

State of Iowa  
1977

# ACTS

PASSED AT THE

**1977 EXTRAORDINARY SESSION**

OF THE

## **Sixty-seventh General Assembly**

OF THE

## **STATE OF IOWA**



**WAYNE A. FAUPEL**  
CODE EDITOR

**PHYLLIS BARRY**  
DEPUTY CODE EDITOR

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Published by the  
STATE OF IOWA  
Des Moines

# CERTIFICATE

STATE OF IOWA  
Office of Code Editor

We, Wayne A. Faupel and Phyllis Barry, Editors of the Code of Iowa, do hereby certify that the Acts and the certificates by the Secretary of State of the publication or filing thereof contained in this volume have been prepared from the original enrolled Acts on file in the office of the Secretary of State and are correct copies of said Acts and are published under the authority of the statutes of this state and constitute the Acts of the 1977 Extraordinary Session of the Sixty-seventh General Assembly of the State of Iowa.

*Wayne A. Faupel*  
*Phyllis Barry*

July 1977.

Section 622.59 of the 1977 Code of Iowa is as follows:

“Printed copies of the statute laws of this or any other of the United States, or of Congress, or of any foreign government, purporting or proved to have been published under the authority thereof, or proved to be commonly admitted as evidence of the existing laws in the courts of such state or government, shall be admitted in the courts of this state as presumptive evidence of such laws.”

## EDITORS' NOTE

The Acts of the 1977 Extraordinary Session of the Sixty-seventh General Assembly have been printed in this book exactly as they appear on file in the office of the Secretary of State. No attempt has been made to correct misspelled words or errors in punctuation, if any.

**LAWS**  
OF THE  
**1977 Extraordinary Session**  
OF THE  
**Sixty-seventh General Assembly**  
OF THE  
**STATE OF IOWA**

PASSED AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE  
TWENTY-FIRST DAY OF JUNE, AND ENDED ON THE TWENTY-FIFTH  
DAY OF JUNE, A. D. 1977, IN THE ONE HUNDRED THIRTY-  
FIRST YEAR OF THE STATE.

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**CHAPTER 1**  
**COMPENSATION AND BENEFITS FOR STATE EMPLOYEES**

H. F. 634

AN ACT relating to compensation and benefits for state employees and regional librarians and their staffs, providing exceptions for provisions of the Code in conflict with collective bargaining agreements, specifying a completion date for the negotiation of collective bargaining agreements, providing salary adjustments for state employees and officials who have not received salary adjustments pursuant to legislation previously approved by the Sixty-seventh General Assembly, providing employee benefits relating to holidays and sick leave, providing for state employee insurance programs, and appropriating moneys to fund such programs including moneys to fund increases in compensation rates previously approved by the general assembly.

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

Section 1. When the terms and conditions of a collective bargaining agreement made final under chapter twenty (20) of the Code conflict with provisions of section nineteen A point nine (19A.9), nineteen A point fourteen (19A.14), nineteen A point eighteen (19A.18), nineteen A point twenty-two (19A.22), nineteen A point twenty-three (19A.23), thirty-three point one (33.1), thirty-three point two (33.2), forty-nine point one hundred nine (49.109), seventy-nine point one (79.1), eighty point eight (80.8), eighty point fifteen (80.15), eighty point eighteen (80.18), one hundred twenty-three point twenty (123.20), two hundred seventeen point twenty-three (217.23), two hundred eighteen point thirteen (218.13), two hundred eighteen point seventeen (218.17), two

hundred eighteen point thirty-seven (218.37), two hundred eighteen point seventy-one (218.71), two hundred nineteen point eleven (219.11), two hundred forty-six point three (246.3), two hundred sixty-two point twelve (262.12), three hundred seven A point two (307A.2), three hundred seven A point eight (307A.8), five hundred nine A point one (509A.1), or five hundred nine A point twelve (509A.12) of the Code or any other conflicting provisions of chapter nineteen A (19A), seventy-nine (79), eighty (80), one hundred twenty-three (123), two hundred seventeen (217), two hundred eighteen (218), two hundred nineteen (219), two hundred forty-six (246), two hundred sixty-two (262), three hundred seven A (307A), or five hundred nine A (509A), except for section five hundred nine A point eleven (509A.11), of the Code, relating to those state employees covered by the agreement, the terms and conditions of the collective bargaining agreement shall prevail for the period beginning July 1, 1977 and ending June 30, 1979.

