

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2217 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, Governor

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### CHAPTER 1190

#### APPROPRIATION FOR IOWA COMMUNICATIONS NETWORK

*S.F. 2329*

**AN ACT** making an appropriation for the Iowa communications network fund for the fiscal year beginning July 1, 1994.

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

Section 1. STATE COMMUNICATIONS NETWORK. There is appropriated from the general fund of the state to the Iowa communications network fund created in section 18.137 for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amount, or so much thereof as is necessary:

..... \$ 5,600,000

Upon the appropriation of the funds in this section to the Iowa communications network fund, the Iowa telecommunications and technology commission shall immediately transfer \$5,600,000 of the appropriated amount to a separate fund established in the office of the treasurer of state, to be used solely for making a payment on the principal amount of the certificates of participation issued for the Iowa communications network which is scheduled for July 1, 1995. The commission shall certify to the treasurer of state when such payment is due, and upon receipt of the certification the treasurer shall make the payment. The commission shall pay any additional amount due from funds deposited in the Iowa communications network fund.

Approved May 2, 1994

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### CHAPTER 1191

#### COMPENSATION FOR PUBLIC EMPLOYEES

*H.F. 2429*

**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.

1. The salary rates specified in subsections 2 and 3 are effective for the pay periods beginning July 1, 1994, and ending December 29, 1994, and for the pay period beginning December 30, 1994, and for subsequent pay periods until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the judicial department from the salary adjustment fund or if the appropriation is not sufficient, from the funds appropriated to the judicial department pursuant to any Act of the general assembly.

2. The following annual salary rates shall be paid to the persons holding the judicial positions indicated during the pay periods beginning July 1, 1994, and ending December 29, 1994:

a. Chief justice of the supreme court:	\$	95,600
b. Each justice of the supreme court:	\$	92,100
c. Chief judge of the court of appeals:	\$	92,000
d. Each associate judge of the court of appeals:	\$	88,500
e. Each chief judge of a judicial district:	\$	87,600
f. Each district judge except the chief judge of a judicial district:	\$	84,200
g. Each district associate judge:	\$	73,300
h. Each judicial magistrate:	\$	18,500
3. The following annual salary rates shall be paid to the persons holding the judicial positions indicated for the pay period beginning December 30, 1994, and for subsequent pay periods until otherwise provided by the general assembly:		
a. Chief justice of the supreme court:	\$	97,500
b. Each justice of the supreme court:	\$	93,900
c. Chief judge of the court of appeals:	\$	93,800
d. Each associate judge of the court of appeals:	\$	90,300
e. Each chief judge of a judicial district:	\$	89,400
f. Each district judge except the chief judge of a judicial district:	\$	85,900
g. Each district associate judge:	\$	74,800
h. Each judicial magistrate:	\$	18,900

Sec. 2. SALARY RATE LIMITS. Persons receiving the salary rates established under section 1 of this Act shall not receive any additional salary adjustments provided by this Act.

Sec. 3. 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 4 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 4 of this Act.

The governor, in establishing salaries as provided in section 4 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 4 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. 4. 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, 1994, and for subsequent fiscal years until otherwise provided by the general assembly. The governor or other person designated in section 3 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, 1994, and as otherwise provided in this section:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 1 .....	\$ 8,100	\$24,500
b. Range 2 .....	\$29,600	\$49,100
c. Range 3 .....	\$40,600	\$57,400
d. Range 4 .....	\$48,800	\$65,600
e. Range 5 .....	\$57,400	\$73,900

2. The following are range 1 positions: There are no range 1 positions as of the fiscal year beginning July 1, 1994.

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, 1994, and as otherwise provided in this section:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 6 .....	\$44,400	\$ 59,500
b. Range 7 .....	\$60,700	\$ 74,500
c. Range 8 .....	\$65,000	\$ 86,500
d. Range 9 .....	\$72,600	\$102,900

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 ethics and campaign disclosure board.

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 the 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. 5. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. The salary rates specified in this section are effective for the pay period beginning December 30, 1994, and for subsequent pay periods until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds appropriated to the public employment relations board from the salary adjustment fund, or if the appropriation is not sufficient from funds appropriated to the public employment relations board pursuant to any other Act of the general assembly.

