

*Wilson's Law, Cal 1/6
No. 9000 2/8
(7 289)*

Exp. Feb 2/17

FILED JAN 21 1979

SENATE FILE 75

By MURRAY

Passed Senate, Date 2-19-79 (p. 505) Passed House, Date _____

Vote: Ayes 32 Nays 11 Vote: Ayes _____ Nays _____

Approved _____

*Motion to Reconsider 2/22 (p. 515)
" " 3/2 (p. 616)*

A BILL FOR

1 An Act relating to veteran's preference in public employment.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section seventy point one (70.1), Code 1979,
2 is amended to read as follows:

3 70.1 APPOINTMENTS AND PROMOTIONS. In every public
4 department and upon all public works in the state, and of
5 the counties, cities, and school corporations thereof,
6 honorably discharged men and women from the military or naval
7 forces of the United States who served in any war in which
8 the United States was or is now engaged, including the
9 Philippine Insurrection, China Relief Expedition, and the
10 Korean Conflict at any time between June 25, 1950 and January
11 31, 1955, both dates inclusive, and the Vietnam Conflict
12 beginning August 5, 1964, and ending on ~~the date the armed~~
13 ~~forces of the United States are directed by formal order of~~
14 ~~the government of the United States to cease hostilities~~ May
15 7, 1975, both dates inclusive, who are citizens and residents
16 of this state shall be entitled to preference in appointment,
17 employment, and promotion over other applicants of no greater
18 qualifications. The preference in appointment and employment
19 of employees of cities under a municipal civil service system
20 shall be as provided in section four hundred point ten (400.10)
21 of the Code. For the purposes of this section World War II
22 shall mean service in the armed forces of the United States
23 between December 7, 1941, and December 31, 1946, both dates
24 inclusive.

25 Sec. 2. Section four hundred point ten (400.10), Code
26 1979, is amended by striking the section and inserting in
27 lieu thereof the following:

28 400.10 PREFERENCES. In examinations and appointments
29 of employees under this chapter, honorably discharged men
30 and women from the armed forces of the United States in any
31 war in which the United States was or is now engaged, including
32 but not limited to the Philippine Insurrection, the China
33 Relief Expedition, World War II, at any time between December
34 7, 1941, and December 31, 1946, both dates inclusive, the
35 Korean Conflict at any time between June 25, 1950, and January

1 31, 1955, both dates inclusive, and the Vietnam Conflict at
2 any time between August 5, 1964, and May 7, 1975, both dates
3 inclusive, who are citizens and residents of Iowa shall be
4 given veterans preference on any examination or measure used
5 to establish an eligible certified list of applicants.
6 However, the preference shall be given only to veterans
7 discharged within the ten years prior to the date of the
8 examination or measure used, and shall not be given in pass-
9 fail performance examinations such as tests of clerical skills
10 and abilities or physical agility tests. The amount of
11 veterans preference shall be established by each local civil
12 service commission prior to the examinations conducted after
13 the effective date of this Act.

14 Sec. 3. This Act is effective January first following
15 its enactment.

16 EXPLANATION

17 This bill modifies veterans preference under chapter 400,
18 the city's civil service chapter. The bill removes the "if
19 otherwise qualified" language of the section which gave an
20 absolute preference and replaces it with a preference which
21 will be limited by the local civil service commission and
22 will be applied only to veterans discharged within the last
23 ten years.

24 The bill also removes the present language which exempts
25 from the preference "promotions and appointments of chief
26 of the police department and chief of the fire department"
27 and replaces it with language that would apply the preference
28 to "examinations and appointments of employees under a
29 municipal civil service system".