Sec. 2. There is created a "salary adjustment fund" to be used to segregate funds appropriated by the general assembly to be distributed to various state departments to fund increases in compensation and related fringe benefits for designated state employees. The distribution of funds from the salary adjustment fund shall be pursuant to the provisions of this Act and subject to the approval of the governor and the state comptroller.

Sec. 3. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the following fiscal years, the following amounts or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits pursuant to the collective bargaining agreement for employees in the blue collar bargaining unit, except blue collar employees under the state board of regents, made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$1,292,128.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$2,663,605.

Sec. 4. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the following fiscal years the following amounts, or so

much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits in the collective bargaining agreement for employees in the professional social services bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$693,617.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$1,425,917.

Sec. 5. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the fiscal years designated the following amounts, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of the collective bargaining agreement for employees in the public safety bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$794,856.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$1,532,651.

Sec. 6. There is appropriated from the primary road fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from primary road funds and who are included in the collective bargaining agreement for employees in the blue collar bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$1,507,529.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$3,175,038.

Sec. 7. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act, for the following fiscal years the following amounts, or so much thereof as may be necessary, to be distributed to the

various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits in the collective bargaining agreement for employees in the public security bargaining unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$837,107.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$1,748,501.

Sec. 8. There is appropriated from the road use tax fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from road use tax funds and who are included in the collective bargaining agreement for employees in the public security unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$83,310.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$173,084.

Sec. 9. There is appropriated from the primary road fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from the primary road funds and who are included in the collective bargaining agreement for employees in the public security unit made final under chapter twenty (20) of the Code:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$9,479.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$19,405.

Sec. 10. The salary schedule of the merit system and the executive council exempt pay plan, provided for in section nineteen A point nine (19A.9), subsection two (2), of the Code as they exist for the fiscal years ending June 30, 1977, and June 30, 1978 shall be increased in each of such fiscal years by the following percentages rounded to the next dollar divisible by twenty-six for all state employees who are not

included in a collective bargaining agreement made final under chapter twenty (20) of the Code. All salaries of persons who are exempt from chapter nineteen A (19A) of the Code and who are included in the state comptroller's centralized payroll system and state board of regents office employees shall receive a like increase consistent with appropriations provided by the general assembly as they exist on June 23, 1977 and June 22, 1978, except members of the general assembly, board members and commission members, salaries of persons set by Senate File two hundred thirteen (213) and Senate File two hundred sixty-seven (267) as enacted by the Sixty-seventh General Assembly, 1977 Session, or set by the governor, employees designated under section nineteen A point three (19A.3), subsection six (6), of the Code and employees under the state board of regents merit system:

1. For positions for which the annual compensation is less than thirteen thousand two hundred dollars, an increase of six percent each year.

2. For positions for which the annual compensation is at least thirteen thousand two hundred dollars, an increase of five percent each year.

Sec. 11. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act for the fiscal years designated, the following amount, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees who are not covered by a collective bargaining agreement and who are specified in section ten (10) of this Act:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$7,308,307.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$15,199,712.

Sec. 12. There is appropriated from the road use tax fund to the state department of transportation for the fiscal years designated the following amount, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are specified in section ten (10) of this Act and who are eligible to be paid from the road use tax funds and who are not covered by collective bargaining agreements:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$273,625.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$586,506.

Sec. 13. There is appropriated from the primary road fund to the state department of transportation for the fiscal years designated the following amounts, or so much thereof as may be necessary, to supplement other funds which the general assembly appropriates to be used to fund annual pay adjustments and related fringe benefits of employees of the state department of transportation who are eligible to be paid from primary road funds and who are specified in section ten (10) of this Act and who are not covered by collective bargaining agreements:

For the fiscal year beginning July 1, 1977 and ending June 30, 1978..... \$2,353,587.

For the fiscal year beginning July 1, 1978 and ending June 30, 1979..... \$4,897,326.

