

Cities 2/4, Passed 5/18 2/18

Senate File 1086
Cities
Redmond, Chairperson
Willits
Hansen

Reprinted 2/3

SENATE FILE 1086

By DODERER

APR 1 1976

Passed Senate, Date 3-2-76 (p. 699) Passed House, Date _____
Vote: Ayes 44 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to require that local civil service commissions deter-
2 mine the physical requirements for police and fire personnel.

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

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1 Section 1. Section four hundred point eight (400.8),
2 subsection one (1), Code 1975, as amended by Acts of the
3 General Assembly, 1975 Session, chapter two hundred (200),
4 section one (1), is amended to read as follows:

5 1. The commission shall at such times as shall be found
6 necessary under such rules, including minimum and maximum
7 age limits, as shall be prescribed and published in advance
8 by the commission and posted in the city hall, hold
9 examinations for the purpose of determining the qualifications
10 of applicants for positions under civil service, other than
11 promotions, which examinations shall be practical in character
12 and shall relate to such matters as will fairly test the
13 mental and physical ability of the applicant to discharge
14 the duties of the position to which he seeks appointment.
15 ~~Provided, however, that such physical examination of applicants~~
16 ~~for appointment to the positions of policeman, policewoman,~~
17 ~~police matron or fireman shall be held under the direction~~
18 ~~of and as specified by the boards of trustees of the fire~~
19 ~~or police retirement systems established by section 444.5.~~

20 EXPLANATION

21 This bill eliminates the authority of the boards of trustees
22 of the fire or police retirement systems to establish the
23 physical qualifications of police and fire personnel.

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LSB 3169
tb/rh/31

S-5124

1 Amend Senate File 1086 as follows:

2 1. Page 1, by inserting before line 1 the follow-
3 ing new section:

4 "Sec. ____ . Section four hundred point two (400.2),
5 Code 1975, is amended to read as follows:

6 400.2 QUALIFICATIONS. The commissioners must
7 be citizens of Iowa, eligible electors as defined
8 in chapter thirty-nine (39) of the Code, and residents
9 of the city for more than five years next preceding
10 their appointment, and shall serve without compensa-
11 tion. No person while on said commission, shall hold
12 or be a candidate for any office of public trust.
13 Provided, this section notwithstanding, when a human
14 rights commission has been established by any city,
15 the director thereof shall ex officio be a member,
16 without vote, of the civil service commission."

17 2. Page 1, line 14, by striking the word "he"
18 and inserting in lieu thereof the words "he the
19 applicant".

20 3. Renumber the sections and correct internal
21 references in conformance with this amendment.

22 4. Amend the title, line 1, by striking the words
23 "to require that" and inserting in lieu thereof the
24 words "relating to".

25 5. Amend the title, line 1, by inserting after
26 the word "commissions" the words "providing for changes
27 in qualification requirements and requiring that the
28 commission".

S-5124 FILED - *Revised out of order with*
FEBRUARY 11, 1976 *adoption of 5158 3/2*

BY JAMES M. REDMOND
WILLARD R. HANSEN

SENATE FILE 1086

S-5174

1 Amend Senate File 1086 as follows:

2 1. Page 1, by inserting after line 19 the
3 following: "Reasonable rules may be prescribed
4 relating to strength, agility, and general health
5 of applicants."

S-5174 FILED - *Adopted 3/2 (693)*
FEBRUARY 19, 1976

BY MINNETTE DODERER

S-5158

- 1 Amend Senate File 1086 as follows:
2 1. Page 1, by inserting before line 1 the follow-
3 ing new section:
4 "Sec. ____ . Section four hundred point two (400.2),
5 Code 1975, is amended to read as follows:
6 400.2 QUALIFICATIONS. The commissioners must
7 be citizens of Iowa, eligible electors as defined
8 in chapter thirty-nine (39) of the Code, and residents
9 of the city for more than five years next preceding
10 their appointment, and shall serve without compensa-
11 tion. No person while on said commission, shall hold
12 or be a candidate for any office of public trust.
13 Provided, this section notwithstanding, when a human
14 rights commission has been established by any city,
15 the director thereof shall ex officio be a member,
16 without vote, of the civil service commission."
17 2. Page 1, line 14, by striking the word "he"
18 and inserting in lieu thereof the words "he the
19 applicant".
20 3. Renumber the sections and correct internal
21 references in conformance with this amendment.
22 4. Amend the title, line 1, by striking the words
23 "to require that" and inserting in lieu thereof the
24 words "relating to".
25 5. Amend the title, line 1, by inserting after
26 the word "commissions" the words "providing for changes
27 in qualification requirements and requiring that the
28 commission".