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

a. Chairperson of the public employment relations board:	\$	57,900
.....		
b. Two members of the public employment relations board:	\$	53,800
.....		

Sec. 6. PAY RATES AND RANGES — EFFECTIVE DATES. The annual salary rates and ranges provided in section 4 of this Act become effective for the fiscal year beginning July 1, 1994, with the pay period beginning July 1, 1994.

Sec. 7. COLLECTIVE BARGAINING AGREEMENTS FUNDED — 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, including the state board of regents, for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amount, \$31,700,000 or so much thereof as may be necessary, to 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 public safety 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 agreement 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, related benefits, and expense reimbursements referred to in sections 8 and 9 of this Act for employees not covered by a collective bargaining agreement.

Of the moneys appropriated in this section, the first sums allocated shall be paid to the department of cultural affairs, the Iowa state civil rights commission, and the department of justice to fund the salary annualization costs of those state agencies for the fiscal year beginning July 1, 1994, and ending June 30, 1995.

Sec. 8. NONCONTRACT STATE EMPLOYEES — GENERAL.

1. a. For the fiscal year beginning July 1, 1994, the maximum salary levels of all pay plans provided for in section 19A.9, subsection 2, as they exist for the fiscal year ending June 30, 1994, shall be increased by 2 percent for the pay period beginning July 1, 1994, and by an additional 2 percent for the pay period beginning December 30, 1994.

b. In addition to the increases specified in this subsection, for the fiscal year beginning July 1, 1994, employees may receive a merit increase or the equivalent of a merit increase.

2. The pay plans for state employees who are exempt from chapter 19A and who are included in the department of revenue and finance's centralized payroll system shall be increased in the same manner as provided in subsection 1.

3. This section does not apply to members of the general assembly, board members, commission members, salaries of persons set by the general assembly pursuant to this Act, or set by the governor, employees designated under section 19A.3, subsection 5, and employees covered by 581 IAC 4.5(17).

4. The pay plans for the bargaining eligible employees of the state shall be increased in the same manner 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. 9. STATE EMPLOYEES — STATE BOARD OF REGENTS. Of the funds appropriated for the purpose of providing salary increases in section 7 of this Act, \$16,700,000 shall be allocated by the state board of regents for the purposes of providing increases for state board of regents employees covered by section 7 of this Act and for employees not covered by a collective bargaining agreement as follows:

1. For regents merit system employees to fund for the fiscal year beginning July 1, 1994, increases comparable to those provided for similar contract-covered employees in this Act.

2. For faculty members and professional and scientific employees to fund for the fiscal year beginning July 1, 1994, percentage increases comparable to those provided for contract-covered employees in section 7, subsection 6, of this Act.

Sec. 10. 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, 1994, and ending June 30, 1995, 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:  
..... \$ 1,350,000

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1994, and ending June 30, 1995, 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:  
..... \$ 3,450,000

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. 11. 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. 12. 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. 13. 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.

Approved May 2, 1994

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## CHAPTER 1192

### APPROPRIATIONS — ENERGY CONSERVATION — PETROLEUM OVERCHARGE FUNDS

*S.F. 2091*

**AN ACT** relating to energy conservation including making appropriations of petroleum overcharge funds.

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

Section 1. There is appropriated from those funds designated within the energy conservation trust created in section 473.11, for disbursement pursuant to section 473.11, to the following named agencies for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To the division of community action agencies of the department of human rights for qualifying energy conservation programs for low-income persons, including but not limited to energy weatherization projects, which target the highest energy users, and including administrative costs, to be expended first from the available balances in the Exxon fund and then the Stripper Well fund for a total appropriation not to exceed:

From Exxon fund .....	\$	500,000
From Stripper Well fund .....	\$	1,560,000

2. To the department of natural resources for the following purposes:

a. For the state energy conservation program, and the energy extension service for purposes of maintaining their 1988-89 fiscal year funding levels, from the Exxon fund:

.....	\$	178,200
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b. For administration of petroleum overcharge programs from the Stripper Well fund, not to exceed the following amount:

.....	\$	300,000
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Notwithstanding section 8.33, the unencumbered or unobligated moneys remaining at the end of any fiscal year from the appropriations made in subsections 1 and 2 shall not revert but shall be available for expenditure during subsequent fiscal years until expended for the purposes for which originally appropriated.