Sec. 14. There is appropriated from the general fund of the state to supplement other funds for salaries which the general assembly appropriates to the state board of regents and the following institutions for the fiscal years designated the following amounts, or so much thereof as may be necessary, to be used to fund annual pay adjustments and related fringe benefits of the collective bargaining agreement for employees in the blue collar bargaining unit made final under chapter twenty (20) of the Code.

	1977-78	1978-79
	Fiscal Year	Fiscal Year
State University of Iowa	\$ 642,319	\$1,220,351
State Sanatorium	\$ 79,039	\$ 152,543
Hospital School	\$ 39,297	\$ 78,028
Psychiatric Hospital	\$ 22,712	\$ 44,174
Hygienic Laboratory	\$ 10,877	\$ 18,305
University Hospitals	\$ 201,221	\$ 384,703
Iowa State University of Science and Technology	\$ 533,006	\$1,002,390
Experiment Station	\$ 45,603	\$ 83,133
Cooperative Extension Service	\$ 2,300	\$ 4,600
University of Northern Iowa	\$ 231,080	\$ 438,148
School for the Deaf	\$ 75,347	\$ 149,725
Iowa Braille & Sight- saving School	\$ 33,754	\$ 66,395



Sec. 15. There is appropriated from the general fund of the state, to supplement other funds for salaries which the general assembly appropriates, to the state board of regents and the following institutions for the fiscal years designated the following amounts, or so much thereof as may be necessary, to be used to fund pay adjustments and related fringe benefits of employees of the state board of regents not covered by collective bargaining agreements or covered by collective bargaining agreements negotiated after June 21, 1977.

1. So much as necessary to fund in each fiscal year an average salary increase of six point four percent of salaries of the faculty members paid during the preceding fiscal year to be allocated to faculty members at the discretion of the state board of regents.

2. So much as necessary:

a. To fund in each fiscal year a base salary increase for professional and scientific employees, except board office employees, of six percent for positions for which the base salary paid during the preceding fiscal year is less than \$13,200 and five percent for positions for which the base salary paid during the preceding fiscal year is at least \$13,200.

b. To fund in each fiscal year an average salary increase of two percent of salaries of professional and scientific employees, except board office employees, paid during the preceding fiscal year to be allocated to such employees at the discretion of the state board of regents.

3. For employees under the state board of regents merit system, except board office employees, and in addition to their regular merit increases, so much as is necessary to increase the regents merit pay plan as it exists for the fiscal years ending June 30, 1977 and June 30, 1978 in each of the designated fiscal years as follows:

a. For positions for which the annual compensation is less than thirteen thousand two hundred dollars, an increase of six percent each year.

b. For positions for which the annual compensation is at least thirteen thousand two hundred dollars, an increase of five percent each year.

The merit pay plan adjustments shall be rounded to the next dollar divisible by twenty-six.

4. The institutions for which supplemental funds are appropriated and the amounts are:

	1977-78	1978-79
	Fiscal Year	Fiscal Year
State University of Iowa	\$ 4,925,731	\$10,153,089
State Sanatorium	\$ 22,635	\$ 46,609
Hospital School	\$ 159,907	\$ 328,184
Psychiatric Hospital	\$ 224,815	\$ 461,888
Hygienic Laboratory	\$ 120,205	\$ 246,905
University Hospitals	\$ 850,556	\$ 1,748,842
Iowa State University of Science and Technology	\$ 3,946,960	\$ 7,963,887
Experiment Station	\$ 499,983	\$ 1,005,458
Cooperative Extension Service	\$ 616,154	\$ 1,248,272
University of Northern Iowa	\$ 1,358,791	\$ 2,826,067
School for the Deaf	\$ 143,648	\$ 295,568
Iowa Braille & Sight- saving School	\$ 98,006	\$ 203,051

Sec. 16. The funds provided for faculty salaries and fringe benefits at the university of northern Iowa as appropriated by the general assembly and as identified by the state comptroller for the fiscal years beginning July 1, 1977 and July 1, 1978 shall be the exclusive source of funds available to pay any compensation including fringe benefits and other costs within the scope of negotiations as defined by section twenty point nine (20.9) of the Code for represented employees.

No staffing changes as to the number of personnel at the university of northern Iowa shall be made for the purposes of funding an increase in compensation including fringe benefits, greater than identified in section fifteen (15) of this Act. Additionally, tuition fees or other institutional income shall not be increased for said purposes.

