

CHAPTER 177
COMPENSATION FOR PUBLIC EMPLOYEES
S.F. 422

AN ACT relating to the compensation and benefits for public officials and employees and making appropriations.

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

Section 1. STATE COURTS – JUSTICES, JUDGES, AND MAGISTRATES. For the fiscal year beginning July 1, 1993, and ending June 30, 1994, the justices and judges of the judicial department shall receive a cash payment of \$650 which shall not be added to the base salary. Magistrates shall receive a cash payment of \$325 for the same fiscal year which shall not be added to the base salary. The cash payments are to be paid in equal biweekly installments and shall take effect with the pay period beginning June 18, 1993.

Sec. 2. SALARY RATE LIMITS. Justices, judges, and magistrates of the judicial department receiving cash payments pursuant to section 1 of this Act shall not receive any additional salary adjustments provided by this Act.

Sec. 3. JUDICIAL RETIREMENT FUND – APPROPRIATION. There is appropriated to the judicial retirement fund provided for in section 602.9104 for the fiscal year beginning July 1, 1993, and ending June 30, 1994, from funds appropriated to the salary adjustment fund in section 9 of this Act, a sum equal to one percent of the base salaries of all justices, judges, and magistrates of the judicial department.

Sec. 4. ELECTIVE EXECUTIVE OFFICIALS.

1. The annual salary rates specified in this section are effective for the pay period beginning December 30, 1994, 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 pursuant to any Act of the general assembly or if the appropriation is not sufficient, from the salary adjustment fund.

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

a. OFFICE OF THE GOVERNOR	
(1) Salary for governor:	\$ 79,800
.....	
(2) Salary for lieutenant governor:	\$ 62,400
.....	
b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP	
Salary for the secretary of agriculture:	\$ 62,400
.....	
c. DEPARTMENT OF JUSTICE	
Salary for the attorney general:	\$ 76,500
.....	
d. OFFICE OF THE AUDITOR OF STATE	
Salary for the auditor of state:	\$ 62,400
.....	
e. OFFICE OF THE SECRETARY OF STATE	
Salary for the secretary of state:	\$ 62,400
.....	
f. OFFICE OF THE TREASURER OF STATE	
Salary for the treasurer of state:	\$ 62,400
.....	

Sec. 5. APPOINTED STATE OFFICERS. The governor shall establish a salary for appointed nonelected persons in the executive branch of state government holding a position

enumerated in section 6 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 state supreme court shall establish the salary for the state court administrator, 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 6 of this Act.

The governor, in establishing salaries as provided in section 6 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 6 of this Act and who is a full-time permanent 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. 6. STATE OFFICERS — SALARY RATES AND RANGES. The following annual salary ranges are effective for the positions specified in this section for the fiscal year beginning July 1, 1993, and for subsequent fiscal years until otherwise provided by the general assembly. The governor or other person designated in section 5 of this Act shall determine the salary to be paid to the person indicated at a rate within the salary ranges indicated from funds appropriated by the general assembly for that purpose.

1. The following salary ranges are effective beginning with the fiscal year beginning July 1, 1993, and as otherwise provided in this section:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 1	\$ 7,900	\$23,800
b. Range 2	\$28,700	\$47,700
c. Range 3	\$39,400	\$55,700
d. Range 4	\$47,400	\$63,700
e. Range 5	\$55,700	\$71,700

2. The following are range 1 positions: There are no range 1 positions as of the fiscal year beginning July 1, 1993.

3. The following are range 2 positions: administrator of criminal and juvenile justice planning of the department of human rights, 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 African-Americans, the division for deaf services, and the division of Latino affairs of the department of human rights, administrator of the division of professional licensing and regulation of the department of commerce, executive director of the commission of veterans affairs, and administrator of the division of emergency management of the department of public defense.

4. The following are range 3 positions: administrator of the division of community action agencies of the department of human rights, and chairperson and members of the employment appeal board of the department of inspections and appeals.

5. The following are range 4 positions: superintendent of banking, superintendent of credit unions, drug abuse prevention coordinator, administrator of the alcoholic beverages division of the department of commerce, state public defender, and chairperson and members of the board of parole.

