

CHAPTER 1101

ELECTIONS

H. F. 1399

AN ACT to revise certain statutes relating to elections which were amended or affected by passage of chapter one hundred thirty-six (136), Acts of the Sixty-fifth General Assembly, 1973 Session, and which appear in chapters thirty-nine (39), forty-three (43), forty-four (44), forty-seven (47), forty-nine (49), fifty (50), fifty-two (52), fifty-three (53), sixty-nine (69), two hundred seventy-three (273), two hundred seventy-five (275), two hundred seventy-seven (277), two hundred seventy-eight (278), two hundred seventy-nine (279), two hundred eighty A (280A), two hundred ninety-six (296), two hundred ninety-eight (298), three hundred sixty-three (363), and six hundred nine (609) of the Code, chapter one thousand eighty-eight (1088), Acts of the Sixty-fourth General Assembly, 1972 Session, and chapter two hundred (200), Acts of the Sixty-fifth General Assembly, 1973 Session, and to revise and clarify a temporary statute appearing in chapter one hundred thirty-six (136), Acts of the Sixty-fifth General Assembly, 1973 Session.

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

1 SECTION 1. Section thirty-nine point four (39.4), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section four (4), is amended to
4 read as follows:

5 **39.4 Proclamation concerning revision of Constitution.** In the
6 years in which the Constitution requires, *or at other times when the*
7 *general assembly by law provides for*, a vote on the question of calling
8 a convention and revising the Constitution, the governor shall at least
9 sixty days before the general election issue a proclamation directing
10 that at the general election there be proposed to the people the follow-
11 ing question:

12 "Shall there be a convention to revise the Constitution, and amend
13 ~~the propose amendment or amendments to same?"~~

1 SEC. 2. Section thirty-nine point twenty-three (39.23), Code 1973,
2 is amended to read as follows:

3 **39.23 Township clerk.** There shall be elected, ~~biennially~~ *at the*
4 *general election held in the year 1974 and every four years thereafter*,
5 in each civil township one township clerk, who shall hold his office for
6 the term of ~~two~~ *four* years.

1 SEC. 3. Section forty-three point four (43.4), unnumbered para-
2 graphs one (1) and two (2), Code 1973, are amended to read as fol-
3 lows:

4 Delegates to county conventions of political parties and party com-
5 mitteemen shall be elected at precinct caucuses held not later than the
6 second Monday in May of each ~~election~~ *even-numbered* year. The state
7 central committee of each political party shall set the date for said
8 caucuses. In accordance therewith, the county central committee of
9 each political party shall issue the call for said caucuses. The county
10 chairman shall file with the county ~~auditor~~ *commissioner* the meeting
11 place of each precinct caucus at least seven days prior to the date of
12 holding such caucus.

13 There shall be selected among those present at a precinct caucus a
14 chairman and a secretary who shall forthwith certify to the county
15 central committee and the county ~~auditor~~ *commissioner* the names of
16 those elected as party committeemen and delegates to the county con-
17 vention.

1 SEC. 4. Section forty-three point eleven (43.11), subsection one
 2 (1), Code 1973, and subsection two (2), Code 1973, as amended by
 3 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
 4 hundred thirty-six (136), section eighteen (18), are amended to read
 5 as follows:

6 1. For an elective county office, in the office of the county commis-
 7 sioner ~~of elections at least fifty-five days not later than five o'clock~~
 8 ~~p.m. on the fifty-fifth day~~ prior to the day fixed for holding the pri-
 9 mary election.

10 2. For United States senator, for an elective state office, for repre-
 11 sentative in Congress, and for member of the general assembly, in the
 12 office of the state commissioner not ~~more earlier~~ than eighty-five days
 13 nor ~~less than sixty-seven days later than five o'clock p.m. on the sixty-~~
 14 ~~seventh day~~ prior to the day fixed for holding ~~said the~~ primary elec-
 15 tion.

