

first quarter of the calendar year beginning January 1, 1978.

This section shall be effective July 1, 1977.

Sec. 9. NEW SECTION. The Iowa department of job service shall annually submit a status report on the unemployment compensation trust fund to the general assembly.

Sec. 10. The provisions of this Act unless otherwise provided shall become effective January 1, 1978.

Approved July 10, 1977

CHAPTER 56

I.P.E.R.S. MEMBERSHIP

H. F. 582

AN ACT to permit optional membership in the Iowa public employees' retirement system for part-time judicial magistrates and employees of community action programs and members of the general assembly, and making certain sections retro-active.

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

Section 1. Section ninety-seven B point forty-one (97B.41), subsection one (1), paragraph a, Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Wages for a member of the general assembly means the total compensation received by a member of the general assembly, whether paid in the form of per diem or annual salary, exclusive of expense and travel allowances paid to a member of the general assembly. Wages includes per diem payments paid to members of the general assembly during interim periods between sessions of the general assembly.

Sec. 2. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, subparagraphs one (1) and two (2), Code 1977, are amended to read as follows:

(1) ~~Members-of-the-general-assembly,-elective~~ Elective officials in positions for which the compensation is on a fee basis, elective officials of school districts, elective officials of townships, and elective officials of other political subdivisions who are in part-time positions, graduate medical students while serving as interns or resident doctors in training at any hospital, or county medical examiners and deputy county medical examiners under chapter 339.

(2) Temporary Members of the general assembly of Iowa and temporary employees of the general assembly of Iowa unless such members or employees shall make an application to the department to be covered under the provisions of this chapter.

Sec. 3. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, Code 1977, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. Employees of community action programs, determined to be an instrumentality of the state or a political subdivision, unless such employees elect by filing an application with the department to be covered under the provisions of this chapter.

Sec. 4. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, Code 1977, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. Part-time judicial magistrates appointed pursuant to either section six hundred two point fifty (602.50) or section six hundred two point fifty-eight (602.58) of the Code unless such magistrates elect by filing an application with the department to be covered under the provisions of this chapter.

Sec. 5. Section six hundred two point fifty-four (602.54), Code 1977, is amended to read as follows:

602.54 SALARY, EXPENSES. Each judicial magistrate shall receive a salary payable from the general fund of the state and also his or her actual and necessary expenses in the performance of his or her duties while away from the city of his or her residence, in accordance with section 605.2. The salary of judicial magistrates, except as otherwise provided herein, shall be the sum of four thousand eight hundred dollars annually. The judicial magistrates serving pursuant to section 602.51 shall receive an annual salary of nineteen thousand five hundred dollars. Judicial magistrates appointed pursuant to section six hundred two point fifty-one (602.51) of the Code except district associate judges shall be members of the Iowa public employees' retirement system. Judicial magistrates appointed pursuant to either section six hundred two point fifty (602.50) or section six hundred two point fifty-eight (602.58) of the Code may elect to be members of the Iowa public employees' retirement system upon filing notice in writing with the Iowa department of job service and the court administrator of the judicial department.

Sec. 6. The department of job service shall notify all judicial magistrates appointed pursuant to either section six hundred two point fifty (602.50) or section six hundred two point fifty-eight (602.58) of the Code by February 1, 1978, of their option to continue membership in the Iowa public employees' retirement system by filing written notice to the department of job service and the court administrator of the judicial department prior to March 1, 1978. If a judicial magistrate appointed pursuant to either section six hundred two point fifty (602.50) or section six hundred two point fifty-eight (602.58) of the Code does not elect to continue membership, the magistrate may either receive a lump sum payment equal the sum of the member's accumulated contributions to the date of termination of membership or, if the individual is vested, the member may leave his or her contributions in the fund and elect to receive retirement benefits at a future date pursuant to the provisions of chapter ninety-seven B (97B) of the Code.

Sec. 7. A community action program determined to be an instrumentality of the state or a political subdivision may elect coverage for its employees under chapter ninety-seven B (97B) of the Code to commence at a date on or after January 1, 1971 and to end December 31, 1977. The date shall be specified in the application for election for coverage. Employee and employer contributions for the period for which an election is made shall be required in a manner and amount as provided in chapter ninety-seven B (97B) of the Code, as the Code was effective during the covered period.

Sec. 8. The provisions of sections one (1) and two (2) of this Act are effective January 8, 1979. The provisions of sections three (3), four (4), five (5), and six (6) of this Act are effective January 1, 1978. The provisions of section seven (7) of this Act are retroactive to January 1, 1971.

Sec. 9. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Muscatine Journal, a newspaper published in Muscatine, Iowa, and in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa.

Approved July 12, 1977

I hereby certify that the foregoing Act, House File 582, was published in the Muscatine Journal, Muscatine, Iowa on July 19, 1977, and in the Iowa City Press-Citizen, Iowa City, Iowa on July 21, 1977.

MELVIN D. SYNHORST, *Secretary of State*