the payment of benefits under such system.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter one hundred twenty-one (121), Acts of the  
2 Sixty-second General Assembly, is hereby amended as follows:  
3 1. By striking from section nine (9), lines twenty-four (24) and  
4 twenty-five (25), and inserting in lieu thereof the following:  
5 "(3) For each calendar year from January 1, 1968, through De-  
6 cember 31, 1970, wages not in excess of seven thousand dollars, and  
7 for each calendar year from January 1, 1971, and thereafter, wages  
8 not in excess of seven thousand eight hundred dollars."