1 SEC. 5. Section forty-three point twenty (43.20), unnumbered
 2 paragraph one (1) and subsections one (1) and two (2), Code 1973,
 3 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 4 chapter one hundred thirty-six (136), section twenty-two (22), are
 5 amended to read as follows:

6 Nomination papers shall be signed *by eligible electors* as follows:

7 1. If for a state office, or United States senator, by at least one per-
 8 cent of the voters of the *candidate's party of such candidates*, in each
 9 of at least ten counties of the state, and in the aggregate not less than
 10 one-half of one percent of the total vote of ~~his the candidate's~~ party in
 11 the state, as shown by the last general election.

12 2. If for a representative in Congress, in districts composed of more
 13 than one county, by at least two percent of the voters of ~~his the candi-~~
 14 ~~date's~~ party, as shown by the last general election, in each of at least
 15 one-half of the counties of the district, and in the aggregate not less
 16 than one percent of the total vote of ~~his the candidate's~~ party in such
 17 district, as shown by the last general election. If for a representative
 18 in the general assembly, not less than fifty voters of the representative
 19 district; and if for a senator in the general assembly, not less than one
 20 hundred voters of the senatorial district.

1 SEC. 6. Section forty-three point twenty (43.20), subsection three
 2 (3), Code 1973, as amended by Acts of the Sixty-fifth General Assem-
 3 bly, 1973 Session, chapter one hundred thirty-six (136), section
 4 twenty-two (22), is amended to read as follows:

5 3. If for an office to be filled by the voters of the *county or for the*
 6 *office of county supervisor elected from a district within the county*,
 7 by at least two percent of the party vote in the county *or supervisor*
 8 *district*, as shown by the last general election, or by at least one hun-
 9 dred persons, whichever is less.

1 SEC. 7. Section forty-three point twenty-one (43.21), Code 1973,
 2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section twenty-three (23), is
 4 amended by striking the section and inserting in lieu thereof the fol-
 5 lowing:

6 **43.21 Township office.** The name of a candidate for a township
 7 office shall be printed on the official primary ballot of his party if he

8 files his personal affidavit, in the form prescribed by section forty-
 9 three point eighteen (43.18) of the Code, with the commissioner not
 10 later than five o'clock p.m. of the fifty-fifth day prior to the primary
 11 election. If prior to that time there is presented to the commissioner
 12 a nomination paper signed by at least ten eligible electors of the town-
 13 ship requesting that the name of any person be placed on the primary
 14 ballot as a candidate for a township office, and the nomination paper
 15 is not accompanied by the candidate's personal affidavit, the commis-
 16 sioner shall advise the candidate that such an affidavit is required
 17 before his name may be placed on the ballot.

1 SEC. 8. Section forty-three point forty-five (43.45), subsection six
 2 (6), Code 1973, as amended by Acts of the Sixty-fifth General Assem-
 3 bly, 1973 Session, chapter one hundred thirty-six (136), section thirty-
 4 two (32) is amended to read as follows:

5 6. Seal the precinct election register and the tally sheets and cer-
 6 tificates of the election judges in an envelope, *or other secure con-*
 7 *tainer*, on the outside of which are written or printed in perpendicular
 8 columns the names of the several political parties with the names of
 9 the candidates for the different offices under their party name, and
 10 opposite each candidate's name enter the number of votes cast for such
 11 candidate in said precinct.

1 SEC. 9. Section forty-three point forty-six (43.46), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section thirty-three (33), is
 4 amended to read as follows:

5 **43.46 Delivering returns.** Said judges and clerks shall deliver the
 6 election register, tally sheets, certificates, envelopes containing ballots,
 7 and all unused supplies, within ~~twenty-four hours~~ *two days* after the
 8 close of the polls, to the commissioner who shall carefully preserve the
 9 returns and envelopes in the condition in which received and deliver
 10 them to the county board of canvassers.

1 SEC. 10. Section forty-three point forty-eight (43.48), Code 1973,
 2 is amended to read as follows:

3 **43.48 Elector may ascertain vote cast.** Any elector of the county
 4 shall have the right, before the day fixed for canvassing the returns,
 5 to ascertain the vote cast for any candidate in any precinct in the
 6 county, as shown on the outside of the envelope containing the ~~poll~~
 7 ~~books~~ *election register*.

