

CHAPTER 32.

REMOVAL AND DISCHARGE OF FIREMEN, POLICE OFFICERS AND POLICEMEN.

S. F. 481.

AN ACT to amend the law as it appears in section six hundred and seventy-nine-h (679-h) supplement to the code, 1907, relating to the removal and discharge of firemen, police officers and policemen, except the chief of the fire department and the chief of police.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. **Number reduced—when.** That the law as it appears in section six hundred and seventy-nine-h (679-h) supplement to the code, 1907, be and the same is hereby amended by adding thereto at the end thereof the following:

“Whenever the revenue of any city available for the use of paying the salaries of the police officers, policemen and firemen is insufficient to pay the current salaries to the number of policemen then engaged on the police force and the firemen, the city council of any city which has a board of police and fire commissioners, as provided in chapter 2-a of title V of the supplement to the code, 1907, may provide by general ordinance for a reduction in the number of its firemen, and its police officers and policemen, except the chief of the fire department and the chief of police, in which event, the necessary number to make such reduction shall be honorably discharged from the said police force or the fire department. The persons discharged shall be designated in writing by the mayor; provided, however, that in making such discharge, the mayor shall take into consideration the length of service, competency and efficiency of the members of the police force and the members of the fire department. It shall be the duty of the mayor to designate for discharge the policemen and firemen whose length of service is of the shortest duration and who have shown the least efficiency and competency.”

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register & Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 15, A. D. 1911.

I hereby certify that the foregoing act was published in the Des Moines Capital April 20, 1911, and in the Register and Leader April 21, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 33.

REMOVAL AND DISCHARGE OF FIREMEN, POLICE OFFICERS AND POLICEMEN.

H. F. 219.

AN ACT to repeal section six hundred seventy-nine-h (679-h) of chapter two-a (2-a) title five (5) of the supplement to the code, 1907, and to enact a substitute in lieu thereof relative to the board of police and fire commissioners in certain cities of the first class.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. **Repeal—removals and discharges—trial.** That section six hundred and seventy-nine-h (679-h) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

"All police officers and policemen, and all firemen, including the chief of the fire department, and all employes in the civil list covered by this act, shall be subject to removal by the board of police and fire commissioners for misconduct or failure to perform their duty under such rules and regulations as may be adopted by the said board, whenever said board shall consider or declare such removal necessary for the proper management and discipline of said department; but the chief of police or the chief of the fire department may temporarily suspend or discharge any member of his force for misconduct, or neglect of duty, or disobedience of orders; provided that any person so suspended or discharged within five days thereafter may appear before said board, and said board shall investigate the cause of said removal or discharge, and if the same is found insufficient he shall be reinstated. The board shall fix the date for the trial of such discharged or suspended officer or man of either the police or fire department within fifteen (15) days after demand for a hearing by the accused and shall give ten (10) days written notice to the accused of the date set for trial, specifying the charges upon which the accused is to be tried and the name of the person making the charges. The meetings and procedure of the board when trying such cases shall be open to the public, and said accused shall have the right of counsel, and the examination of witnesses for and against the accused shall be in the presence of the accused, and he, or his counsel, shall have the right to cross examine any witness testifying against him. The accused shall have the right to produce witnesses in his defense, and the board shall cause the witnesses of the accused to be properly subpoenaed. Meetings shall be called by the chairman upon the application of two members of the board, and written notices must be sent to all members of the board, stating the time and the place and the purpose for calling a meeting. The board shall have the power to enforce the attendance of witnesses, and the production of books and papers; and to administer oaths in the same manner and with like effect and under the same penalties as in the case of magistrates, exercising civil or criminal jurisdiction under the statutes of Iowa."

Approved April 1, A. D. 1911.

CHAPTER 34.

AMENDMENT OF FRANCHISES GRANTED TO INDIVIDUALS OR PRIVATE CORPORATIONS.

H. F. 42.

AN ACT to amend section seven hundred twenty (720) of the supplement to the code, 1907, providing for the amending of franchises granted to individuals or private corporations.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Franchises may be amended. That section seven hundred twenty (720) of the supplement to the code 1907 be and the same is hereby amended by inserting the word "amend" after the word "renew" in the ninth (9th) line of said section, and by inserting the word "amended" after the comma following the word "granted" in the tenth (10th) line of said section, and by inserting a comma after the word "amended", and by striking out the comma after the word "renewed" in the twelfth (12th) line of said section, and inserting therein the words "or amended".

SEC. 2. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and