

Article Board 2/11

Amend (3254) to Do Pass 5/11/85 (p. 717)

FILED FEB 6 1985

SENATE FILE

199

BY MILLER of Des Moines

Passed Senate, Date 3-18-85 (p. 838) Passed House, Date 2-27-86 (p. 471)

Vote: Ayes 26 Nays 16 Vote: Ayes 69 Nays 25

Approved March 20, 1986

### A BILL FOR

1 An Act relating to leaves of absence for a public employee  
2 who is a candidate for elective public office.

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

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SF 199

S-3254

SENATE FILE 199

1 Amend Senate File 199 as follows:

2 1. Page 1, line 6, by inserting after the word  
3 "a" the word "contested".

4 2. Page 1, lines 7 and 8, by striking the words  
5 "this thirty-day period" and inserting the words "the  
6 day following that election".

7 3. Page 1, by inserting after line 10 the  
8 following:

9 "This section does not apply to employees of the  
10 federal government or to a public employee whose  
11 position is financed by federal funds if the  
12 application of this section would be contrary to  
13 federal law or result in the loss of the federal  
14 funds."

S-3254 Filed

March 11, 1985

Adopted 3/15 (p. 838)

By COMMITTEE ON STATE GOVERNMENT

1 Section 1. Chapter 55, Code 1985, is amended by adding the  
2 following new section:

3 NEW SECTION. LEAVE OF ABSENCE FOR PUBLIC EMPLOYEE.

4 Any public employee who becomes a candidate for any elec-  
5 tive public office shall, upon request of the employee and  
6 commencing any time within thirty days prior to a primary,  
7 special, or general election and continuing until after this  
8 thirty-day period, automatically be given a leave of absence  
9 without pay. An employee who is a candidate for any elective  
10 public office shall not campaign while on duty as an employee.

11 EXPLANATION

12 This bill provides that any public employee who is a  
13 candidate for public office shall be granted a leave of ab-  
14 sence without pay, upon request, during the 30 days preceding  
15 election. The bill prohibits any public employee who is a  
16 candidate from campaigning while on duty.

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*Has State Journal 2/21/85 Do Pass per 5131 2/20/86 (p. 404)*

Senate File 199

State Government: Arnould, Chair; Buhr and Renken.

SENATE FILE 199

BY MILLER of Des Moines

(AS AMENDED AND PASSED BY THE SENATE MARCH 18, 1985)

*Re* Passed Senate, Date 2-5-86 (p. 555) Passed House, Date 2-27-86 (p. 471)

Vote: Ayes 31 Nays 15 Vote: Ayes 69 Nays 25

Approved March 20, 1986 (p. 813)

## A BILL FOR

1 An Act relating to leaves of absence for a public employee  
2 who is a candidate for elective public office.

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

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JOURNAL OF THE SENATE

101st Day

15

16

COMMUNICATION FROM THE SECRETARY OF STATE

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April 21, 1986

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Ms. K. Marie Thayer  
Secretary of the Senate  
Senate Chamber  
LOCAL

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Dear Ms. Thayer:

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I hereby certify that Senate File 199 was published in the Iowa City Press-Citizen, Iowa City, on March 26, 1986, and in The Daily Nonpareil, Council Bluffs, Iowa, on March 27, 1986.

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Respectfully submitted,  
MARY JANE ODELL  
Secretary of State

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1 Section 1. Chapter 55, Code 1985, is amended by adding the  
2 following new section:

3 NEW SECTION. LEAVE OF ABSENCE FOR PUBLIC EMPLOYEE.

4 Any public employee who becomes a candidate for any elec-  
5 tive public office shall, upon request of the employee and  
6 commencing any time within thirty days prior to a contested  
7 primary, special, or general election and continuing until  
8 after the day following that election, automatically be given  
9 a leave of absence without pay. An employee who is a  
10 candidate for any elective public office shall not campaign  
11 while on duty as an employee.

12 This section does not apply to employees of the federal  
13 government or to a public employee whose position is financed  
14 by federal funds if the application of this section would be  
15 contrary to federal law or result in the loss of the federal  
16 funds.