1 SEC. 11. Section forty-three point fifty-nine (43.59), Code 1973, is
 2 amended to read as follows:

3 **43.59 Death or resignation of candidates.**

4 1. When any primary candidate dies or resigns between the date for
 5 filing nomination papers and the holding of the primary election, the
 6 appropriate county, *legislative district*, or state central committee or
 7 district convention may place one additional name on the ballot.

8 2. Candidates nominated in primary elections may withdraw their
 9 names from the nominations any time prior to sixty-five days preced-
 10 ing the general election and the appropriate county, *legislative district*,
 11 or state central committee or district convention shall designate a
 12 person to fill such vacancy. Vacancies shall be filled by the appropriate

13 central committee or *district convention* within five days following the
14 day of such withdrawal.

1 SEC. 12. Section forty-three point sixty-six (43.66), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section forty-four (44), is
4 amended to read as follows:

5 **43.66 Write-in candidates.** The fact that the candidate who re-
6 ceives the highest number of votes cast for any party's nomination
7 for an office to which section *forty-three point fifty-two (43.52)* or
8 43.65 of the Code is applicable is a person whose name was not printed
9 on the official primary election ballot shall not affect the validity of the
10 person's nomination as a candidate for that office in the general elec-
11 tion. *However, if there is no candidate on the official primary ballot*
12 *of a political party for nomination to a particular office, a write-in*
13 *candidate may obtain the party's nomination to that office in the pri-*
14 *mary if the candidate receives a number of votes equal to at least*
15 *thirty-five percent of the total vote cast for all of that party's candi-*
16 *dates for that office in the last preceding primary election for which*
17 *the party had candidates on the ballot for that office. When two or*
18 *more nominees are required, the division procedure prescribed in sec-*
19 *tion forty-three point fifty-two (43.52) of the Code shall be applied to*
20 *establish the minimum number of write-in votes necessary for nomi-*
21 *nation. If the primary is inconclusive, the necessary nominations shall*
22 *be made in accordance with section forty-three point ninety-seven*
23 *(43.97), forty-three point one hundred one (43.101), or forty-three*
24 *point one hundred nine (43.109) of the Code, whichever is applicable.*

1 SEC. 13. Section forty-three point seventy-three (43.73), Code
2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
3 Session, chapter one hundred thirty-six (136), section forty-eight
4 (48), is amended to read as follows:

5 **43.73 State commissioner to certify nominees.** Not less than fifty-
6 five days before the general election the state commissioner shall cer-
7 tify to each commissioner, under separate party headings, the name of
8 each person nominated as shown by the official canvass made by the
9 executive council, or as certified to him by the proper persons when
10 any person has been nominated by a convention or by a party commit-
11 tee, or by petition, ~~his place of residence~~, the office to which he is
12 nominated, and the order in which the tickets of the several political
13 parties shall appear on the official ballot.

1 SEC. 14. Section forty-three point seventy-four (43.74), Code 1973,
2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section forty-nine (49), is
4 amended to read as follows:

5 **43.74 Certificate in case of additional nominations.** If, after the
6 foregoing certificate has been forwarded, other authorized nominations
7 are certified to the state commissioner, including nominations to be
8 voted on at any time at a special election, the state commissioner shall
9 at once, in the form provided in section 43.73, certify said nominations
10 to the commissioners with a statement showing the reason therefor.
11 *Authorized nominations must be submitted to the state commissioner*
12 *at least forty-five days prior to the general election.*

1 SEC. 15. Section forty-three point seventy-five (43.75), Code 1973,
2 is amended to read as follows:

3 **43.75 Tie vote.** In case of a tie vote resulting in no nomination for
4 any office, the tie shall forthwith be determined by lot by the board of
5 canvassers, ~~or judges of election, as the case may be.~~

