

1 SEC. 6. The provisions of this Act are retroactive in application to  
 2 all joint agreements entered into and executed prior to July 1, 1975,  
 3 under chapter three hundred ninety (390) of the Code, on behalf of cit-  
 4 ies which, on the date of executing the agreements, operated existing  
 5 electric generating or distribution facilities. However, all such joint  
 6 agreements which complied with the provisions of chapter three  
 7 hundred ninety (390) of the Code prior to amendment by this Act are  
 8 also in full force and effect according to their terms, and are not ren-  
 9 dered invalid in any respect by any provision of this Act.

Approved July 8, 1975

This Act was passed by the G.A. prior to July 1, 1975; see §3.7 of the Code

## CHAPTER 200

### CIVIL SERVICE

H. F. 395

AN ACT relating to the civil service systems of cities.

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

1 SECTION 1. Section four hundred point eight (400.8), Code 1975, is  
 2 amended to read as follows:

3 **400.8 Original entrance examination—appointments.**

4 1. The commission shall, ~~during the month of April~~ of each year,  
 5 ~~and~~ at such ~~other~~ times as shall be found necessary under such rules,  
 6 including minimum and maximum age limits, as shall be prescribed  
 7 and published in advance by the commission and posted in the city  
 8 hall, hold examinations for the purpose of determining the qualifica-  
 9 tions of applicants for positions under civil service, other than promo-  
 10 tions, which examinations shall be practical in character and shall  
 11 relate to such matters as will fairly test the mental and physical ability  
 12 of the applicant to discharge the duties of the position to which he  
 13 seeks appointment. Provided, however, that such physical examination  
 14 of applicants for appointment to the positions of policeman, police-  
 15 woman, police matron or fireman shall be held under the direction of  
 16 and as specified by the boards of trustees of the fire or police retire-  
 17 ment systems established by section 411.5.

18 2. *The commission shall establish the guidelines for conducting*  
 19 *the examinations under subsection one (1) of this section. It may*  
 20 *prepare and administer the examinations or may hire persons with*  
 21 *expertise to do so if the commission approves the examinations. It*  
 22 *may also hire persons with expertise to consult in the preparation of*  
 23 *such examinations if the persons so hired are employed to aid per-*  
 24 *sonnel of the commission in assuring that a fair examination is*  
 25 *conducted. A fair examination shall explore the competence of the*  
 26 *applicant in the particular field of examination.*

27 3. All appointments to such positions shall be conditional upon a  
 28 probation period of not to exceed six months, and in the case of police  
 29 patrolmen ~~in cities operating a police academy,~~ and firemen a proba-  
 30 tion period not to exceed twelve months, during which time the ap-  
 31 pointee may be removed or discharged from such position by the  
 32 appointing person or body without the right of appeal to the commis-

33 sion. A person removed or discharged during a probationary period  
 34 shall, at the time of discharge, be given a notice in writing stating  
 35 the reason or reasons for the dismissal. A copy of such notice shall  
 36 be promptly filed with the commission. Continuance in the position  
 37 after the expiration of such probationary period shall constitute a per-  
 38 manent appointment.

1 SEC. 2. Section four hundred point nine (400.9), Code 1975, is  
 2 amended to read as follows:

3 **400.9 Promotional examinations—promotions.**

4 1. The commission shall, during the month of April of each second  
 5 year, and at such other times as shall be found necessary, under such  
 6 rules as shall be prescribed and published in advance by the commis-  
 7 sion, and posted in the city hall, hold competitive promotional exami-  
 8 nations for the purpose of determining the qualifications of applicants  
 9 for promotion to a higher grade under civil service, which examina-  
 10 tions shall be practical in character, and shall relate to such matters as  
 11 will fairly test the ability of the applicant to discharge the duties of  
 12 the position to which he seeks promotion.

13 2. The commission shall establish guidelines for conducting the  
 14 examinations under subsection one (1) of this section. It may pre-  
 15 pare and administer the examinations or may hire persons with ex-  
 16 pertise to do so if the commission approves the examinations and if  
 17 the examinations apply to the position in the city for which the ap-  
 18 plicant is taking the examination. It may also hire persons with ex-  
 19 pertise to consult in the preparation of such examinations if the  
 20 persons so hired are employed to aid personnel of the commission in  
 21 assuring that a fair examination is conducted. A fair examination  
 22 shall explore the competence of the applicant in the particular field  
 23 of examination.

