

from Finance & Code, 3/28 To Pass 4/10/91

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448

SENATE FILE
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO SSB 294)

Passed Senate, Date 3/26/91 (p. 864) Passed House, Date 4/15/91 (p. 1253)
Vote: Ayes 50 Nays 0 Vote: Ayes 97 Nays 0
Approved April 24, 1991 (p. 1461)

A BILL FOR

1 An Act relating to the appointment of the clerk or secretary to a
2 city civil service commission.

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

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SF 448

1 Section 1. Section 400.4, unnumbered paragraph 1, Code
2 1991, is amended to read as follows:

3 The commission shall elect a chairperson from among its
4 members. In cities having a population of more than seventy-
5 five thousand, the commission shall appoint ~~an employee in the~~
6 ~~city clerk's office who is employed under the provisions of~~
7 ~~this chapter to be clerk of the commission and the duties as~~
8 ~~such clerk shall have precedence over any additional duties of~~
9 ~~the employee's regular employment~~ a clerk of the commission.

10 In all other cities the city clerk shall be clerk of the
11 commission. If an employee is appointed clerk of the
12 commission who is employed in a civil service status at the
13 time of appointment as clerk of the commission, the appointee
14 shall retain the civil service rights held before the
15 appointment. However, this section does not grant civil
16 service status or rights to the employee in the capacity of
17 clerk of the commission nor extend any civil service right
18 upon which the appointee may retain the position of clerk of
19 the commission.

20 Sec. 2. Section 400.27, unnumbered paragraph 4, Code 1991,
21 is amended to read as follows:

22 The appeal to the district court shall be perfected by
23 filing a notice of appeal with the clerk of the district court
24 within the time herein prescribed and in this section by
25 serving notice thereof of appeal on the secretary clerk of the
26 civil service commission, from whose ruling or decision the
27 appeal is taken.

28 Sec. 3. This Act, being deemed of immediate importance,
29 takes effect upon enactment.

30 EXPLANATION

31 This bill provides that cities having a population over
32 75,000 shall appoint a clerk for the commission. The
33 commission may appoint an employee of the civil service
34 commission or other city department to act as clerk of the
35 commission rather than limiting the appointment of an employee

1 in the city clerk's office. The bill also provides that a
2 civil service employee appointed as clerk of the commission
3 shall retain all civil service rights, except a right as it
4 relates to the position as clerk of the civil service
5 commission.

6 The bill also changes the reference to the secretary of the
7 civil service commission to be consistent with the reference
8 to the clerk of the civil service commission found throughout
9 chapter 400 of the Code.

10 This bill takes effect upon enactment.

11 This bill may create a state mandate under chapter 25B.

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BUNK, CH.
FRAISE
RITTMER

SSB 294
LOCAL GOVERNMENT

SENATE FILE 488
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL
BY CHAIRPERSON MILLER)

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

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32 option of allowing an employee of the civil service commission
33 or other city department to act as clerk of the commission
34 rather than limiting the appointment of an employee in the
35 city clerk's office. The bill also provides that a civil

1 service employee appointed as clerk of the commission shall
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SENATE FILE 488

AN ACT
RELATING TO THE APPOINTMENT OF THE CLERK OR SECRETARY TO
A CITY CIVIL SERVICE COMMISSION.

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Section 1. Section 400.4, unnumbered paragraph 1, Code 1991, is amended to read as follows:

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appeal is taken.

Sec. 3. This Act, being deemed of immediate importance, takes effect upon enactment.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 488, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 24, 1991

TERRY E. BRANSTAD
Governor

SF 488