30 The bill will become effective on January first following
31 its enactment.

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3072

Amend Senate File 75, as follows:

2 9. Page 1, by striking line 25 through page 2,
 3 line 13 and inserting in lieu thereof the following:
 4 "Sec. 2. Section four hundred point ten
 5 (400.10), Code 1979, is amended to read as follows:
 6 400.10 PREFERENCES. In all examinations and for
 7 appointments under the provisions of this chapter,
 8 other than promotions and appointments of chief of
 9 the police department and chief of the fire depart-
 10 ment, honorably discharged men and women from the
 11 military or naval forces of the United States in any
 12 war in which the United States was-~~or-is-now~~ has been
 13 engaged, including the Philippine Insurrection, China
 14 Relief Expedition and the Korean Conflict at any time
 15 between June 25, 1950 and January 31, 1955, both dates
 16 inclusive, and the Vietnam Conflict beginning August 5,
 17 1964, and ending ~~on-the-date-the-armed-forces-of-the~~
 18 United-States-are-directed-by-formal-order-of-the
 19 government-of-the-United-States-to-cess-hostilities,-
 20 May 7, 1975, both dates inclusive and who are
 21 citizens and residents of this state, shall be-given
 22 the-preference,-if-otherwise-qualified have five
 23 points added to the grade or score attained in
 24 qualifying examinations for appointment to positions
 25 and ten points shall be added to such grade or score
 26 if the veteran has a service-connected disability or
 27 is receiving compensation, disability benefits or
 28 pension under laws administered by the veterans
 29 administration. A veteran who has been awarded the
 30 Purple Heart for disabilities incurred in action
 31 shall be considered to have a service-connected
 32 disability. However, such points are given only upon
 33 passing the exam and shall not be the determining
 34 factor in passing or failing and shall only be given
 35 to veterans honorably discharged within the ten years
 36 prior to the date of the examination or measure used.
 37 For the purposes of this section World War II
 38 shall be from December 7, 1941, to December 31,
 39 1946, both dates inclusive."

S-3072 FILED *Adopted 2/13/79 (503)*
 FEBRUARY 13, 1979

BY A. R. KUDART

S-3094

1 Amend Senate File 75, page 1, line 18, by inserting
 2 after the period the following words: "However, such
 3 preference shall be given only to veterans discharged
 4 within the ten years prior to the date of application
 5 for appointment, employment or promotion."

S-3094 FILED *Adopted 2/16/79 (503)* BY JOHN S. MURRAY
 FEBRUARY 16, 1979

See State Jour. 2/9
Referred Cities 3/13

SENATE FILE 75

By MURRAY

to pass for 3662 4/2 (p. 1267)
Returned State Jour. 4/20
Referred Cities 4/23

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 19, 1979)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to veteran's preference in public employment.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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_____ = New Language
by the Senate

SENATE FILE 75

H-3679

- 1 Amend Senate File 75 as follows:
- 2 1. Page 1, line 3, by striking the words
- 3 "AND PROMOTIONS" and inserting in lieu thereof the
- 4 words "AND-PROMOTIONS".

H-3679 FILED APRIL 2, 1979

BY SPEAR of Lee

1 Section 1. Section seventy point one (70.1), Code 1979,
2 is amended to read as follows:

3 70.1 APPOINTMENTS AND PROMOTIONS. In every public
4 department and upon all public works in the state, and of
5 the counties, cities, and school corporations thereof,
6 honorably discharged men and women from the military or naval
7 forces of the United States who served in any war in which
8 the United States was or is now engaged, including the
9 Philippine Insurrection, China Relief Expedition, and the
10 Korean Conflict at any time between June 25, 1950 and January
11 31, 1955, both dates inclusive, and the Vietnam Conflict
12 beginning August 5, 1964, and ending on ~~the date the armed~~
13 ~~forces of the United States are directed by formal order of~~
14 ~~the government of the United States to cease hostilities~~ May
15 7, 1975, both dates inclusive, who are citizens and residents
16 of this state shall be entitled to preference in appointment,
17 employment, and promotion over other applicants of no greater
18 qualifications. However, such preference shall be given only
19 to veterans discharged within the ten years prior to the date
20 of application for appointment, employment or promotion. The
21 preference in appointment and employment of employees of
22 cities under a municipal civil service system shall be as
23 provided in section four hundred point ten (400.10) of the
24 Code. For the purposes of this section World War II shall
25 mean service in the armed forces of the United States between
26 December 7, 1941, and December 31, 1946, both dates inclusive.