Sec. 17. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act for the fiscal year beginning July 1, 1977 and ending June 30, 1978, the following amount, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds appropriated by the general assembly. Funds appropriated under this section shall be used to supplement other funds appropriated by the general assembly to fund increases in salaries of state elected officials, members of the public employment relations board and judiciary, excluding members of the general assembly, as provided in Senate File two hundred thirteen (213), as enacted by the 1977 Session of the Sixty-seventh General Assembly: \$1,433,130

Sec. 18. There is appropriated from the general fund of the state to the salary adjustment fund created by this Act for the fiscal year beginning July 1, 1977 and ending June 30, 1978 the following amount, or so much thereof as may be necessary, to be distributed to the various departments to supplement other funds appropriated by the general assembly. Funds appropriated under this section shall be used to supplement other funds appropriated by the general assembly to fund increases in salaries of state appointed officials supported from general fund appropriations as provided in Senate File two hundred sixty-seven (267) as enacted by the 1977 Session of the Sixty-seventh General Assembly: \$55,712

Sec. 19. There is appropriated from the primary road fund to the state department of transportation the following amount, or so much thereof as may be necessary, for the fiscal year beginning July 1, 1977 and ending June 30, 1978, to supplement other funds appropriated by the general assembly to fund increases in salaries of state appointed officials supported by primary road funds as provided in Senate File two hundred sixty-seven (267) as enacted by the 1977 Session of the Sixty-seventh General Assembly: \$4,047

Sec. 20. There is appropriated from the general fund of the state to the Iowa library department for the fiscal year commencing July 1, 1977 and ending June 30, 1978 the following amount, or so much thereof as may be necessary, to be distributed to the regional boards of library trustees as necessary to provide a five percent cost-of-living increase in the salaries of regional librarians and regional library staff as they exist on June 30, 1977: \$14,577

Sec. 21. Funds appropriated from the general fund of the state in this Act shall relate to salaries supported from general fund appropriations and shall not be construed to replace revolving, federal, trust or special funds where applicable.

Sec. 22. To departmental revolving, trust or special funds, except the primary road fund or the road use tax fund, for which the general assembly has established an operating budget, a supplemental authorization is provided for those funds, unless otherwise provided, in an amount necessary to fund salary adjustments and fringe benefits provided in this Act.

Sec. 23. There is appropriated to the state board of regents for the fiscal year beginning July 1, 1977 and ending June 30, 1978 the sum of eight hundred thousand (800,000)

dollars, or so much thereof as may be necessary to be allocated by the state board of regents to the regent's institutions with approval of the governor and the state comptroller for the purpose of annualizing merit increases granted to regent's employees during the 1976-77 fiscal year.

Sec. 24. Section nineteen A point twenty-two (19A.22), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

19A.22 COLLECTIVE BARGAINING AGREEMENTS--OTHER INCONSISTENT LAWS. A collective bargaining agreement entered into between the state and a state employee organization under chapter twenty (20) of the Code made final after July 1, 1977 shall not adopt by reference any merit pay adjustment or step increase provided in a merit pay plan adopted under section nineteen A point nine (19A.9), subsection two (2) of the Code, longevity pay as provided in section three hundred thirteen point four (313.4), subsection three (3) of the Code, or any other pay plan or system in effect before July 1, 1977.

Sec. 25. Section twenty point nine (20.9), unnumbered paragraph three (3), Code 1977, is amended to read as follows:

~~The public employee~~ All retirement systems provided under chapters 97A7, 97B7, 4407, and 444 shall be excluded from the scope of negotiations.

Sec. 26. Section twenty point seventeen (20.17), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. The negotiation of a proposed collective bargaining agreement by representatives of a state public employer and a state employee organization shall be complete not later than March fifteenth of the year when the agreement is to become effective. The board shall provide, by rule, a date on which any impasse item must be submitted to binding arbitration and for such other procedures as deemed necessary to provide for the completion of negotiations of proposed state collective bargaining agreements not later than March fifteenth. The date selected for the mandatory submission of impasse items to binding arbitration shall be sufficiently in advance of March fifteenth to insure that the arbitrators' decision can be reasonably made before March fifteenth.