1 SEC. 16. Section forty-three point eighty-four (43.84), unnum-
2 bered paragraphs one (1) and two (2) and subsection two (2), Code
3 1973, are amended to read as follows:

4 There shall be a legislative ~~representative~~ *district* central committee
5 for each legislative ~~representative~~ *district*, which committee shall be
6 composed of the same precinct members chosen for each county central
7 committee and who reside within that part of the county located
8 within the legislative ~~representative~~ *district*. A senate legislative central
9 committee shall be composed of the two legislative representative
10 central committees from the two representative districts comprising
11 the senate district. The precinct members of the legislative ~~representa-~~
12 ~~tive~~ *district* central committee for the various parts of counties comprising
13 the representative district ~~or senatorial district, as the case~~
14 ~~may be~~, shall meet and, organize by election of officers, ~~on the next~~
15 ~~Monday following their election and conduct business as appropriate~~
16 at some convenient place within the legislative district to be chosen
17 by the state chairman.

18 The committee shall ~~meet in convention~~, on call of the *state* chair-
19 man to:

20 2. Make nominations of candidates for the party to membership in
21 the general assembly when no *nomination exists due to the failure of*
22 *any candidate to file nomination papers for such office, when no candi-*
23 *date for such office has been nominated at the preceding primary elec-*
24 *tion by reason of the failure of any candidate to receive the legally*
25 *required number of votes cast by such party therefor, or to place a*
26 *name on the ballot as authorized under section forty-three point fifty-*
27 *nine (43.59) of the Code if such convention is held following the*
28 preceding primary election.

1 SEC. 17. Section forty-three point one hundred one (43.101), un-
2 numbered paragraph one (1) and subsection one (1), Code 1973, is
3 amended to read as follows:

4 Each political party shall hold a ~~senatorial, representational or~~ con-
5 gressional *district* convention in districts composed of more than one
6 county:

7 1. When no nomination was made in the primary election for the
8 office of ~~senator or representative in the general assembly, or of repre-~~
9 ~~sentative in Congress, as the case may be~~, because of the failure of a
10 *candidate to file nomination papers for such office, failure of any candi-*
11 *date to receive the legally required number of votes cast by his party*
12 *for such candidates, or to place a name on the ballot as authorized*
13 *under subsection one (1) of section forty-three point fifty-nine (43.59)*
14 *of the Code.*

1 SEC. 18. Section forty-three point one hundred two (43.102), Code
2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
3 Session, chapter one hundred thirty-six (136), section fifty-seven (57),
4 is amended by striking the section and inserting in lieu thereof the
5 following:

6 **43.102 Call for district convention.** When a district convention
 7 is called for any of the purposes listed in section forty-three point one
 8 hundred one (43.101) of the Code, a copy of the call stating the num-
 9 ber of delegates to which each county or portion of a county will be
 10 entitled, and the time, place and purpose of the convention shall be filed
 11 at the earliest practicable time with the commissioner of each county
 12 in which any part of the district is located. The call for the convention
 13 shall be issued by the congressional district chairman, as soon as prac-
 14 ticable after the necessity for a congressional district convention is
 15 known.

1 **SEC. 19.** Section forty-four point four (44.4), unnumbered para-
 2 graph one (1), Code 1973, as amended by Acts of the Sixty-fifth Gen-
 3 eral Assembly, 1973 Session, chapter one hundred thirty-six (136),
 4 section seventy-one (71), is amended to read as follows:

