

April 4, 1969  
Passed on File  
*State Government 4-25*

SENATE FILE 612

By COMMITTEE ON STATE  
GOVERNMENT

Passed Senate, Date.....*4-5-69*..... Passed House, Date .....

Vote: Ayes .....*50*..... Nays .....*7*..... Vote: Ayes ..... Nays .....

Approved .....

*Refer to merit table 4-23*

## A BILL FOR

1 An Act relating to the merit system of personnel administration.

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

3 Section 1. Chapter ninety-five (95), section four (4), Acts  
4 of the Sixty-second General Assembly, is hereby amended by  
5 striking from line five (5) the word and figure "three (3)"  
6 and insreting in lieu thereof the word "five".

7 Sec. 2. Chapter ninety-five (95), section five (5), Acts  
8 of the Sixty-second General Assembly, is hereby amended as  
9 follows:

10 1. By inserting after the period in line eight (8) the  
11 following new sentence:

12 "The director of merit employment shall serve at the plea-  
13 sure of the commission."

14 2. By striking lines nine (9) through fifteen (15), in-  
15 clusive.

16 Sec. 3. Chapter ninety-five (95), section six (6), Acts  
17 of the Sixty-second General Assembly, is hereby amended as  
18 follows:

19 1. By striking from line nine (9) the word and figure  
20 "two (2)" and inserting in lieu thereof the word "three".

21 2. By striking from line forty (40) the word and figure  
22 "two (2)" and inserting in lieu thereof the word "three".

23 3. By adding thereto the following new subsection:

24 "Within thirty days after the effective date of this Act,  
25 the governor shall appoint the two additional members of the

1 commission. Members appointed to the commission shall be sub-  
2 ject to approval of two-thirds of the members of the senate.  
3 The governor shall appoint one member to serve until July 1,  
4 1969, and one member to serve until July 1, 1973. Thereafter,  
5 each member of the commission shall be appointed as provided  
6 by subsection two (2) of this section."

7 Sec. 4. Chapter ninety-five (95), section nine (9), Acts  
8 of the Sixty-second General Assembly, is hereby amended as  
9 follows:

10 1. By inserting after the period in line twenty-two (22)  
11 the following new sentence:

12 "For the purpose of pay, no allocation or reallocation of  
13 a position by the director to a different classification, shall  
14 become effective until budget approval has been obtained from  
15 the state comptroller."

16 2. By inserting after the period in line forty-four (44)  
17 the following new paragraph:

18 "Unless otherwise established by law, the pay plan shall  
19 also include all the positions and departments exempted from  
20 the merit system by chapter ninety-five (95), section three  
21 (3), Acts of the Sixty-second General Assembly, except those  
22 listed in subsections one (1), four (4), five (5), six (6),  
23 eight (8), ten (10), eleven (11), and twelve (12).

24 Sec. 5. Chapter ninety-five (95), Acts of the Sixty-second  
25 General Assembly, is hereby amended by adding thereto the fol-  
26 lowing new section:

27 "The director shall submit monthly statements to those de-  
28 partments covered by the merit employment system and which  
29 operate in whole or in part from other than general fund ap-  
30 propriations for a pro rata share of the cost of administration  
31 of the department. Such expense shall be paid by the state  
32 departments and agencies in the same manner as other expenses  
33 of such state departments are paid and shall constitute a  
34 'repayment receipt' to the department. The method of the  
35 appropriation of cost of administration shall be approved by the

1 state comptroller."  
2 Sec. 6. This Act, being deemed of immediate importance,  
3 shall be in full force and effect from and after its passage  
4 and publication in The Belmond Independent, a newspaper pub-  
5 lished at Belmond, Iowa, and in The Jefferson Herald, a news-  
6 paper published at Jefferson, Iowa.

EXPLANATION OF SENATE FILE 612

This bill will increase the membership of the merit employment commission from three to five and provides for member's appointment.

This bill also provides that the director of the merit employment department shall serve at the pleasure of the commission.

