

Further, the Iowa Telecommunications and Technology Commission currently has authority to set policy relating to the ICN, including establishing reasonable limits on use of the network. I have confidence that the Commission will do so appropriately.

For the above reason, I hereby respectfully disapprove this item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 482 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, Governor

**CHAPTER 211**  
**COMPENSATION FOR PUBLIC EMPLOYEES**  
*H.F. 579*

**AN ACT** relating to the compensation and benefits for public officials and employees and making appropriations and providing an effective date.

*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 subsection 2 are effective for the fiscal year beginning July 1, 1995, with the pay period beginning June 30, 1995, 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 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 June 30, 1995, and for subsequent pay periods.

a. Chief justice of the supreme court:	\$	100,400
.....		
b. Each justice of the supreme court:	\$	96,700
.....		
c. Chief judge of the court of appeals:	\$	96,600
.....		
d. Each associate judge of the court of appeals:	\$	93,000
.....		
e. Each chief judge of a judicial district:	\$	92,100
.....		
f. Each district judge except the chief judge of a judicial district:	\$	88,500
.....		
g. Each district associate judge:	\$	77,000
.....		
h. Each judicial magistrate:	\$	19,500
.....		
i. Each judge who retires after July 1, 1994, and who is assigned and who is appointed a senior judge by the state supreme court:	\$	5,000
.....		

**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. ELECTIVE EXECUTIVE OFFICIALS.**

1. The annual salary rates specified in this section are effective for the fiscal year beginning July 1, 1995, with the pay period beginning June 30, 1995, 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 the governor:

..... \$ 98,200

(2) Salary for the lieutenant governor which shall be seventy percent of the salary of the governor:

..... \$ 68,740

b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Salary for the secretary of agriculture:

..... \$ 78,050

c. DEPARTMENT OF JUSTICE

Salary for the attorney general:

..... \$ 93,520

d. OFFICE OF THE AUDITOR OF STATE

Salary for the auditor of state:

..... \$ 78,050

e. OFFICE OF THE SECRETARY OF STATE

Salary for the secretary of state:

..... \$ 78,050

f. OFFICE OF THE TREASURER OF STATE

Salary for the treasurer of state:

..... \$ 78,050

**Sec. 4. 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 5 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 5 of this Act.

The governor, in establishing salaries as provided in section 5 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 5 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. 5. 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, 1995, with the pay period beginning June 30, 1995, and for subsequent

fiscal years until otherwise provided by the general assembly. The governor or other person designated in section 4 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 are salary ranges 1 through 5:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 1 .....	\$ 8,300	\$25,200
b. Range 2 .....	\$30,500	\$50,600
c. Range 3 .....	\$41,800	\$59,100
d. Range 4 .....	\$50,300	\$67,600
e. Range 5 .....	\$59,100	\$76,100

2. The following are range 1 positions: There are no range 1 positions.

3. The following are range 2 positions: 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 criminal and juvenile justice planning of the department of human rights, 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: consumer advocate, job service commissioner, labor commissioner, industrial commissioner, 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 are salary ranges 6 through 9:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 6 .....	\$45,700	\$ 61,300
b. Range 7 .....	\$62,500	\$ 76,700
c. Range 8 .....	\$67,000	\$ 89,100
d. Range 9 .....	\$74,800	\$106,000

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: commissioner of insurance, 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, director of the department of employment services, and chairperson of the utilities board. The other members of the utilities board shall receive an annual salary within a range of not less than ninety percent but not more than ninety-five percent of the annual salary of the chairperson of the utilities board.

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. 6. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1995, with the pay period beginning June 30, 1995, 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 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:	\$	59,600
.....		
b. Two members of the public employment relations board:	\$	55,400
.....		

Sec. 7. COLLECTIVE BARGAINING AGREEMENTS FUNDED - GENERAL FUND.

There is appropriated from the general fund of the state to the salary adjustment fund for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for distribution by the department of management to the various state departments, boards, commissions, councils, and agencies, including the state board of regents, the amount of \$34,700,000, 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 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 collective bargaining agreement negotiated pursuant to chapter 20 for employees in the science bargaining unit.
13. 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.