S-5158 FILED - *adopted 2/2 (p. 698)*
FEBRUARY 18, 1976

BY EARL M. WILLITS, Chairperson
COMMITTEE ON CITIES

By DODERER

(As Amended and Passed by the Senate March 2, 1976)

Passed Senate, Date 5-29-76 (p. 2527) Passed House, Date 5-29-76 (p. 3381)
Vote: Ayes 45 Nays 1 Vote: Ayes 69 Nays 3
Approved 6-23-76

A BILL FOR

1 An Act relating to local civil service commissions providing
2 for changes in qualification requirements and requiring
3 that the commission determine the physical requirements
4 for police and fire personnel.

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

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_____ = New Language
by the Senate

1 Section 1. Section four hundred point two (400.2), Code
2 1975, is amended to read as follows:

3 400.2 QUALIFICATIONS. The commissioners must be citizens
4 of Iowa, eligible electors as defined in chapter thirty-nine
5 (39) of the Code, and residents of the city for more than
6 five years next preceding their appointment, and shall serve
7 without compensation. No person while on said commission,
8 shall hold or be a candidate for any office of public trust.
9 Provided, this section notwithstanding, when a human rights
10 commission has been established by any city, the director
11 thereof shall ex officio be a member, without vote, of the
12 civil service commission.

13 Sec. 2. Section four hundred point eight (400.8),
14 subsection one (1), Code 1975, as amended by Acts of the
15 General Assembly, 1975 Session, chapter two hundred (200),
16 section one (1), is amended to read as follows:

17 1. The commission shall at such times as shall be found
18 necessary under such rules, including minimum and maximum
19 age limits, as shall be prescribed and published in advance
20 by the commission and posted in the city hall, hold
21 examinations for the purpose of determining the qualifications
22 of applicants for positions under civil service, other than
23 promotions, which examinations shall be practical in character
24 and shall relate to such matters as will fairly test the
25 mental and physical ability of the applicant to discharge
26 the duties of the position to which he the applicant seeks
27 appointment. ~~Provided, however, that such physical examination~~
28 ~~of applicants for appointment to the positions of policeman,~~
29 ~~police woman, police matron or fireman shall be held under~~
30 ~~the direction of and as specified by the boards of trustees~~
31 ~~of the fire or police retirement systems established by section~~
32 ~~444-5.~~ Reasonable rules may be prescribed relating to strength,
33 agility, and general health of applicants.

34 EXPLANATION

35 This bill eliminates the authority of the boards of trustees

1 of the fire or police retirement systems to establish the
2 physical qualifications of police and fire personnel.

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SF 1086
tb/slc/83
LSB 3169/31

S-6014

1 Amend Senate File 1086, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 27 through 33
4 and inserting in lieu thereof the following:
5 "appointment. Provided, however, that such
6 physical examination of applicants for appointment
7 to the position of policeman, policewoman, police
8 matron or ~~fireman~~ firefighter shall be held under
9 the direction of and as specified by the boards
10 of trustees of the fire or police retirement
11 systems established by section 411.5. An applicant
12 shall not be discriminated against on the basis
13 of height, weight, sex, or race in determining
14 physical or mental ability of the applicant.
15 Reasonable rules relating to strength, agility,
16 and general health of applicants shall be pre-
17 scribed.

18 The costs of the physical examination required
19 under this subsection shall be paid from the trust
20 and agency fund of the city."

21 2. Page 1, by inserting after line 33 the fol-
22 lowing section:

23 "Sec. ____ . Section four hundred point thirteen
24 (400.13), unnumbered paragraph one (1), Code 1975,
25 is amended to read as follows:

26 The chief of the fire department and the chief
27 of the police department shall be appointed from the
28 chiefs' civil service eligible lists. Such lists
29 shall be determined by original examination open to
30 all persons applying, whether or not members of the
31 employing city. The chief of a fire department shall
32 have had a minimum of five years experience in a
33 fire department, or three years experience in a fire
34 department and two years of comparable experience
35 or educational training. The chief of a police
36 department shall have had a minimum of five years
37 experience in a public law enforcement agency, or
38 three years experience in a public law enforcement
39 agency and two years of comparable experience or
40 educational training. A chief of a police department
41 or fire department shall maintain his civil service
42 rights as determined by section 400.12."

43 3. Title page, by striking from lines 2, 3
44 and 4 the words "and requiring that the commission
45 determine the physical requirements for police and
46 fire personnel".