The bill also provides that salary plans developed for departments under the merit employment system shall apply to some departments exempted from the merit employment system.

The director of the merit employment department will be required to submit monthly statements to the departments covered by the merit employment system and to the departments receiving all or part of their operating funds from sources other than the state.

- 1 Amend Senate File 612 by striking all of sections four (4)
- 2 and five (5) on pages 2 and 3, and renumbering the
- 3 remaining sections.

Filed - *Withdrawn 4-23*  
April 4, 1969

By MOWRY

- 1 Senate File 612 is hereby amended by inserting on
- 2 page two (2), in line twenty-three (23), before the period
- 3 the words ", and persons employed by the commission for the
- 4 blind".

Filed - *Withdrawn 4-23*  
April 4, 1969

By STANLEY,  
CLARKE,  
ARBUCKLE,  
POTGETER,  
LAMBORN,  
KYHL,  
MESSERLY,  
GILLEY,  
HOUGEN and  
GRIFFIN

- 1 Amend Senate File 612 as follows:
- 2 by adding in page 2, line 23, after the figure "(12)" the
- 3 words ", and employees of the board of regents".

Filed - *Withdrawn 4-23*  
April 10, 1969

By CLARKE and STANLEY

- 1 Senate File 612 is hereby amended by striking from page
- 2 three (3), lines two (2) through six (6), inclusive.

Filed - *Withdrawn 4-23*  
April 15, 1969

By CLARKE

- 1 Amend Senate File 612 by adding the following new section:
- 2 "Chapter ninety-five (95), Acts of the Sixty-second General
- 3 Assembly, is hereby amended by adding the following new
- 4 section:
- 5 "The provisions of this Act, including but not limited to
- 6 its provisions on employees and positions to which the merit
- 7 system apply, shall prevail over any inconsistent provisions
- 8 of the Code, including the Acts of the Sixty-second General
- 9 Assembly, and all subsequent Acts unless such Acts provide a
- 10 specific exemption from the merit system."

Filed - *Withdrawn 4-23*  
April 15, 1969

By CLARKE

- 1 Amend Senate File 612 by striking on page 1, lines 10 through
- 2 13, inclusive, and by renumbering the remaining subsections.

Filed - *Last 4-23*  
April 21, 1969

By GAUDINEER

1 Senate File 612 is hereby amended by striking from page  
2 two (2), lines seven (7) through thirty-five (35) inclusive,  
3 and by striking from page three (3), lines one (1) through  
4 six (6), inclusive, and inserting in lieu thereof the following:

5 Sec. 4. Chapter ninety-five (95) section nine (9),  
6 Acts of the Sixty-second General Assembly, is hereby amended  
7 as follows:

8 1. By inserting after the period in line twenty-two (22)  
9 the following new sentence:

10 "No allocation or reallocation of a position by the di-  
11 rector to a different classification shall become effective if  
12 such allocation or reallocation may result in the expenditure  
13 of funds in excess of the total amount budgeted for the depart-  
14 ment of the appointing authority until approval has been ob-  
15 tained from the state comptroller."

16 2. By inserting after the period in line forty-four (44),  
17 the following new paragraph:

18 "Unless otherwise established by law, the Governor, with  
19 the approval of the executive council, shall establish a pay  
20 plan for all exempt positions in the executive branch of  
21 government except for employees of the governor, board of  
22 regents, the commission for the blind, members of the Iowa  
23 highway safety patrol and other peace officers employed by the  
24 department of public safety, and officers and enlisted men of  
25 the armed services under state jurisdiction."

26 Sec. 5. Chapter ninety-five (95), section three (3),  
27 Acts of the Sixty-second General Assembly is hereby amended  
28 as follows:

29 1. By inserting after the word "regents" in line sixty  
30 (60) the words "and the educational radio and television facil-  
31 ity board".

32 2. By striking from line sixty (60) the word "its" and  
33 inserting in lieu thereof the word "their".

34 3. By inserting after the word "system" in line sixty-  
35 four (64) the words "or the educational radio and television  
36 facility boards merit system".