6. The following are range 5 positions: chairperson and members of the utilities board, consumer advocate, job service commissioner, labor commissioner, industrial commissioner, commissioner of insurance, administrator of the historical division of the department of cultural affairs, administrator of the public broadcasting division of the department of education, the administrator of the state racing and gaming commission of the department of inspections and appeals, commandant of the veterans home, and secretary of the state fair board.

7. The following salary ranges are effective beginning with the fiscal year beginning July 1, 1993, and as otherwise provided in this section:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 6	\$43,100	\$57,800
b. Range 7	\$58,900	\$72,300
c. Range 8	\$63,100	\$84,000
d. Range 9	\$70,500	\$99,900

8. The following are range 6 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, and executive secretary of the campaign finance disclosure commission.

9. The following are range 7 positions: director of the department of cultural affairs, director of the department of personnel, director of public health, executive director of the department of elder affairs, commissioner of public safety, director of the department of general services, director of the department of commerce, director of law enforcement academy, and director of the department of inspections and appeals.

10. The following are range 8 positions: executive director of the Iowa finance authority, director of revenue and finance, director of the department of natural resources, director of the department of corrections, and director of the department of employment services.

11. The following are range 9 positions: director of the department of education, director of human services, director of the department of economic development, executive director of the state board of regents, director of the state department of transportation, lottery commissioner, the state court administrator, and the director of the department of management.

Sec. 7. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1993, 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.

2. The following annual salary rates shall be paid to the persons holding the positions indicated:

a. Chairperson of the public employment relations board:	\$	55,700
.....		
b. Two members of the public employment relations board:	\$	51,700
.....		

Sec. 8. PAY RATES AND RANGES — EFFECTIVE DATES. The annual salary rates or ranges provided in sections 6 and 7 of this Act become effective for the fiscal year beginning July 1, 1993, with the pay period beginning June 18, 1993. In addition to the salaries as fixed by the appropriate appointing authority, state officers covered in sections 6 and 7 may receive a cash payment, if authorized by the appropriate appointing authority, of \$650 which shall not be added to the base salary, paid in 26 equal installments during the fiscal year beginning July 1, 1993. Cash payments, if authorized, shall take effect with the pay period beginning June 18, 1993.

Sec. 9. COLLECTIVE BARGAINING AGREEMENTS FUNDED — NONCONTRACT EMPLOYEES — 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 for the fiscal year beginning July 1, 1993, and ending June 30, 1994, the following amount, \$24,500,000, or so much thereof as may be necessary, to fully fund the following annual pay adjustments, expense reimbursements, and related benefits:

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 state police officers council 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 university of northern Iowa faculty bargaining unit.
7. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the clerical bargaining unit.
8. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the professional social services bargaining unit.
9. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the community-based corrections bargaining unit.
10. The collective bargaining agreements negotiated pursuant to chapter 20 for employees in the judicial branch of government bargaining unit.
11. The collective bargaining agreement negotiated pursuant to chapter 20 for employees in the patient care bargaining unit.
12. The annual pay adjustments, expense reimbursements, and related benefits referred to in sections 10 and 11 of this Act for employees not covered by a collective bargaining agreement.
13. The state contribution to the judicial retirement fund as provided in section 3.

Sec. 10. NONCONTRACT STATE EMPLOYEES — GENERAL.

1. a. For the fiscal year beginning July 1, 1993, the maximum salary levels of all pay plans provided for in section 19A.9, subsection 2, shall remain as they existed on June 30, 1993. Employees who are not included in a collective bargaining agreement pursuant to chapter 20, are not otherwise specified in this Act, and are regularly scheduled for 32 hours or more per week shall receive a cash payment of \$650 which shall not be added to the base salary. Employees who are regularly scheduled for less than 32 hours per week shall receive a cash payment of \$325 which shall not be added to the base salary. The cash payments are to be paid in equal biweekly installments throughout the fiscal year. Employees must be on the state payroll as of July 1, 1993, to be eligible for the cash payments. Employees who terminate their employment with the state on or before June 30, 1994, shall forfeit any portion of the cash payment which has not been accrued at the time of termination. Cash payments shall take effect with the pay period beginning June 18, 1993.
 - b. In addition to the cash payments specified in this subsection, for the fiscal year beginning July 1, 1993, employees may receive a merit increase or the equivalent of a merit increase.
2. The state employees who are exempt from chapter 19A and who are included in the department of revenue and finance's centralized payroll system shall receive the same cash payments and merit increases as provided in subsection 1.
3. This section does not apply to members of the general assembly, board members, commission members, appointed nonelected persons in the executive branch of state government whose salaries are set by the general assembly, or set by the governor, employees designated under section 19A.3, subsection 5, and employees under the jurisdiction of the state board of regents.
4. The bargaining eligible employees of the state shall receive the same cash payments and merit increases as provided in subsection 1. 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. 11. NONCONTRACT STATE EMPLOYEES – STATE BOARD OF REGENTS. Funds shall be allocated to the state board of regents for the purposes of providing cash payments and percentage increases for employees not covered by a collective bargaining agreement as follows:

- 1. For regents merit system employees to fund cash payments and step increases comparable to those provided for similar contract-covered employees in this Act.
- 2. For faculty members and professional and scientific employees to fund cash payments and percentage increases comparable to those provided for contract-covered employees in section 9, subsection 6, of this Act.

Sec. 12. 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, 1993, and ending June 30, 1994, 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:
 \$ 919,318

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1993, and ending June 30, 1994, 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:
 \$ 2,643,974

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. 13. 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. 14. GENERAL FUND SALARY MONEYS. Funds appropriated from the general fund of the state in this Act relate only to salaries supported from general fund appropriations of the state except for employees of the state board of regents.

Sec. 15. 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. 16. Section 2.10, subsections 1, 3, 6, and 7, Code 1993, 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 eighteen thousand ~~one~~ eight hundred dollars for the year ~~1991~~ 1995 and subsequent years while serving as a member of the general assembly. In addition, each such member shall receive the sum of ~~fifty~~ sixty dollars per day 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. However, members from Polk county shall receive ~~thirty-five~~ forty-five dollars per day. Each member shall receive a ~~seventy-five~~ one hundred twenty-five 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 18.117 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. However, any increase from time to time in the mileage rate established by section 18.117 shall not become effective for members of the general assembly until the convening of the next general assembly following the session in which the increase is adopted; and this provision shall prevail over any inconsistent provision of any present or future statute.

3. 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 ~~twenty-seven~~ twenty-nine thousand ~~nine hundred~~ dollars for the year ~~1991~~ 1995 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 nineteen thousand ~~one~~ nine hundred dollars for the year ~~1991~~ 1995 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.

6. In addition to the salaries and expenses authorized by this section, members of the general assembly shall be paid ~~fifty~~ sixty dollars per day, 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.

7. 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 ~~fifty~~ sixty dollars per day 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. 17. Section 2.10, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 8. A member of the general assembly may return to the state treasury all or a part of the salary, per diem, or expenses paid to the member pursuant to this section. The member may specify the public use for the returned money. A member has no income tax liability for that portion of the member's salary or per diem which is returned to the state treasury pursuant to this subsection. The administrative officer of each house shall provide a form at the convening of each legislative session to allow legislators to return any portion of their salaries or expenses according to this section.

Sec. 18. Section 16 of this Act takes effect January 1, 1995.

Approved May 21, 1993

CHAPTER 178

APPROPRIATIONS – STATE DEPARTMENTS AND AGENCIES

H.F. 430

AN ACT relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, and providing for other properly related matters.

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

Section 1. There is appropriated from the general fund of the state to the following named agencies for the fiscal year beginning July 1, 1993, and ending June 30, 1994, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of the members:

..... \$ 18,316

2. NATIONAL CONFERENCE OF STATE LEGISLATURES

For support of the membership assessment for the Senate:

..... \$ 82,594

Sec. 2. **REVIEW OF PROFESSIONAL, SCIENTIFIC, OR EDUCATIONAL DUES.** The executive council shall review dues paid by state agencies of the executive department of state government for membership in professional, scientific, and educational organizations with the goal of reducing membership costs by one third. The executive council shall give first consideration to reductions by state agencies which have multiple memberships.

Sec. 3. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1993, and ending June 30, 1994, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 462,386

..... FTEs 10.35

2. COMMUNICATIONS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 164,942

..... FTEs 13.00

3. INFORMATION SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,343,907

..... FTEs 132.50

4. PROPERTY MANAGEMENT DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,528,274

..... FTEs 115.00

5. PRINTING AND MAIL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 820,381

..... FTEs 28.25