

CHAPTER 1217
COMPENSATION FOR PUBLIC EMPLOYEES
H.F. 2497

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 subsection 2 are effective for the fiscal year beginning July 1, 1996, with the pay period beginning June 28, 1996, 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 28, 1996, and for subsequent pay periods.

a. Chief justice of the supreme court:	\$	104,400
.....		
b. Each justice of the supreme court:	\$	100,600
.....		
c. Chief judge of the court of appeals:	\$	100,500
.....		
d. Each associate judge of the court of appeals:	\$	96,700
.....		
e. Each chief judge of a judicial district:	\$	95,800
.....		
f. Each district judge except the chief judge of a judicial district:	\$	92,000
.....		
g. Each district associate judge:	\$	80,100
.....		
h. Each judicial magistrate:	\$	20,300
.....		
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:	\$	5,200
.....		

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; the ethics and campaign disclosure board shall establish the salary of the executive director; 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, 1996, with the pay period beginning June 28, 1996, 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 are salary ranges 1 through 5:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 1	\$ 8,500	\$ 25,800
b. Range 2	\$ 31,300	\$ 51,900
c. Range 3	\$ 42,800	\$ 60,600
d. Range 4	\$ 51,600	\$ 69,300
e. Range 5	\$ 60,600	\$ 78,000

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, and executive director of the commission of veterans affairs.

4. The following are range 3 positions: administrator of the division of emergency management of the department of public defense, 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, and commandant of the veterans home.

7. The following are salary ranges 6 through 9:

SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
a. Range 6	\$ 46,800	\$ 69,300
b. Range 7	\$ 64,100	\$ 78,600
c. Range 8	\$ 68,700	\$ 91,300
d. Range 9	\$ 76,700	\$ 108,700

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 director 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, executive director of the department of elder affairs, 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: the administrator of the state racing and gaming commission of the department of inspections and appeals, director of public health, commissioner of public safety, 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, secretary of the state fair board, and the director of the department of management.

12. If a department of workforce development is established by an Act of the Seventy-sixth General Assembly, 1996 Session, which operates at anytime during the fiscal year beginning July 1, 1996, the director of the department shall be compensated as a range 9 position.

Sec. 5. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. The salary rates specified in this section are effective for the fiscal year beginning July 1, 1996, with the pay period beginning June 28, 1996, 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:	\$	61,100
.....		
b. Two members of the public employment relations board:	\$	56,800
.....		

Sec. 6. 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, 1996, and ending June 30, 1997, 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 \$27,023,500, 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. 7. SALARY ADJUSTMENT FUND – NONREVERSION. Notwithstanding section 8.33, any unencumbered and unobligated moneys remaining from the moneys appropriated to the salary adjustment fund pursuant to 1995 Iowa Acts, chapter 211, section 7, shall not revert to the general fund of the state but shall be used for the purposes specified in section 6 of this Act.

Sec. 8. NONCONTRACT STATE EMPLOYEES – GENERAL.

1. a. For the fiscal year beginning July 1, 1996, 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, 1996, shall be increased by 2.5 percent for the pay period beginning June 28, 1996.

b. In addition to the increases specified in this subsection, for the fiscal year beginning July 1, 1996, employees may receive a merit increase or the equivalent of a merit increase.

c. On December 6, 1996, full-time employees paid at or above their maximum salary range shall receive an additional \$300 in compensation and part-time employees shall receive an additional \$150 in compensation. The compensation shall not be added to base salary. Full-time employees are employees who work at least 32 hours per week.

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 6 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 6 of this Act and for employees not covered by a collective bargaining agreement as follows:

1. For regents merit system employees and merit supervisory employees to fund for the fiscal year beginning July 1, 1996, 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, 1996, percentage increases comparable to those provided for contract-covered employees in section 6, 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, 1996, and ending June 30, 1997, 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:

..... \$ 436,700

2. There is appropriated from the primary road fund to the salary adjustment fund, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, 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:

..... \$ 2,713,800

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. The funds appropriated from the general fund of the state for employees of the state board of regents shall exclude general university indirect costs and general university federal funds.

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. USE OF SURPLUS INSURANCE FUNDS. Notwithstanding any contrary provision of House File 2416,* if enacted by the Second Regular Session of the Seventy-sixth General Assembly, the executive council may expend moneys from surplus funds in the health insurance reserve operating or terminal liability account to decrease state employee health insurance premium costs for the fiscal period beginning August 1996 through August 1997.

Sec. 15. LEGISLATIVE STUDY OF JUDICIAL SALARIES. The legislative council may establish an interim study of compensation of justices and judges of the judicial department of this state focused on the ability to recruit and retain qualified candidates in the judicial department. The recommendations of the study shall be submitted to the governor and general assembly in January 1997.

Sec. 16. REPORT ON PROJECTED COSTS OF SALARY INCREASES FOR FISCAL YEARS 1998 AND 1999. The legislative fiscal bureau shall prepare a report to the chairpersons and ranking members of the committees on appropriations which projects the total costs of all salary increases including the annualization of salaries for the fiscal years 1998 and 1999. The report shall include salary costs from all funds including the general fund of the state and the restricted funds. The report shall be submitted not later than April 1, 1997.

Approved May 30, 1996

*Chapter 1211 herein