

**CHAPTER 187****CIVIL SERVICE***H.F. 573*

**AN ACT** relating to city and county civil service, by providing for meetings of civil service commissions, by providing for civil service medical examinations, and by providing an effective date.

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

Section 1. Section 341A.5, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The commission shall hold an organizational meeting immediately after its establishment and shall elect one of its members as chairperson. The commission shall hold regular meetings at least once ~~every three months~~ annually, and may hold ~~such~~ additional meetings as may be required in the fulfillment of its responsibilities. All commission meetings shall be public meetings.

Sec. 2. Section 400.8, subsection 1, Code 1989, is amended to read as follows:

1. The commission shall at ~~such times as shall be found, when necessary under such the~~ rules, including minimum and maximum age limits, ~~as which shall be prescribed and published in advance by the commission and posted in the city hall, shall hold examinations for the purpose of determining the qualifications of applicants for positions under civil service, other than promotions, which examinations shall be practical in character and shall relate to such matters as which will fairly test the mental and physical ability of the applicant to discharge the duties of the position to which the applicant seeks appointment. Provided, however, that such~~ However, the physical examination of applicants for appointment to the positions of police officer, police matron or fire fighter shall be held under the direction of and as specified by the boards of trustees of the fire or police retirement systems established by section 411.5 and the commission may conduct a medical examination of an applicant after a conditional offer of employment has been made to the applicant. An applicant shall not be discriminated against on the basis of height, weight, sex, or race in determining physical or mental ability of the applicant. Reasonable rules relating to strength, agility, and general health of applicants shall be prescribed. The costs of the physical examination required under this subsection shall be paid from the trust and agency fund of the city.

Sec. 3. Section 400.11, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The commission ~~shall~~, within ninety days after the beginning of each competitive examination for original appointment or for promotion, shall certify to the city council a list of the names of the ten persons who qualify with the highest standing as a result of each examination for the position they seek to fill, or such the number as may which have qualified if less than ten, in the order of their standing, and all newly created offices or other vacancies in positions under civil service which shall occur before the beginning of the next examination for such the positions shall be filled from said the lists, or from the preferred list existing as provided for in case of diminution of employees, within thirty days. If a tie occurs in the examination scores which would qualify persons for the tenth position on the list, the list of the names of the persons who qualify with the highest standing as a result of each examination shall include all persons who qualify for the tenth position. Preference for temporary service in civil service positions shall be given those on such the lists. However, the commission may certify a list of names eligible for appointment subject to successfully completing a medical examination. The medical examination shall be provided pursuant to commission rules adopted under section 400.8.

Sec. 4. Section 400.17, unnumbered paragraph 1, Code 1989, is amended to read as follows:

Except as otherwise provided, ~~no~~ a person shall not be appointed or employed in any capacity in the fire or police department, or any department which is governed by the civil service.

until ~~such the person shall have~~ has passed a civil service examination as provided in this chapter, and has been certified to the city council as being eligible for ~~such the appointment; provided, however, that in cases of.~~ However, in an emergency, in which the peace and order of the city is threatened by reason of fire, flood, storm, or mob violence, making additional protection of life and property necessary, ~~in which case~~ the person having the appointing power may deputize additional persons, without examination, to act as peace officers until ~~such the emergency shall have~~ has passed. A person may be appointed to a position subject to successfully completing a civil service medical examination. ~~In no case shall any~~ A person shall not be appointed or employed in any capacity in the fire or police department, or any department which is governed by civil service, unless such the person:

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 22, 1989

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## CHAPTER 188

### COMPREHENSIVE LAND MANAGEMENT PLANS

*H.F. 623*

**AN ACT** relating to developing comprehensive management plans with owners of highly erodible land.

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

Section 1. **NEW SECTION. 159.32 COMPREHENSIVE MANAGEMENT PLAN — HIGHLY ERODIBLE ACRES.**

The department shall request cooperation from the federal government, including the agricultural conservation and stabilization service and the soil conservation service, to investigate methods to preserve land which is highly erodible, as provided in the federal Food Security Act of 1985, 16 U.S.C. § 3801 et seq., for the purpose of developing with owners of the land a comprehensive management plan for the land. The plan may be based on the soil conservation plan of the federal soil conservation service and may include a farm unit conservation plan and a comprehensive agreement as provided in chapter 467A. The extension services at Iowa state university of science and technology shall cooperate with the department in developing the comprehensive plan.

The investigation shall include methods which help to preserve highly erodible land from row crop production through production of alternative commodities, and financial incentives. The department shall report to the governor and the general assembly not later than January 15, 1990, of the department's progress in the investigation. The department shall report to the governor and the general assembly not later than January 15, 1991, on the department's recommendation for programs necessary to preserve highly erodible land from injury or destruction.

Approved May 22, 1989