24 3. Hereafter, all vacancies in the civil service grades above the low-  
 25 est in each shall be filled by promotion of subordinates when such sub-  
 26 ordinates qualify as eligible, and when so promoted, they shall hold  
 27 such position with full civil service rights therein in the position. If,  
 28 however, no a current employee passes a does not pass one of two suc-  
 29 cessive promotional examination examinations and otherwise quali-  
 30 fies qualify for the vacated position, an entrance examination for such  
 31 the vacated position may be used to fill such vacancy within one year  
 32 after such promotional examination it.

1 SEC. 3. Section four hundred point eleven (400.11), unnumbered  
 2 paragraph three (3), Code 1975, is amended to read as follows:

3 Except where such preferred list exists, persons on the certified eligi-  
 4 ble list for promotion shall hold preference for promotion until the be-  
 5 ginning of a new examination, but in no case shall such preference  
 6 continue longer than two years following the date of certification, after  
 7 which said lists shall be canceled and no promotion to such grades shall  
 8 be made until a new list has been certified eligible for promotion.

1 SEC. 4. Section four hundred point seventeen (400.17), subsections  
 2 one (1) through six (6) inclusive, Code 1975, are amended by striking  
 3 the subsections and inserting in lieu thereof the following:

- 4 1. Is of good moral character.
- 5 2. Is able to read and write the English language.
- 6 3. Is not a liquor or drug addict.

1 SEC. 5. Section four hundred point seventeen (400.17), Code 1975, is  
 2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. A person shall not be appointed, promoted, dis-  
 4 charged, or demoted to or from a civil service position or in any other  
 5 way favored or discriminated against in that position because of politi-  
 6 cal or religious opinions or affiliations, race, national origin, sex, or  
 7 age.

1 SEC. 6. Section four hundred point twenty-nine (400.29), Code 1975,  
 2 is amended by striking the section and inserting in lieu thereof the fol-  
 3 lowing:

4 **400.29 Campaign contributions.**

5 1. A person holding a civil service position shall not, while perform-  
 6 ing official duties or while using city equipment at the person's dispos-  
 7 al by reason of the position, solicit in any manner contribution for any  
 8 political party or candidate or engage in any political activity during  
 9 working hours that impairs the efficiency of the position or presence  
 10 during the working hours. A person shall not seek or attempt to use  
 11 any political endorsement in connection with any appointment to a  
 12 civil service position.

13 2. A person holding a civil service position shall not, by the authori-  
 14 ty of the position, secure or attempt to secure in any manner for any  
 15 other person an appointment or advantage in appointment to a civil  
 16 service position or an increase in pay or other advantage of employ-  
 17 ment in any such position for the purpose of influencing the vote or  
 18 political action of that person or for any other consideration.

19 3. A person who in any manner supervises a person holding a civil  
 20 service position shall not directly or indirectly solicit the person super-  
 21 vised to contribute money, anything of value, or service to a candidate  
 22 seeking election, or a political party or candidate's political committee.

23 4. A civil service employee who becomes a candidate for any elective  
 24 public office shall, upon request of the employee and commencing any  
 25 time within thirty days prior to a primary, special, or general election  
 26 and continuing until after this thirty day period, automatically be giv-  
 27 en a leave of absence without pay. An employee who is a candidate for  
 28 any elective public office shall not campaign while on duty as an em-  
 29 ployee.

30 5. This section shall not be construed to prohibit any employee or  
 31 group of employees, individually or collectively, from expressing hon-  
 32 est opinions and convictions, or making statements and comments con-  
 33 cerning their wages or other conditions of their employment.

Approved June 3, 1975

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CHAPTER 201

LOW-RENT HOUSING

H. F. 575

AN ACT relating to eligibility for low-rent housing.

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

1 SECTION 1. Section four hundred three A point two (403A.2), subsec-  
 2 tion nine (9), Code 1975, is amended to read as follows:

3 9. "Housing project" or "project" means any work or undertaking:  
 4 (a) to demolish, clear or remove buildings from any slum areas; or (b)