37 Sec. 6. Chapter ninety-five (95), section three (3),  
38 Acts of the Sixty-second General Assembly, is hereby amended  
39 by striking line forty-one (41).

40 Sec. 7. Chapter ninety-five (95), section three (3),  
41 Acts of the Sixty-second General Assembly, is hereby amended  
42 as follows:

43 1. By adding as subsection fifteen (15) the following:

44 "Members of the Iowa highways safety patrol and other  
45 peace officers employed by the department of public safety."

46 2. By adding as subsection sixteen (16) the following:

47 "Employees of the educational radio and television facil-  
48 ity board."

49 Sec. 8. Chapter ninety-five (95), Acts of the Sixty-  
50 second General Assembly, is hereby amended by adding the  
51 following new section:

52 "The provisions of this Act, including but not limited  
53 to its provisions on employees and positions to which the  
54 merit system apply, shall prevail over any inconsistent pro-  
55 visions of the Code, including the Acts of the Sixty-second  
56 General Assembly, and all subsequent Acts unless such subsequent  
57 Acts provide a specific exemption from the merit system."

Filed - *adopted as amended 4-23* By CLARKE, STANLEY,  
April 18, 1969 LAMBORN, KYHL, GILLEY,  
HAMMER, GRIFFIN  
MESSERLY, POTGETER and  
GAUDINEER

1 Senate File 612 is hereby amended by striking from page two  
2 (2) all in line four (4) and inserting in lieu thereof the  
3 words and figures "1973", and one member to serve until July 1,  
4 1975. Thereafter,".

Filed - *Adopted 4-23*  
April 21, 1969

By CLARKE

1 The Clarke Amendment to Senate File 612, filed on April 18,  
2 1969, is hereby amended by inserting in line twenty-two (22) after  
3 the word "regents," the words "the superintendent of public  
4 instruction and members of the professional staff of the  
5 department of public instruction, appointed under the pro-  
6 visions of section two hundred fifty-seven point twenty-four  
7 (257.24) of the Code, who possess a current, valid teacher's  
8 certificate or who are assigned to vocational activities or  
9 programs,".

Filed - *Adopted 4-23*  
April 22, 1969

By CLARKE

1 Amend Senate File 612 by adding the following new  
2 section:  
3 Chapter ninety-five (95), section 14, Acts of the  
4 Sixty-second General Assembly, is hereby amended as  
5 follows:  
6 By striking in line 19 the words "writ of" and by  
7 striking all of lines 20 and 21, and inserting in lieu  
8 thereof the words "filing in district court within  
9 20 days after the commission's findings notice of appeal  
10 from said decision, which matter shall then be heard  
11 and decided de novo by the district court."

Filed and adopted  
April 23, 1969

By GLENN

1 Amend the amendment filed April 18, 1969, by Clarke, Stanley,  
2 et al., after line 48 as follows:  
3 1. By adding the following to Section 7:  
4 "3. Employees of the State Highway Commission."

Filed and lost  
April 23, 1969

By MOWRY

1 Amend the Clarke amendment of April 18, 1969, to Senate File 612  
2 line 24 by inserting after the comma the words "conservation  
3 officers".

Filed and lost  
April 23, 1969

By BALLOUN and ERSKINE

1 The Clarke amendment to Senate File 612, filed on  
2 April 18, 1969, is hereby amended by inserting in line  
3 twenty-two (22) after the word "regents," the words "the  
4 state educational radio and television facility board,".

Filed and adopted  
April 23, 1969

By CLARKE

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FISCAL NOTE  
SENATE FILE 612

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Date prepared April 22, 1969

Requested by Senator Clarke.

Prepared in regard to Senate File 612, a bill for an act relating to the merit system of personnel administration.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 47: No estimate available.

