

5 NEW SUBSECTION. "Own and ownership" in the case of transmission facilities,
6 including substations and associated facilities, which are located in Iowa, may
7 include the right to the use of an amount of the capacity thereof, if the joint
8 agreement so provides.

Approved June 23, 1976

CHAPTER 1189

CIVIL SERVICE

S. F. 1086

AN ACT relating to local civil service commissions providing for changes in qualification requirements.

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

1 SECTION 1. Section four hundred point two (400.2), Code 1975, is amended to
2 read as follows:

3 **400.2 Qualifications.** The commissioners must be citizens of Iowa, *eligible*
4 *electors as defined in chapter thirty-nine (39) of the Code*, and residents of the city
5 for more than five years next preceding their appointment, and shall serve
6 without compensation. No person while on said commission, shall hold or be a
7 candidate for any office of public trust. Provided, this section notwithstanding,
8 when a human rights commission has been established by any city, the director
9 thereof shall ex officio be a member, without vote, of the civil service commission.

1 SEC. 2. Section four hundred point eight (400.8), subsection one (1), Code
2 1975, as amended by Acts of the General Assembly, 1975 Session, chapter two
3 hundred (200), section one (1), is amended to read as follows:

4 1. The commission shall at such times as shall be found necessary under such
5 rules, including minimum and maximum age limits, as shall be prescribed and
6 published in advance by the commission and posted in the city hall, hold
7 examinations for the purpose of determining the qualifications of applicants for
8 positions under civil service, other than promotions, which examinations shall be
9 practical in character and shall relate to such matters as will fairly test the mental
10 and physical ability of the applicant to discharge the duties of the position to
11 which ~~he~~ *the applicant* seeks appointment. Provided, however, that such physical
12 examination of applicants for appointment to the positions of policeman,
13 policewoman, police matron or ~~fireman~~ *firefighter* shall be held under the
14 direction of and as specified by the boards of trustees of the fire or police
15 retirement systems established by section 411.5. *An applicant shall not be*
16 *discriminated against on the basis of height, weight, sex, or race in determining*
17 *physical or mental ability of the applicant. Reasonable rules relating to strength,*
18 *agility, and general health of applicants shall be prescribed.*

19 *The costs of the physical examination required under this subsection shall be paid*
20 *from the trust and agency fund of the city.*

1 SEC. 3. Section four hundred point thirteen (400.13), unnumbered paragraph
2 one (1), Code 1975, is amended to read as follows:

3 The chief of the fire department and the chief of the police department shall be
4 appointed from the chiefs' civil service eligible lists. Such lists shall be determined
5 by original examination open to all persons applying, whether or not members of
6 the employing city. The chief of a fire department shall have had a minimum of
7 five years' experience in a fire department, *or three years experience in a fire*

8 *department and two years of comparable experience or educational training.* The
 9 chief of a police department shall have had a minimum of five years experience in
 10 a public law enforcement agency, *or three years experience in a public law*
 11 *enforcement agency and two years of comparable experience or educational training.*
 12 A chief of a police department or fire department shall maintain his civil service
 13 rights as determined by section 400.12.

Approved June 23, 1976

CHAPTER 1190

LAND PLATS

H. F. 909

AN ACT relating to the platting of land.

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

1 SECTION 1. Section four hundred nine point one (409.1), Code 1975, is
 2 amended to read as follows:

3 **409.1 Subdivisions or additions.** Every original proprietor of any tract or
 4 parcel of land; *of forty acres or less or of more than forty acres if divided into parcels*
 5 *any of which are less than forty acres and every original proprietor of any tract or*
 6 *parcel of land of any size located within a city or within two miles of a city subject to*
 7 *the provisions of section four hundred nine point fourteen (409.14) of the Code, who*
 8 ~~has subdivided, or shall hereafter~~ *subdivide the same into three or more parts, for*
 9 ~~the purpose of laying out a city, or addition thereto, or part thereof, or suburban~~
 10 ~~lots,~~ shall cause a registered land surveyor's plat of such ~~subdivisions~~ *subdivision,*
 11 with references to known or permanent monuments, to be made by a registered
 12 land surveyor holding a certificate issued under the provisions of chapter 114,
 13 giving the bearing and distance from some corner of a ~~lot or block in said city the~~
 14 *subdivision* to some corner of the congressional division of which ~~said city, or~~
 15 ~~addition~~ *it is a part, which shall accurately describe all the subdivisions thereof,*
 16 numbering the same by progressive numbers, giving their dimensions by length
 17 and breadth, and the breadth and courses of all the streets and alleys established
 18 therein.

19 *The registered surveyor shall certify on the plat of the subdivision that the plat is a*
 20 *true and correct representation of the lands surveyed. The certification shall be signed*
 21 *by the surveyor and shall display the surveyor's registration number and official seal.*

22 *Prior to, or at the time of conveyance of the tract or a parcel thereof, the proprietor*
 23 *shall cause a certified copy of the plat to be recorded by the county recorder for*
 24 *assessment and taxation purposes, and the county recorder shall forward certified*
 25 *copies of the plat to the county auditor and assessor. The recording of a plat pursuant*
 26 *to this paragraph is in addition to any other requirement of this chapter, and the*
 27 *recording for assessment and taxation purposes shall not constitute a dedication or*
 28 *impose any liability upon the state or any of its political subdivisions.*

1 SEC. 2. Section four hundred nine point twelve (409.12), Code 1975, is
 2 amended to read as follows:

3 **409.12 Record—filing.** The signed and acknowledged plat and the attorney's
 4 opinion, together with the certificates of the clerk, recorder, and treasurer, and the
 5 affidavit and bond, if any, together with the certificate of approval of the council,
 6 shall be entered of record in the proper record books in the office of the county
 7 recorder. When so entered, the plat only shall be entered of record in the office