47 4. By renumbering sections as necessary.

S-6014 RECEIVED BY THE SENATE
MAY 29, 1976

Senate concurred 5/29/76 (2528)

SENATE FILE 1086

H-6801

1 Amend Senate File 1086, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 33 the fol-
 4 lowing section:
 5 "Sec. _____. Section four hundred point thirteen
 6 (400.13), unnumbered paragraph one (1), Code 1975,
 7 is amended to read as follows:
 8 The chief of the fire department and the chief
 9 of the police department shall be appointed from the
 10 chiefs' civil service eligible lists. Such lists
 11 shall be determined by original examination open to
 12 all persons applying, whether or not members of the
 13 employing city. The chief of a fire department shall
 14 have had a minimum of five years' experience in a
 15 fire department, or three years experience in a fire
 16 department and two years of comparable experience
 17 or educational training. The chief of a police
 18 department shall have had a minimum of five years
 19 experience in a public law enforcement agency, or
 20 three years experience in a public law enforcement
 21 agency and two years of comparable experience or
 22 educational training. A chief of a police department
 23 or fire department shall maintain his civil service
 24 rights as determined by section 400.12."
 25 2. By renumbering sections as necessary.

H-6801 FILED *Adopted 5/20/76* BY BYERLY of Polk
 (3350)
 MAY 20, 1976

SENATE FILE 1086

H-5567

1 Amend Senate File 1086, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 27 through 33
 4 and inserting in lieu thereof the following:
 5 "appointment. Provided, however, that such
 6 physical examination of applicants for appointment
 7 to the positions of policeman, policewoman, police
 8 matron or ~~fireman~~ firefighter shall be held under
 9 the direction of and as specified by the boards
 10 of trustees of the fire or police retirement
 11 systems established by section 411.5. An applicant
 12 shall not be discriminated against on the basis
 13 of height, weight, sex, or race in determining
 14 physical or mental ability of the applicant.
 15 Reasonable rules relating to strength, agility,
 16 and general health of applicants shall be pre-
 17 scribed.
 18 The costs of the physical examination required
 19 under this subsection shall be paid from the trust
 20 and agency fund of the city."
 21 2. Title page, by striking from lines 2, 3
 22 and 4 the words "and requiring that the commission
 23 determine the physical requirements for police and
 24 fire personnel".

H-5567 FILED *2/22/76* COMMITTEE ON CITIES,
 MARCH 5, 1976 *5/29/76* RINAS of Linn, Chair

SENATE FILE 1086

AN ACT

RELATING TO LOCAL CIVIL SERVICE COMMISSIONS PROVIDING FOR
CHANGES IN QUALIFICATION REQUIREMENTS.

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

Section 1. Section four hundred point two (400.2), Code 1975, is amended to read as follows:

400.2 QUALIFICATIONS. The commissioners must be citizens of Iowa, eligible electors as defined in chapter thirty-nine (39) of the Code, and residents of the city for more than five years next preceding their appointment, and shall serve without compensation. No person while on said commission, shall hold or be a candidate for any office of public trust. Provided, this section notwithstanding, when a human rights commission has been established by any city, the director thereof shall ex officio be a member, without vote, of the civil service commission.

Sec. 2. Section four hundred point eight (400.8), subsection one (1), Code 1975, as amended by Acts of the General Assembly, 1975 Session, chapter two hundred (200), section one (1), is amended to read as follows:

1. The commission shall at such times as shall be found necessary under such rules, including minimum and maximum age limits, as shall be prescribed and published in advance by the commission and posted in the city hall, 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 will fairly test the mental and physical ability of the applicant to discharge the duties of the position to which he the applicant seeks appointment. Provided, however, that such physical examination of applicants for appointment to the positions of policeman, policewoman, police matron or fireman firefighter 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. 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 four hundred point thirteen (400.13), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The chief of the fire department and the chief of the police department shall be appointed from the chiefs' civil service eligible lists. Such lists shall be determined by original examination open to all persons applying, whether or not members of the employing city. The chief of a fire department shall have had a minimum of five years' experience in a fire department, or three years experience in a fire department and two years of comparable experience or educational training. The chief of a police department shall have had a minimum of five years experience in a public law enforcement agency, or three years experience in a public law enforcement agency and two years of comparable experience

or educational training. A chief of a police department or fire department shall maintain his civil service rights as determined by section 400.12.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1086, Sixty-sixth General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved JUN 23, 1976

ROBERT D. RAY
Governor