Filed  
April 23, 1969

GERRY D. RANKIN  
Legislative Fiscal Director

April 24, 1969

SENATE FILE 612

By COMMITTEE ON STATE  
GOVERNMENT  
(AS PASSED BY THE SENATE)

Passed Senate, Date 5-23-69 Passed House, Date 5-15-69  
Vote: Ayes 50 Nays 7 Vote: Ayes 66 Nays 35

Approved .....

*Passed Senate as amended  
by House 5-22,  
4-11.*

## A BILL FOR

1 An Act relating to the merit system of personnel administration.

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

3 Section 1. Chapter ninety-five (95), section four (4), Acts  
4 of the Sixty-second General Assembly, is hereby amended by  
5 striking from line five (5) the word and figure "three (3)"  
6 and inserting in lieu thereof the word "five".

7 Sec. 2. Chapter ninety-five (95), section five (5), Acts  
8 of the Sixty-second General Assembly, is hereby amended as  
9 follows:

10 1. By inserting after the period in line eight (8) the  
11 following new sentence:

12 "The director of merit employment shall serve at the plea-  
13 sure of the commission."

14 2. By striking lines nine (9) through fifteen (15), in-  
15 clusive.

16 Sec. 3. Chapter ninety-five (95), section six (6), Acts  
17 of the Sixty-second General Assembly, is hereby amended as  
18 follows:

19 1. By striking from line nine (9) the word and figure  
20 "two (2)" and inserting in lieu thereof the word "three".

21 2. By striking from line forty (40) the word and figure  
22 "two (2)" and inserting in lieu thereof the word "three".

23 3. By adding thereto the following new subsection:

24 "Within thirty days after the effective date of this Act,  
25 the governor shall appoint the two additional members of the

1. commission. Members appointed to the commission shall be sub-  
2. ject to approval of two-thirds of the members of the senate.

3. The governor shall appoint one member to serve until July 1,

4. 1973, and one member to serve until July 1, 1975. Thereafter,

5. each member of the commission shall be appointed as provided

6. by subsection two (2) of this section."

7. Sec. 4. Chapter ninety-five (95), section nine (9), Acts of

8. the Sixty-second General Assembly, is hereby amended as

9. follows:

10. 1. By inserting after the period in line twenty-two (22),

11. the following new sentence:

12. "No allocation or reallocation of a position by the director  
13. to a different classification shall become effective if such  
14. allocation or reallocation may result in the expenditure of  
15. funds in excess of the total amount budgeted for the department  
16. of the appointing authority until approval has been obtained  
17. from the state comptroller."

18. 2. By inserting after the period in line forty-four (44), the  
19. following new paragraph:

20. "Unless otherwise established by law, the governor, with  
21. the approval of the executive council, shall establish a pay  
22. plan for all exempt positions in the executive branch of govern-  
23. ment except for employees of the governor, board of regents,  
24. the state educational radio and television facility board, the  
25. superintendent of public instruction and members of the  
26. professional staff of the department of public instruction,  
27. appointed under the provisions of section two hundred fifty-seven  
28. point twenty-four (257.24) of the Code, who possess a current,  
29. valid teacher's certificate or who are assigned to vocational  
30. activities or programs, the commission for the blind, members  
31. of the Iowa highway safety patrol and other peace officers employed  
32. by the department of public safety, and officers and enlisted men of  
33. the armed services under state jurisdiction."

34. Sec. 5. Chapter ninety-five (95), section three (3), Acts  
35. of the Sixty-second General Assembly is hereby amended as

1 follows: *By striking from line sixty (60) the word "and"*

2 1. *By inserting after the word "regents" in line sixty*

3 *(60) the words "and the educational radio and television*

4 *facility board"*

5 2. *By striking from line sixty (60) the word "its" and*

6 *inserting in lieu thereof the word "their".*

7 3. *By inserting after the word "system" in line sixty-four*

8 *(64) the words "or the educational radio and television facility*

9 *boards merit system".*

10 *Sec. 6. Chapter ninety-five (95), section three (3), Acts*

11 *of the Sixty-second General Assembly, is hereby amended*

12 *by striking line forty-one (41).*

13 *Sec. 7. Chapter ninety-five (95), section three (3), Acts*

14 *of the Sixty-second General Assembly, is hereby amended*

15 *as follows:*

16 1. *By adding as subsection fifteen (15) the following:*

17 *"Members of the Iowa highway safety patrol and other*  
18 *peace officers employed by the department of public safety."*