5 Nominations made under *the* provisions of this chapter, ~~chapter 43~~
 6 and chapter 45 which are required to be filed in the office of the state
 7 commissioner shall be filed in ~~said that~~ office not more than eighty-five
 8 nor ~~less than sixty-seven days later than five o'clock p.m. on the sixty-~~
 9 ~~seventh day~~ prior to the date of the general election to be held in
 10 November; and those nominations *made for a special election called*
 11 *pursuant to section sixty-nine point fourteen (69.14) of the Code shall*
 12 *be filed not less than twenty days prior to the date of an election called*
 13 *upon at least forty days' notice and not less than seven days prior to*
 14 *the date of an election called upon at least ten days' notice. Nomina-*
 15 *tions made pursuant to this chapter and chapter forty-five (45) of the*
 16 *Code which are required to be filed in the office of the commissioner*
 17 *shall be filed in said that office not less later than five o'clock p.m. on*
 18 *the ~~fifty-five days~~ fifty-fifth day* prior to the date of ~~said the~~ general
 19 election. ~~Such nominations~~ *Nominations made under this chapter or*
 20 *chapter forty-five (45) of the Code for city office shall be filed not more*
 21 *than sixty-five days nor less later than five o'clock p.m. on the ~~forty~~*
 22 *days fortieth day* prior to the city election with the city clerk, who
 23 shall process them as provided by law.

1 **SEC. 20.** Section forty-four point eleven (44.11), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section seventy-six (76), is
 4 amended to read as follows:

5 **44.11 Vacancies filled.** If a candidate named under this chapter
 6 declines a nomination, or dies before election day, or should any cer-
 7 tificate of nomination be held insufficient or inoperative by the officer
 8 with whom it is required to be filed, or in case any objection made to
 9 any certificate of nomination, or to the eligibility of any candidate
 10 therein named, is sustained by the board appointed to determine such
 11 questions, the vacancy or vacancies thus occasioned may be filled by
 12 the convention, or caucus, or in such manner as such convention or
 13 caucus has previously provided. The vacancy or vacancies shall be
 14 filled not less than sixty days prior to the election in the case of nomi-
 15 nations required to be filed with the state commissioner, not less than
 16 fifty days prior to the election in the case of nominations required to
 17 be filed with the commissioner, and not less than ~~thirty-five~~ *thirty*
 18 *days* prior to the election in the case of nominations required to be
 19 filed in the office of the city clerk.

1 SEC. 21. Section forty-nine point eight (49.8), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred fourteen
 4 (114), is amended by inserting after subsection three (3) the follow-
 5 ing new subsection:

6 **NEW SUBSECTION.** Precinct boundaries established by or pursuant
 7 to section forty-nine point four (49.4) of the Code, and not changed
 8 under subsection one (1) of this section since the most recent federal
 9 decennial census, may be changed once during the period beginning
 10 January first of the second year following a year in which a federal
 11 decennial census is taken and ending June thirtieth of the year im-
 12 mediately following the year in which the next succeeding federal
 13 decennial census is taken, if the commissioner recommends and the
 14 board of supervisors finds that the change will effect a substantial
 15 savings in election costs.

1 SEC. 22. Section forty-nine point eleven (49.11), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred sixteen
 4 (116), is amended to read as follows:

5 **49.11 Notice of boundaries of precincts—merger or division.** The
 6 board of supervisors or council shall number or name the several pre-
 7 cincts established, and cause the boundaries of each to be recorded in
 8 the records of said board of supervisors or council, as the case may be,
 9 and publish notice thereof in some newspaper of general circulation,
 10 published in such county or city, once each week for three consecutive
 11 weeks, the last to be made at least thirty days before the next general
 12 election. The precincts thus established shall continue until changed
 13 in the manner provided by law, except that for any election other than
 14 the primary or general election or *any special election held under sec-*
 15 *tion sixty-nine point fourteen (69.14) of the Code* the county commis-
 16 sioner of elections may consolidate:

17 1. *Consolidate* two or more precincts into one. However, he shall
 18 not do so if there is filed with him at least twenty days before the
 19 election a petition signed by twenty-five or more eligible electors of
 20 any precinct requesting that it not be merged with any other precinct.
 21 There shall be attached to the petition the affidavit of an eligible elec-
 22 tor of the precinct that the signatures on the petition are genuine and
 23 that all of the signers are to the best of the affiant's knowledge and
 24 belief eligible electors of the precinct.

25 If a special election is to be held in which only those qualified electors
 26 residing in a specified portion of any established precinct are entitled
 27 to vote, that portion of the precinct may be merged by the commis-
 28 sioner with one or more other established precincts or portions of
 29 established precincts for the special election, and the right to petition
 30 against merger of a precinct shall not apply.