27 Sec. 2. Section four hundred point ten (400.10), Code
28 1979, is amended to read as follows:

29 400.10 PREFERENCES. In all examinations and for
30 appointments under the provisions of this chapter, other than
31 promotions and appointments of chief of the police department
32 and chief of the fire department, honorably discharged men,
33 and women from the military or naval forces of the United
34 States in any war in which the United States was-ex-is-now
35 has been engaged, including the Philippine Insurrection, China

1 Relief Expedition and the Korean Conflict at any time between
 2 June 25, 1950 and January 31, 1955, both dates inclusive,
 3 and the Vietnam Conflict beginning August 5, 1964, and ending
 4 on-the-date-the-armed-forces-of-the-United-States-are-directed
 5 by-formal-order-of-the-government-of-the-United-States-to
 6 cease-hostilities May 7, 1975, both dates inclusive and who
 7 are citizens and residents of this state, shall be-given-the
 8 preference-if-otherwise-qualified have five points added
 9 to the grade or score attained in qualifying examinations
 10 for appointment to positions and ten points shall be added
 11 to such grade or score if the veteran has a service-connected
 12 disability or is receiving compensation, disability benefits
 13 or pension under laws administered by the veterans
 14 administration. A veteran who has been awarded the Purple
 15 Heart for disabilities incurred in action shall be considered
 16 to have a service-connected disability. However, such points
 17 are given only upon passing the exam and shall not be the
 18 determining factor in passing or failing and shall only be
 19 given to veterans honorably discharged within the ten years
 20 prior to the date of the examination or measure used.

21 For the purposes of this section World War II shall be
 22 from December 7, 1941, to December 31, 1946, both dates
 23 inclusive.

24 Sec. 3. This Act is effective January first following
 25 its enactment.

26 EXPLANATION

27 This bill modifies veterans preference under chapter 400,
 28 the city's civil service chapter. The bill removes the "if
 29 otherwise qualified" language of the section which gave an
 30 absolute preference and replaces it with a preference which
 31 will be limited by the local civil service commission and
 32 will be applied only to veterans discharged within the last
 33 ten years.

34 The bill also removes the present language which exempts
 35 from the preference "promotions and appointments of chief

1 of the police department and chief of the fire department"
2 and replaces it with language that would apply the preference
3 to "examinations and appointments of employees under a
4 municipal civil service system".

5 The bill will become effective on January first following
6 its enactment.

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SENATE FILE 75

H-3662

1 Amend Senate File 75, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section nineteen A point nine (19A.9),
6 subsection twenty-one (21), Code 1979, is amended
7 to read as follows:

8 21. For veterans preference through a provision
9 that honorably separated veterans who served on active
10 duty in the armed forces of the United States in any
11 war, campaign or expedition, for which a campaign
12 badge or service medal has been authorized by the
13 government of the United States, shall have five
14 points added to the grade or score attained in
15 qualifying examinations for appointment entrance
16 appointments to jobs.

17 Veterans who have a service-connected disability
18 or who are receiving compensation, disability benefits
19 or pension under laws administered by the veterans
20 administration, shall have ten points added to the
21 grades attained in qualifying entrance examinations.
22 A veteran who has been awarded the Purple Heart for
23 disabilities incurred in action shall be considered
24 to have a service-connected disability."

25 2. Page 1, by striking lines 16 through 20 and
26 inserting in lieu thereof the following: "of this
27 state shall be entitled to preference in appointment,
28 for employment, and promotion over other applicants
29 of no greater qualifications. The".

30 3. Page 1, line 21, by striking the words "and
31 employment".

32 4. Page 2, by striking lines 18 through 20 and
33 inserting in lieu thereof the following: "determining
34 factor in passing or failing."

35 5. By renumbering the sections to conform to this
36 amendment.

H-3662 FILED
APRIL 2, 1979

BY COMMITTEE ON CITIES
Krewson, Chairperson