19 2. *By adding as subsection sixteen (16) the following:*

20 *"Employees of the educational radio and television*  
21 *facility board."*

22 *Sec. 8. Chapter ninety-five (95), Acts of the Sixty-second*  
23 *General Assembly, is hereby amended by adding the following*  
24 *new section:*

25 *"The provisions of this Act, including but not limited to*  
26 *its provisions on employees and positions to which the*  
27 *merit system apply, shall prevail over any inconsistent pro-*  
28 *visions of the Code, including the Acts of the Sixty-second*  
29 *General Assembly, and all subsequent Acts unless such*  
30 *subsequent Acts provide a specific exemption from the merit*  
31 *system."*

32 *Sec. 9. Chapter ninety-five (95), section fourteen (14),*

33 *Acts of the Sixty-second General Assembly, is hereby amended*

34 *as follows:*

35 *By striking in line nineteen (19) the words "writ of" and*

- 1 *by striking all of lines twenty (20) and twenty-one (21), and*
- 2 *inserting in lieu thereof the words "filing in district court*
- 3 *within twenty days after the commission's findings notice of*
- 4 *appeal from said decision, which matter shall then be heard*
- 5 *and decided de novo by the district court."*

- 1 Amend Senate File 612, as passed by the Senate, page 3, after
- 2 line twenty-one (21), by inserting the following:
- 3 3. By adding as subsection seventeen (17) the following:
- 4 "Staff members and employees of the Iowa state highway
- 5 commission."
- 6 4. By renumbering the subsequent subsection.

Filed  
May 7, 1969

*not 5-15-69*

KEHE of Bremer

- 1 Amend Senate File 612, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2 by inserting in line thirty-one (31) after
- 4 the word "officers" the following: ", as defined in section
- 5 ninety-seven A point one (97A.1) of the Code,".
- 6 2. Pages 3 and 4 by striking all of section 9.

Filed  
May 8, 1969

*not 5-15-69*

COMMITTEE ON STATE GOVERNMENT  
C. RAYMOND FISHER, Chairman

- 1 Amend Senate File 612 as follows:
- 2 1. By adding on page 2, line 23, after the word
- 3 "regents," the following, "Iowa state highway commission,
- 4 state conservation commission, bureau of criminal investigation,
- 5 2. By adding on page 3 after line 21 the following:
- 6 "3. By adding as subsection seventeen (17) the following:
- 7 'Employees and staff of the Iowa state highway commission.'
- 8 4. By adding as subsection eighteen (18) the following:
- 9 'Employees and staff of the state conservation commission.'
- 10 5. By adding as subsection nineteen (19) the following:
- 11 'Employees and staff of the bureau of criminal investigation.'"

Filed  
May 14, 1969

*not 5-15-69*

HILL of Marshall

- 1 Amend Senate File 612 as follows:
- 2 1. By striking from page 3 lines 10, 11, and 12
- 3 2. By striking from page 3 lines 22 through 31.
- 4 3. By renumbering the remaining sections.

Filed  
May 14, 1969

*withdrawn 5-15-69*

HILL of Marshall

- 1 Amend Senate File 612 by striking section 1 and section 3.

Filed and lost ✓  
May 15, 1969

BAILEY of Wright

HOUSE AMENDMENT TO SENATE FILE 612

*Senate  
conferred  
5-22*

- 1 Amend Senate File 612, as passed by the Senate (reprint),
- 2 as follows:
- 3 1. Page 2 by inserting in line thirty-one (31) after
- 4 the word "officers" the following: ", as defined in
- 5 section ninety-seven A point one (97A.1) of the Code,".
- 6 2. Pages 3 and 4 by striking all of section 9.