

3 be prosecuted or brought against the city or town which assumes the
4 obligations of the sanitary district, and judgments obtained shall be
5 paid as provided in section nine (9) of this Act for the payment of the
6 indebtedness.

1 SEC. 11. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Ankeny
3 Press-Citizen, a newspaper published in Ankeny, Iowa, and in the
4 Evening Democrat, a newspaper published in Fort Madison, Iowa.

Approved June 19, 1973.

I hereby certify that the foregoing Act, Senate File 245, was published in the Ankeny Press-Citizen, Ankeny, Iowa, June 28, 1973, and in the Evening Democrat, Fort Madison, Iowa, June 27, 1973.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 232
TOWNSHIP CLERK

H. F. 373

AN ACT relating to a duty of a township clerk.

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

1 SECTION 1. Section three hundred fifty-nine point twenty-three
2 (359.23), Code 1973, is amended to read as follows:
3 359.23 Receipts and expenditures. Each township clerk, on the
4 morning of the day of the general election and before the hour for
5 opening the polls, shall post, at the place where such election is to be
6 held in his township, a statement in writing, showing all receipts of
7 money and disbursements in his office for the preceding two years,
8 which shall be certified as correct by the trustees of the township.
9 *Each township clerk shall also send a copy of this written statement*
10 *to the county auditor no later than seven (7) days after the posting.*

Approved May 24, 1973.

CHAPTER 233
POLICE AND FIRE CHIEFS

H. F. 547

AN ACT relating to the requirements for the chief of police and the chief of the fire department.

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

1 SECTION 1. Section three hundred sixty-five point ten (365.10),
2 Code 1973, is amended to read as follows:
3 365.10 Preferences. In all examinations and appointments under
4 the provisions of this chapter, other than promotions *and appoint-*
5 *ments of chief of the police department and chief of the fire depart-*
6 *ment*, honorably discharged men and women from the military or

7 naval forces of the United States in any war in which the United
 8 States was or is now engaged, including the Philippine Insurrection,
 9 China Relief Expedition and the Korean Conflict at anytime between
 10 June 27, 1950 and July 27, 1953, both dates inclusive, and the Vietnam
 11 Conflict beginning August 5, 1964, who are citizens and residents of
 12 this state, shall be given the preference, if otherwise qualified.

13 For the purposes of this section World War II shall be from Decem-
 14 ber 7, 1941, to September 2, 1945, both dates inclusive.

1 SEC. 2. Section three hundred sixty-five point thirteen (365.13),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **365.13 Chief of police and chief of fire department.** The chief of
 5 the fire department and the chief of the police department shall be ap-
 6 pointed from the chiefs' civil service eligible lists. Such lists shall
 7 be determined by original examination open to all persons applying,
 8 whether or not members of the employing city. The chief of a fire
 9 department shall have had a minimum of five years experience in a
 10 fire department. The chief of a police department shall have had a
 11 minimum of five years experience in a public law enforcement agency.
 12 A chief of a police department or fire department shall maintain his
 13 civil service rights as determined by section three hundred sixty-five
 14 point twelve (365.12) of the Code.

15 Any person who becomes chief of police or chief of the fire depart-
 16 ment shall be allowed to transfer all rights he may have acquired
 17 under chapter four hundred ten (410) or chapter four hundred eleven
 18 (411) of the Code, including employer contributions during his years
 19 of service in a city or town, employee contributions, and interest, to
 20 the retirement system of the city or town that hires him as chief.
 21 Such person shall also transfer with him his number of years served
 22 as seniority toward other benefits provided by the city or town which
 23 hires him. If a chief of a police or fire department is relieved of that
 24 position, he shall be entitled to remain in the department for which
 25 he was chief at a position commensurate with his civil service status,
 26 even if this means that the city must create a position for him to fill
 27 until a regular position becomes vacant.

28 In cities under the commission plan of government the superintend-
 29 ent of public safety, with the approval of the city council, shall appoint
 30 the chief of the fire department and the chief of the police depart-
 31 ment. In cities under the city manager plan the city manager shall
 32 make such appointments with the approval of the city council, and in
 33 all other cities such appointments shall be made by the mayor.

1 SEC. 3. Section three hundred sixty-five point fourteen (365.14),
 2 Code 1973, is amended to read as follows:

3 **365.14 Civil service status of chief of police chiefs.** A police officer
 4 under civil service may be appointed chief of police and a fireman
 5 under civil service may be appointed chief of the fire department with-
 6 out losing his civil service status, and shall retain, while holding the
 7 office of chief, the same civil service rights he may have had immedi-
 8 ately previous to his appointment as chief, but nothing herein shall be

9 deemed to extend to such individual any civil service right upon which
10 he may retain the position of chief.

Approved June 29, 1973.

CHAPTER 234

TELEVISION TRANSLATORS

H. F. 803

AN ACT to permit certain cities to modify and rebuild municipally-owned television translator facilities and issue bonds to pay the cost thereof.

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

1 SECTION 1. Chapter three hundred sixty-eight (368),* Code 1973,
2 is amended by adding the following new section:

3 NEW SECTION. Cities which acquired ownership of television
4 translator facilities and have operated such facilities for a period of
5 not less than two years prior to July 1, 1973, may contract for the pur-
6 pose of extending, modifying, rebuilding or improving such translator
7 facilities, including the site, tower, building and equipment thereof,
8 and may issue general obligation bonds to pay all or any part of the
9 cost thereof and may operate such facilities. The issuance of said
10 bonds shall be subject to the provisions contained in chapter four hun-
11 dred eight A (408A) of the Code. Said bonds shall be payable from
12 taxes levied in accordance with chapter seventy-six (76) of the Code,
13 through the debt service fund in not more than twenty years and bear
14 interest at a rate not exceeding seven percent per annum and shall
15 be of such form as the city council shall by resolution provide, but
16 no city shall become indebted in excess of five percent of the actual
17 value of the taxable property within said city as shown by the last
18 preceding state and county tax lists. The indebtedness incurred for
19 the purpose provided in this section shall not be considered an indebt-
20 edness incurred for general or ordinary purposes. The provisions of
21 this section shall be applicable to all cities regardless of form of gov-
22 ernment or manner of incorporation and shall be construed as grant-
23 ing additional power without limiting the power already existing in
24 cities.

Approved June 29, 1973.

*See 64-1088-9, 199.