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H-5131

1 Amend Senate File 199 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 19A.18, unnumbered paragraph  
6 8, Code 1985, is amended by striking the paragraph."

7 2. Page 1, by striking line 9 and inserting the  
8 following: "a period of leave. If the employee is  
9 under chapter 19A, the employee may choose to use  
10 accrued vacation leave, accrued compensatory leave or  
11 leave without pay to cover these periods. The  
12 appointing authority may authorize other employees to  
13 use accrued vacation leave or accrued compensatory  
14 leave instead of leave without pay to cover these  
15 periods. An employee who is a".

16 3. Page 1, by inserting after line 16 the  
17 following:

18 "Sec. 3. Section 400.29, subsection 4, Code 1985,  
19 is amended by striking the subsection.

20 Sec. 4. This Act, being deemed of immediate  
21 importance, takes effect from and after its  
22 publication in the Iowa City Press-Citizen, a  
23 newspaper published in Iowa City, Iowa, and in The  
24 Daily Nonpareil, a newspaper published in Council  
25 Bluffs, Iowa and is retroactive to May 3, 1986."

H-5131 FILED FEBRUARY 20, 1986 BY COMMITTEE ON STATE GOVERNMENT

*Adopted 2/27 (p. 470)*

HOUSE AMENDMENT TO  
SENATE FILE 199

S-3229

1 Amend Senate File 199 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 19A.18, unnumbered paragraph  
6 8, Code 1985, is amended by striking the paragraph."

7 2. Page 1, by striking line 9 and inserting the  
8 following: "a period of leave. If the employee is  
9 under chapter 19A, the employee may choose to use  
10 accrued vacation leave, accrued compensatory leave or  
11 leave without pay to cover these periods. The  
12 appointing authority may authorize other employees to  
13 use accrued vacation leave or accrued compensatory  
14 leave instead of leave without pay to cover these  
15 periods. An employee who is a".

16 3. Page 1, by inserting after line 16 the  
17 following:

18 "Sec. 3. Section 400.29, subsection 4, Code 1985,  
19 is amended by striking the subsection.

20 Sec. 4. This Act, being deemed of immediate  
21 importance, takes effect from and after its  
22 publication in the Iowa City Press-Citizen, a  
23 newspaper published in Iowa City, Iowa, and in The  
24 Daily Nonpareil, a newspaper published in Council  
25 Bluffs, Iowa and is retroactive to May 3, 1986."

S-3229 RECEIVED FROM THE HOUSE March 3, 1986 AND FILED

*Senate concurred 2/5 (p. 555)*

SENATE FILE 199

AN ACT  
RELATING TO LEAVES OF ABSENCE FOR A PUBLIC EMPLOYEE WHO IS A  
CANDIDATE FOR ELECTIVE PUBLIC OFFICE.

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

Section 1. Section 19A.18, unnumbered paragraph 8, Code 1985, is amended by striking the paragraph.

Sec. 2. Chapter 55, Code 1985, is amended by adding the following new section:

NEW SECTION. LEAVE OF ABSENCE FOR PUBLIC EMPLOYEE.

Any public employee who becomes a candidate for any elective public office shall, upon request of the employee and commencing any time within thirty days prior to a contested primary, special, or general election and continuing until after the day following that election, automatically be given a period of leave. If the employee is under chapter 19A, the employee may choose to use accrued vacation leave, accrued compensatory leave or leave without pay to cover these periods. The appointing authority may authorize other employees to use accrued vacation leave or accrued compensatory leave instead of leave without pay to cover these periods. An employee who is a candidate for any elective public office shall not campaign while on duty as an employee.

This section does not apply to employees of the federal government or to a public employee whose position is financed by federal funds if the application of this section would be contrary to federal law or result in the loss of the federal funds.

Sec. 3. Section 400.29, subsection 4, Code 1985, is amended by striking the subsection.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in the Iowa City

Press-Citizen, a newspaper published in Iowa City, Iowa, and in The Daily Nonpareil, a newspaper published in Council Bluffs, Iowa and is retroactive to May 3, 1986.

\_\_\_\_\_  
ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 199, Seventy-first General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved *March 20*, 1986

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TERRY E. BRANSTAD  
Governor