31 2. *Divide any precinct permanently established under this section*
 32 *which contains all or any parts of two or more mutually exclusive*
 33 *political subdivisions, each of which is independently electing one or*
 34 *more officers on the same date, into two or more temporary precincts*
 35 *and designate a polling place for each.*

36 3. *Notwithstanding the provisions of the first unnumbered para-*
 37 *graph of this section the commissioner may consolidate precincts for*
 38 *any election including a primary and general election if one of the*

39 *precincts involved consists entirely of dormitories that are closed at*
 40 *the time the election is held.*

1 SEC. 23. Section forty-nine point twelve (49.12), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred seventeen
 4 (117), is amended to read as follows:

5 **49.12 Election boards.** There shall be appointed in each election
 6 precinct an election board which shall ordinarily consist of ~~three~~
 7 ~~judges and two clerks~~ *five precinct election officials*. However, in pre-
 8 cincts using only one voting machine at any one time, and in precincts
 9 *voting by paper ballot where no more than one hundred votes were*
 10 *cast in the last preceding similar election, the board shall consist of*
 11 *three judges, two of whom shall also act as clerks, precinct election*
 12 *officials; and in precincts using more than three two voting machines*
 13 *one additional judge precinct election official may be appointed for*
 14 *each such additional machine. Not more than a simple majority of the*
 15 *members of the election board in any precinct shall be members of the*
 16 *same political party or organization if one or more qualified electors*
 17 *of another party or organization are qualified and willing to serve on*
 18 *the board. Double election boards may be appointed for any precinct*
 19 *as provided by chapter fifty-one (51) of the Code.*

20 *If double counting boards are not appointed for precincts using*
 21 *paper ballots and using only three precinct election officials a fourth*
 22 *precinct election official shall be appointed from the election board*
 23 *panel to serve beginning at 8:00 P.M. to assist in counting the paper*
 24 *ballots.*

1 SEC. 24. Section forty-nine point fifteen (49.15), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred nineteen
 4 (119), is amended to read as follows:

5 **49.15 Commissioner to draw up election board panel.** Not less
 6 than twenty days before each primary election, the commissioner shall
 7 draw up for each precinct an election board panel from which members
 8 of the precinct election board shall be appointed for each election held
 9 in the precinct during the ensuing two years. Each panel shall include
 10 members of each of the political parties referred to in section forty-
 11 nine point thirteen (49.13) of the Code, whose names may be desig-
 12 nated by the county chairmen of each of these political parties not less
 13 than thirty days prior to each primary election. The commissioner
 14 may place on the election board panel names of persons known to him
 15 to be members of these political parties, if the respective county chair-
 16 men fail to designate a sufficient number of names, and may also add
 17 names of persons, *whether or not they are* members of either of these
 18 political parties, who have advised him they are willing to serve on the
 19 election board for elections in which no candidates appear on the ballot
 20 under the heading of either of these political parties, *or whom either a*
 21 *school board or the city council of a city of three thousand five hundred*
 22 *or less population has advised the commissioner at least thirty days*
 23 *before each primary election are willing to serve without pay at elec-*
 24 *tions conducted for that school district or city, as the case may be,*
 25 *during the tenure of the election board panel on which these names are*
 26 *included.*

1 SEC. 25. Section forty-nine point sixteen (49.16), subsection two
2 (2), Code 1973, as amended by Acts of the Sixty-fifth General Assem-
3 bly, 1973 Session, chapter one hundred thirty-six (136), section one
4 hundred twenty (120), is amended to read as follows:

5 2. When all or portions of two or more precincts are merged for any
6 election as permitted by section forty-nine point eleven (49.11), *sub-*
7 *section one (1)*, of the Code, the commissioner may appoint the elec-
8 tion board for the merged precinct from the election board panels of
9 any of the precincts so merged. *When any permanent precinct is*
10 *divided as permitted by section forty-nine point eleven (49.11), sub-*
11 *section two (2), of the Code, the commissioner shall so far as possible*
12 *appoint the election board for each of the temporary precincts so cre-*
13 *ated from the election board panel of the permanent precinct.*

1 SEC. 26. Section forty-nine point sixteen (49.16), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred twenty
4 (120), is amended by adding the following new subsection:

5 NEW SUBSECTION. In appointing the election board for any elec-
6 tion conducted for any school district or a city of three thousand five
7 hundred or less population, the commissioner may give preference to
8 any persons who are willing to serve without pay at those elections.

