

February 26, 1969

SENATE FILE 339

Passed on File

Cities & Towns 2-28, Pass 3-24
then " " " 4-30, Pass 1-28

By SHIRLEY, WALSH
and NEU

Passed Senate, Date.....4-25-69..... Passed House, Date2-6-70.....

Vote: Ayes45..... Nays0..... Vote: Ayes105..... Nays0.....

Approved2-12-70.....

A BILL FOR

- 1 An Act to amend the residency requirements of municipal officers
- 2 not elected by the voters.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*
- 4 Section 1. Section sixty-nine point two (69.2), Code 1966,
- 5 is hereby amended by adding to subsection three (3) the following
- 6 sentence:
- 7 "This subsection shall not apply to appointments authorized
- 8 by subsection seven (7) of section three hundred sixty-eight A
- 9 point one (368A.1) of the Code."

EXPLANATION OF SENATE FILE 339

Attorney General's opinions indicate that municipal officers including the clerk, attorney, engineer, and health officer must be residents of the community which they are serving. In many of our smaller communities there are no residents qualified to hold these positions. The proposed legislation would allow the municipality to appoint qualified personnel regardless of place of residence.

- 1 Amend Senate File 339 by adding the following as a new sec-
- 2 tion after section 1:
- 3 "Sec. 2. Section three hundred sixty-five point seventeen
- 4 (365.17), Code 1966, is hereby amended as follows:
- 5 1. By adding in line five (5) in subsection one (1) after
- 6 the period (.) the following:
- 7 "The requirements of being a resident of Iowa for at least
- 8 one (1) year, as provided in this subsection, shall not apply
- 9 with respect to appointment or employment in the fire or police
- 10 department so long as the applicant is a resident of Iowa at the
- 11 time such appointment or employment begins."
- 12 2. By striking all of lines four (4) and five (5) in sub-
- 13 section seven (7) and by inserting in lieu thereof the word, "The".

Filed - adopted 4-25

April 17, 1969

By GAUDINEER

1 Amend Senate File 339 by adding the following new
2 section thereto:
3 "Sec. 2. Section three hundred sixty-five point
4 seventeen (365.17), Code 1966, by striking from sub-
5 section one (1), line one (1), the words, "and has" and
6 all of line two (2) and the words, "least one year" from
7 line three (3) thereof.

Filed - *Withdrawn 4-25*
April 10, 1969

By GAUDINEER