**Sec. 8. NONCONTRACT STATE EMPLOYEES – GENERAL.**

1. a. For the fiscal year beginning July 1, 1995, 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, 1995, shall be increased by 3 percent for the pay period beginning June 30, 1995.

b. In addition to the increases specified in this subsection, for the fiscal year beginning July 1, 1995, 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.** Funds from the appropriation in section 7 of this Act shall be allocated to 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, 1995, 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, 1995, 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, 1995, and ending June 30, 1996, 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:

..... \$ 1,246,687

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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:

..... \$ 3,055,214

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. It is the intent of the general assembly that the department of management and the legislative fiscal bureau in

conjunction with the state agency affected by this section to prepare recommendations concerning the application of this section to the general assembly not later than February 1, 1996.

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.

Sec. 14. Section 2.10, subsections 1, 3, 6, and 7, Code 1995, 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~~ twenty thousand ~~eight~~ one hundred ~~twenty~~ dollars for the year ~~1995~~ 1997 and subsequent years while serving as a member of the general assembly. In addition, each such member shall receive the sum of ~~sixty~~ sixty-eight 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~~ Members from Polk county shall receive ~~forty-five~~ sixty-five dollars per day. Each member shall receive a ~~one~~ two 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-nine~~ thirty-one thousand thirty dollars for the year ~~1995~~ 1997 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~~ twenty-one thousand ~~nine~~ two hundred ninety dollars for the year ~~1995~~ 1997 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~~ a member of the general assembly shall be paid ~~sixty~~ sixty-eight 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 ~~sixty~~ eighty-six 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. 15. Section 2.40, subsection 1, unnumbered paragraph 2, Code 1995, is amended to read as follows:

A member of the general assembly may elect to become a member of a state group insurance plan. A member of the general assembly may continue membership in a state group insurance plan without reapplication during the member's tenure as a member of consecutive general assemblies. For the purpose of electing to become a member of the state health or medical service group insurance plan, a member of the general assembly has the status of a "new hire", full-time state employee following each election of that member in a general or special election, or during the first subsequent annual open enrollment. In lieu of membership in a state health or medical group insurance plan, a member of the general assembly may elect to receive reimbursement for the costs paid by the member for a continuation of a group coverage (COBRA) health or medical insurance plan. The member shall apply for reimbursement by submitting evidence of payment for a COBRA health or medical insurance plan. The maximum reimbursement shall be no greater than the state's contribution for health or medical insurance family plan II. A member of the general assembly who elects to become a member of a state health or medical group insurance plan shall be exempted from preexisting medical condition waiting periods. A member of the general assembly may change programs or coverage under the state health or medical service group insurance plan during the month of January of odd-numbered years, but program and coverage change selections shall be subject to the enrollment rules established for full-time state employees excluded from collective bargaining as provided in chapter 20. A person who has been a member of the general assembly for two years and who has elected to be a member of a state health or medical group insurance plan may continue to be a member of such state health or medical group insurance plan by requesting continuation in writing to the finance officer within thirty-one days after leaving office. The continuing former member of the general assembly shall pay the total premium for the state plan and shall have the same rights to change programs or coverage as state employees. In the event of the death of a former member of the general assembly who has elected to continue to be a member of a state health or medical group insurance plan, the surviving spouse of the former member whose insurance would otherwise terminate because of the death of the former member may elect to continue to be a member of such state health or medical group insurance plan by requesting continuation in writing to the finance officer within thirty-one days after the death of the former member. The surviving spouse of the former member shall pay the total premium for the state plan and shall have the same rights to change programs or coverage as state employees.

Sec. 16. Section 7G.1, subsection 8, paragraph a, Code 1995, is amended to read as follows:

a. The commission may employ personnel, including an executive director whose salary shall not exceed executive branch pay grade classification ~~35~~ 40, to administer its programs and services. The personnel shall be considered state employees.

Sec. 17. EFFECTIVE DATE. Section 14 of this Act takes effect upon the convening of the Seventy-seventh General Assembly in January 1997.

Approved May 19, 1995