Sec. 27. Chapter twenty (20), Code 1977, is amended by adding the following new section:

NEW SECTION. A provision of the Code which is inconsistent with any term or condition of a collective bargaining agreement which is made final under this chapter shall supersede the term or condition of the collective bargaining agreement

unless otherwise provided by the general assembly.

Sec. 28. Section thirty-three point two (33.2), Code 1977, is amended by striking subsection two (2).

Sec. 29. Section thirty-three point two (33.2), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to the holidays enumerated in this section, state employees are granted two days of paid leave each year. The days of leave shall be added to the vacation allowance accrued under the provisions of section seventy-nine point one (79.1) of the Code.

Sec. 30. Section seventy-nine point one (79.1), Code 1977, is amended by striking unnumbered paragraph four (4) and inserting in lieu thereof the following:

Commencing July 1, 1977, permanent full-time employees of state departments, boards, agencies, and commissions shall accrue sick leave at the rate of one and one-half days for each full month of employment. Sick leave shall not accrue during any period of absence without pay. Employees may use accrued sick leave for physical or mental personal illness, bodily injury, medically-related disabilities, including disabilities resulting from pregnancy and childbirth, or contagious disease:

1. Which require the employee's confinement,
2. Which render the employee unable to perform assigned duties, or
3. When performance of assigned duties would jeopardize the employee's health or recovery.

The first ninety days (seven hundred twenty hours) of sick leave which accrue to an employee shall be placed in an active sick leave account. Any days of sick leave in excess of ninety days which accrue to an employee shall be placed in an employee's banked sick leave account. The sick leave in an employee's banked sick leave account shall not be used by the employee until the employee no longer has any days of accrued active sick leave and shall only be used if an employee has an extended illness of at least five working days in duration.

Separation from state employment shall cancel all unused accrued sick leave. However, if an employee is laid off and the employee is reemployed by any state department, board, agency, or commission within one year of the date of the lay off, accrued sick leave of the employee shall be restored.

Sec. 31. Section seventy-nine point one (79.1), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. When a weekly, biweekly, or any other pay period transcends fiscal years, the state comptroller shall charge the entire payroll to the fiscal year as budgeted and funded by the general assembly. When a provision of law provides for a specific annual salary rate or an annual salary adjustment commencing with a specific fiscal year, the fiscal year shall include the pay period which commenced prior to that year and ended in that fiscal year.

Sec. 32. Section seventy-nine point twenty (79.20), subsection one (1), Code 1977, is amended to read as follows:

1. Waiting period .... ninety working days of continuous sickness or accident disability or the expiration of accrued sick leave, whichever is greater.

Sec. 33. Chapter seventy-nine (79), Code 1977, is amended by adding the following new section:

NEW SECTION. CREDIT FOR ACCRUED SICK LEAVE. Commencing July 1, 1978 when an employee retires under the provisions of a retirement system in the state maintained in whole or in part by public contributions or payments, the current value of accrued days of active and banked sick leave of the employee shall be credited to the employee. For the purpose of this section, the "current value of accrued days of active and banked sick leave" means an amount equal to the product of the accrued days of active and banked sick leave multiplied by the bi-weekly regular salary of the employee divided by ten.

Sec. 34. Section eighty point eight (80.8), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A collective bargaining agreement entered into between the state and a state employee organization under chapter twenty (20) of the Code made final after July 1, 1977 shall not include any pay adjustment or increase authorized under this section.

Sec. 35. The legislative council in cooperation with the state comptroller shall, during the 1977 legislative interim, employ actuaries to conduct actuarial studies of the costs of providing alternative benefit programs for employees retiring on or after July 1, 1978, based upon the current value of accrued days of active and banked sick leave of a retired employee, as defined in chapter seventy-nine (79) of the Code. Alternative benefit programs may include but shall not be limited to early retirement provisions, payment of monthly premiums of a state approved health insurance policy or life insurance policy, or both or purchase of

annuities for the retired employees.

The legislative council or its designee in cooperation with the state comptroller shall make recommendations to the general assembly during its 1978 regular legislative session concerning the benefit programs proposed to be provided to retired members and the source of funds to finance the benefit programs.

