

# Senate Amendment 3313

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1 1 Amend Senate File 434 as follows:

1 2 #1. Page 1, by inserting before line 1 the

1 3 following:

1 4 1 5 to read as follows:

1 6 29A.28 LEAVE OF ABSENCE OF CIVIL EMPLOYEES.

1 7 1. All officers and employees of the state, or a  
1 8 subdivision thereof, or a municipality other than  
1 9 employees employed temporarily for six months or less,  
1 10 who are members of the national guard, organized  
1 11 reserves or any component part of the military, naval,  
1 12 or air forces or nurse corps of this state or nation,  
1 13 or who are or may be otherwise inducted into the  
1 14 military service of this state or of the United  
1 15 States, shall, when ordered by proper authority to  
1 16 state active duty, active state service or federal  
1 17 service, be entitled to a leave of absence from such  
1 18 civil employment for the period of state active duty,  
1 19 active state service, or federal service, without loss  
1 20 of status or efficiency rating, and without loss of  
1 21 pay during the first thirty days of such leave of  
1 22 absence. Where state active duty, active state  
1 23 service, or federal service is for a period less than

1 24 thirty days, a leave of absence under this section  
1 25 shall only be required for those days that the civil  
1 26 employee would normally perform services for the  
1 27 state, subdivision of the state, or a municipality.

1 28 2. The proper appointing authority may make a  
1 29 temporary appointment to A state agency, subdivision  
1 30 of the state, or municipality may hire a temporary  
1 31 employee to fill any vacancy created by such leave of  
1 32 absence. Temporary employees hired to fill a vacancy  
1 33 created by a leave of absence under this section shall  
1 34 not count against the number of full-time equivalent  
1 35 positions authorized for the state agency, subdivision  
1 36 of the state, or municipality.

1 37 3. Upon returning from a leave of absence under  
1 38 this section, an employee shall be entitled to return  
1 39 to the same position and classification held by the  
1 40 employee at the time of entry into state active duty,  
1 41 active state service, or federal service or to the  
1 42 position and classification that the employee would  
1 43 have been entitled to if the continuous civil service  
1 44 of the employee had not been interrupted by state  
1 45 active duty, active state service, or federal service.  
1 46 Under this subsection, "position" includes the  
1 47 geographical location of the position.>

1 48 #2 Page 1, line 8, by striking the words 1 49 Act,> and inserting the following:

1 50 <1. The section of this Act, amending section  
2 1 29A.28, being deemed of immediate importance, takes  
2 2 effect upon enactment and applies retroactively to  
2 3 January 1, 2003.

2 4 2. The section of this Act amending section  
2 5 422.7,>.

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2 9 STEVEN H. WARNSTADT

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