1 SEC. 27. Section forty-nine point twenty (49.20), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred twenty-two
4 (122), is amended to read as follows:

5 **49.20 Compensation of members.** The members of election boards
6 shall receive two dollars per hour while engaged in the discharge of
7 their duties and ten cents per mile for actual and necessary travel,
8 *except that persons whom the commissioner has been advised prior to*
9 *their appointment to the election board are willing to serve without*
10 *pay at elections conducted for any school district or a city of three*
11 *thousand five hundred or less population shall receive no compensa-*
12 *tion for service at those elections.* Compensation shall be paid to
13 members of election boards only after the vote has been canvassed and
14 it has been determined in the course of such canvass that the election
15 record certificate has been properly executed by the election board.

1 SEC. 28. Section forty-nine point twenty-one (49.21), Code 1973,
2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred twenty-
4 three (123), is amended by inserting before unnumbered paragraph
5 one (1) of that section the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. It is the responsibility of the
7 commissioner to designate a polling place for each precinct in the
8 county.

1 SEC. 29. Section forty-nine point twenty-five (49.25), unnumbered
2 paragraph one (1), Code 1973, as amended by Acts of the Sixty-fifth
3 General Assembly, 1973 Session, chapter one hundred thirty-six (136),
4 section one hundred twenty-six (126), is amended to read as follows:

5 In any county or portion of a county ~~where~~ for which voting
6 machines ~~are not in use~~ ~~the~~ have been acquired under section fifty-two
7 point two (52.2) of the Code the commissioner shall determine pur-

8 *suant to section forty-nine point twenty-six (49.26) of the Code, in*
 9 *advance of each election conducted for any school district or a city of*
 10 *three thousand five hundred or less population, and individually for*
 11 *each precinct, whether voting in that election shall be by machine or*
 12 *by paper ballot. The commissioner shall furnish to each precinct*
 13 *where paper ballots are to be used the necessary ballot boxes, suitably*
 14 *equipped with locks and keys, and shall insure that the number, ar-*
 15 *rangement, and construction of voting booths at the polling place in*
 16 *each precinct are as follows:*

1 SEC. 30. Section forty-nine point twenty-six (49.26), Code 1973,
 2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred twenty-
 4 seven (127), is amended by striking the section and inserting in lieu
 5 thereof the following:

6 **49.26 Commissioner to decide method of voting.** When voting
 7 machines are available for an election precinct, the commissioner shall
 8 determine in advance of each election conducted for any school district
 9 or a city of three thousand five hundred or less population in which
 10 voting occurs in that precinct whether voting there shall be by ma-
 11 chine or paper ballot. If the commissioner concludes, on the basis of
 12 voter turnout for recent similar elections and factors considered likely
 13 to affect voter turnout for the forthcoming election, that voting will
 14 probably be so light as to make preparation and use of paper ballots
 15 less expensive than preparation and use of a voting machine, paper
 16 ballots shall be used.