Sec. 36. On July 1, 1977, each permanent and permanent probationary employee of a state department, board, agency, or commission shall be credited with the number of days of leave of absence for medically-related disability the employee had accrued to July 1, 1977 under the provisions of section seventy-nine point one (79.1) of the Code as it was effective prior to July 1, 1977. Such leave of absence shall not exceed ninety days and shall be credited to the employee's active sick leave.

Sec. 37. Section five hundred nine A point eleven (509A.11), subsection one (1), Code 1977, is amended to read as follows:

1. The words "governing body" mean the executive council of the state for all state employees and for purposes of this chapter includes employees of the state board of regents for purposes of health and life insurance only, the board of supervisors of counties, the school boards of school districts, and the superintendent or other person in charge of an institution supported in whole or in part by public funds.

Sec. 38. Section two hundred forty-six point four (246.4), Code 1977, is repealed.

Sec. 39. Section twenty point fifteen (20.15), subsection six (6), Code 1977, is amended to read as follows:

6. A petition for certification as an exclusive bargaining representative shall not be considered by the board for a period of one year from the date of the certification or noncertification of an exclusive bargaining representative or during the duration of a collective bargaining agreement which shall not exceed two years. A collective bargaining agreement with the state, its boards, commissions, departments, and agencies shall be for two years and the provisions of a collective bargaining agreement except agreements agreed to or tentatively agreed to prior to July 1, 1977, or arbitrators' award affecting state employees shall not provide for renegotiations which would require the refinancing of salary and fringe benefits for the second year of the term of the agreement, except as provided in section twenty point seventeen (20.17), subsection six (6) of the Code and the effective

date of any such agreement shall be July 1 of odd-numbered years. However, if a petition for decertification is filed during the duration of a collective bargaining agreement, the board shall award an election under this section not more than one hundred fifty days prior to the expiration of the collective bargaining agreement. If an employee organization is decertified, the board may receive petitions under section 20.14, provided that no such petition and no election conducted pursuant to such petition within one year from decertification shall include as a party the decertified employee organization.

Sec. 40. NEW SECTION. Copies of collective bargaining agreements entered into between the state and the state employees' bargaining representatives and made final under chapter twenty (20) of the Code shall be filed with the secretary of state and be made available to the public at cost.

Sec. 41. In addition to any funds distributed to the office of the attorney general pursuant to section two (2) and appropriated in section eleven (11) of this Act, there is appropriated to the office of the attorney general the sum of fifty thousand (50,000) dollars to be used for salary adjustments of assistant attorneys general whose annual salaries are less than fifteen thousand (15,000) dollars.

Sec. 42. The attorney general shall prepare and maintain a position classification plan and a pay plan for each position and type of employment in the department, based upon duties performed and responsibilities assumed, so that the same qualifications may reasonably be required for and the same schedule of pay may be equitably applied to all positions in the same class. After such classification has been approved by the executive council, the attorney general shall allocate the position of every employee to one of the classes in the plan. Each employee shall be paid at one of the rates set forth in the pay plan for the class of position in which employed and, unless otherwise designated, shall begin employment at the first step of the established range for the employee's class. The pay plan and position classification plan shall be presented to the budget committee of the house and senate on or before September 1, 1977. The appropriations contained in this Act, to the office of the attorney general, are specifically contingent upon the preparation and submission of a position classification plan of the attorney general's office to the budget committees of the house and senate prior to September 1, 1977.



Sec. 43. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Des Moines Register, a newspaper published in Des Moines, Iowa, and in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

Approved June 30, 1977

I hereby certify that the foregoing Act, House File 634, was published in The Des Moines Register, Des Moines, Iowa on July 9, 1977, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa on July 8, 1977.

MELVIN D. SYNHORST, *Secretary of State*

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## CHAPTER 2 SCHOOL FUNDING

S. F. 415

AN ACT relating to school funding providing for a repeal of the maximum school district property tax and elimination of the guarantee state aid provisions and an appropriation to provide school district loans and repayment.

