

FILED FEB 8 1971

Here State Govt. 7/16/71, Pass per Committee Amendment 2/18

SENATE FILE 170

By COMMITTEE ON STATE GOVERNMENT

Passed Senate, Date 2-15-71 Passed House, Date 3-22-71
Vote: Ayes 41 Nays 3 Vote: Ayes 98 Nays 2

Approved April 1, 1971

*Passed Senate as amended by House
3-24-71
aye 43 nays 0*

A BILL FOR

1 An Act relating to the appointment and tenure of the commis-
2 sioner of public safety.

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

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1 Amend Senate File 170, page 3, by adding after line 2 the
2 following new section:

3 Sec. 3. This Act, being deemed of immediate importance,
4 take effect, and be in force from and after its publication in

5 Clinton Herald, a newspaper published in Clinton, Iowa, and in
6 The West Des Moines Express, a newspaper published in West Des
7 Moines, Iowa

1 Filed - Adopted 3/22
1 February 18, 1971

By COMMITTEE ON STATE GOVERNMENT
FISHER, Chairman

House

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1 Section 1. Section eighty point two (80.2), Code 1971,
2 is amended as follows:

3 80.2 COMMISSIONER--APPOINTMENT. The chief executive
4 officer of the department of public safety shall be the com-
5 missioner of public safety. The governor shall, ~~within sixty-~~
6 ~~days-after-this-chapter-shall-have-become-effective, and-in-~~
7 ~~every-fourth-year-after-the-year-1939, within sixty days-~~
8 ~~following-the-organization-of-the-regular-session-of-the~~
9 ~~general-assembly-in-said-year,~~ appoint, with the approval
10 of two-thirds of the members of the senate, a commissioner
11 of public safety, who shall be a man of high moral character,
12 of good standing in the community in which he lives, of
13 recognized executive and administrative capacity, and who
14 shall not be selected ~~solely-with-regard-to-his-qualifications-~~
15 ~~and-fitness-to-discharge-the-duties-of-his-office~~ on the
16 basis of political affiliation. ~~He-shall-have-been-for-a-~~
17 ~~period-of-at-least-five-years, immediately prior to his-~~
18 ~~appointment, a resident of the state of Iowa.~~ The commissioner
19 of public safety shall devote his entire time to the duties
20 of this office and; he shall not engage in any other trade,
21 business, or profession, nor shall he engage in any partisan
22 or political activity. ~~He shall serve for a period of four-~~
23 ~~years-from-July-1-of-the-year-of-his~~ appointment at the
24 pleasure of the governor, at an annual salary as fixed by
25 the general assembly. ~~The-governor, with-the-approval-of-~~
26 ~~the-executive-council, may remove the commissioner of public-~~
27 ~~safety-for-cause-after-a-public-hearing-before-the-executive-~~
28 ~~council;~~

29 Sec. 2. Section eighty point three (80.3), Code 1971,
30 is amended by striking the section and inserting in lieu
31 thereof the following:

32 80.3 VACANCY. A commissioner of public safety appointed
33 when the general assembly is not in session shall serve at
34 the pleasure of the governor, but his term shall expire thirty
35 days after the general assembly next convenes in regular

1 session, unless during such thirty days he be approved by
2 two-thirds of the members of the senate.

3 EXPLANATION

4 This bill provides that the Commissioner of Public Safety
5 shall serve at the pleasure of the Governor, rather than for
6 a fixed four year term. The bill also removes the require-
7 ment of present law that the Commissioner must have been a
8 resident of Iowa for at least five years immediately preced-
9 ing his appointment.

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*Certification of publication 4-20
West Des Moines Express 4-8*

1 Amend Senate File 170, page 2, by striking lines 16, 17, and
2 18 and inserting in lieu thereof the following: "basis of poli-
3 tical affiliation. He shall have been for a period of at least
4 five years, immediately prior to his appointment, a resident of
5 the state of Iowa. The commissioner".

Filed - *Lat 2/15/71*
February 11, 1971

By BALLOUN

Senate

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2 the following new section:
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5 publication in The Clinton Herald, a newspaper published
6 in Clinton, Iowa, and in The West Des Moines Express, a
7 newspaper published in West Des Moines, Iowa.

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Received from the House
March 23, 1971

*Senate concurred
3/24*

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