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

Section 1. Section four hundred forty-two point nine (442.9), subsection one (1), paragraph c, Code 1977, is amended to read as follows:

c. The amount to be raised by the additional school district property tax levy is equal to the district cost for the budget year, less the product of the state or district foundation base and the weighted enrollment. ~~However, said amount shall be adjusted in accordance with the maximum levy provided in section 442.10.~~

Sec. 2. Section four hundred forty-two point thirteen (442.13), subsection six (6), Code 1977, is amended to read as follows:

6. If a nonpublic school closes wholly or in part, the committee may authorize an increase in the district general fund tax levy ~~beyond the maximum permitted by section 442.10,~~ but only to the extent necessary to cover the cost of absorbing the former nonpublic school pupils into the public school system. The school board shall establish the amount of necessary increased cost to the satisfaction of the school budget review committee before an increase in tax levy is authorized.

Sec. 3.

1. There is created a guaranteed state aid loan fund for the school year beginning July 1, 1977, and ending June 30, 1978. The loan fund shall be used to finance loans to school districts for the school year beginning July 1, 1977, to be repaid during the school year beginning July 1, 1978 or in subsequent years under extended repayment procedures. Funds appropriated to the state aid loan fund shall be distributed to local school districts applying to the state comptroller upon forms provided by the state comptroller for a loan for the school year beginning July 1, 1977, and ending June 30, 1978. School districts may apply for a loan from the state aid loan fund in an amount equal to or less than the difference between the district cost for the budget year beginning July 1, 1977, and the sum of that amount received by the district in state school foundation aid under the provisions of chapter four hundred forty-two (442) of the Code, plus that amount raised by a school district from a tax levy rate equal to the school district's general fund levy for the school year beginning July 1, 1970.

2. Notwithstanding the limitations on the amount a school district can raise for the budget year imposed by the limitations of district cost under the provisions of section four hundred forty-two point nine (442.9) of the Code, a school district may levy an additional property tax to raise an amount during the school year beginning July 1, 1978 to repay the loan from the guaranteed state aid loan fund. Each school district shall repay either during the school year beginning July 1, 1978 or over a period not exceeding five years an amount equal to the loan received by the school district from the guaranteed state aid loan fund for the fiscal year beginning July 1, 1977. A school district electing extended repayment procedures may raise an amount above district cost for each school year in the period beginning July 1, 1978 and ending June 30, 1983 equal to the loan repayment amount for each school year.

3. Unless a school district elects extended loan repayment procedures the state comptroller shall reduce the state school foundation aid a school district is otherwise entitled to receive for the budget year beginning July 1, 1978, and ending June 30, 1979, by the amount the school district received as a loan for the school year beginning July 1, 1977 from the guaranteed state aid loan fund. If the amount the school district is otherwise eligible to receive in state foundation aid for the budget year beginning July 1, 1978 and ending

June 30, 1979, is less than that amount required to be repaid as a loan from the guaranteed state aid loan fund for the school year beginning July 1, 1977, the school district shall pay the deficiency to the state comptroller during the budget year beginning July 1, 1978. Funds deducted or received by the state comptroller in repayment of loans from the guaranteed state aid loan fund shall revert to the general fund upon deduction or receipt by the state comptroller. A school district receiving a loan for the school year beginning July 1, 1977, which must be repaid in the following school year may elect extended loan repayment procedures if the school district must repay an amount greater than fifty thousand dollars during the school year beginning July 1, 1978. A school district electing to make extended loan repayments shall make equal annual loan repayments of that amount borrowed from the guaranteed state aid loan fund over the period of years elected for loan repayment. Each annual loan repayment shall be deducted by the state comptroller from the state foundation aid the school district is eligible to receive for each school year and any deficiency shall be paid by the school district to the state comptroller commencing with the school year beginning July 1, 1978 and terminating with the school year ending the period elected for loan repayment.

Sec. 4. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1977, and ending June 30, 1978, an amount necessary for loans from the guaranteed state aid loan fund established by this Act to be used as provided in this Act.

Sec. 5. Sections four hundred forty-two point ten (442.10) and four hundred forty-two point eleven (442.11), Code 1977, are repealed.

Sec. 6. This Act shall take effect and be in force on and retroactive to July 1, 1977, after its publication in The Des Moines Register, a newspaper published in Des Moines, Iowa, and in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa.

Approved July 11, 1977

I hereby certify that the foregoing Act, Senate File 415, was published in The Des Moines Register, Des Moines, Iowa on July 18, 1977, and in the Iowa City Press-Citizen, Iowa City, Iowa on July 16, 1977.

MELVIN D. SYNHORST, *Secretary of State*

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