1 SEC. 31. Section forty-nine point twenty-eight (49.28), Code 1973,
 2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred twenty-nine
 4 (129), is amended to read as follows:

5 **49.28 Commissioner to furnish registers and supplies.** The com-
 6 missioner shall prepare and furnish to each precinct an election regis-
 7 ter, and all other books, blanks, materials, and supplies necessary to
 8 carry out the provisions of this chapter. Voter registration records
 9 shall be kept so that the election register for each precinct contains
 10 the names of no electors except those eligible to vote in that precinct.
 11 When a precinct lies in more than one political subdivision or district
 12 from which any officer is elected, the election register must clearly
 13 indicate who are the eligible electors of each political subdivision or
 14 district in which the precinct lies. *The election register does not need*
 15 *to indicate the eligible electors of school director districts.*

1 SEC. 32. Section forty-nine point thirty (49.30), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred thirty-one
 4 (131), is amended to read as follows:

5 **49.30 All candidates on one ballot—exception.** The names of all
 6 candidates to be voted for in each election precinct, ~~except~~ *other than*
 7 presidential electors, shall be printed on one ballot, *except as otherwise*
 8 *required by section forty-six point twenty-two (46.22) of the Code and*
 9 *except that at any election where voting machines are used, and it is*
 10 *impossible to place the names of all candidates on the machine ballot,*
 11 *the commissioner may provide a separate printed ballot for the candi-*

12 dates for judge of district court and the township ticket, or either;
13 one of each of said printed ballots to be furnished each qualified voter.

1 SEC. 33. Section forty-nine point forty-nine (49.49), Code 1973, is
2 amended to read as follows:

3 **49.49 Printing of ballots on public measures.** All of such ballots for
4 the same polling place shall be of the same size, similarly printed, upon
5 yellow colored paper. On the back of each such ballot shall be printed
6 appropriate words, showing that such ballot relates to a constitutional
7 or other question to be submitted to the electors, so as to distinguish
8 the said ballots from the official ballot for candidates for office, and a
9 facsimile of the signature of the ~~auditor or other officer~~ *commissioner*
10 who has caused the ballot to be printed.

1 SEC. 34. Section forty-nine point fifty-three (49.53), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred thirty-eight
4 (138), is amended by striking the section and inserting in lieu thereof
5 the following:

6 **49.53 Publication of ballot and notice.** The commissioner shall not
7 less than four nor more than twenty days prior to the day of each
8 election, except those for which different publication requirements are
9 prescribed by law, publish notice of the election. The notice shall con-
10 tain a sample ballot of the first rotation as prescribed by section forty-
11 nine point thirty-one (49.31), unnumbered paragraph two (2), of the
12 Code and shall show the names of all candidates or nominees and the
13 office each seeks, and all public questions, to be voted upon at the elec-
14 tion. The notice shall also state the date of the election, the hours the
15 polls will be open, the location of each polling place at which voting is
16 to occur in the election, and the names of the precincts voting at each
17 polling place. The notice shall be published in at least one newspaper,
18 as defined in section six hundred eighteen point three (618.3) of the
19 Code, which is published in the county or other political subdivision in
20 which the election is to occur or, if no newspaper is published there,
21 in at least one newspaper of substantial circulation in the county or
22 political subdivision. For the general election or the primary election
23 the foregoing notice shall be published in at least two newspapers pub-
24 lished in the county representing, if possible, the two political parties
25 whose candidates for president of the United States or for governor,
26 as the case may be, received the largest and next largest number of
27 votes in the county at the last preceding general election. However,
28 if there is only one newspaper published in the county, publication in
29 one newspaper shall be sufficient.

1 SEC. 35. Section forty-nine point fifty-four (49.54), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred thirty-nine
4 (139), is amended to read as follows:

5 **49.54 Cost of publication of ballot.** ~~For~~ *The cost of the publication*
6 *of the official ballot and accompanying notice in the manner required*
7 *by section forty-nine point fifty-three (49.53) of the Code, the cost*
8 *shall not exceed an amount determined by the director of the state*
9 *department of general services or his designee.*

1 SEC. 36. Section forty-nine point fifty-seven (49.57), subsection
2 five (5), Code 1973, as amended by Acts of the Sixty-fifth General
3 Assembly, 1973 Session, chapter one hundred thirty-six (136), section
4 one hundred forty-two (142), is amended to read as follows:

5 5. On the outside of the ballot, so as to appear when folded, shall be
6 printed the words "Official ballot", followed by the ~~designation~~ *name*
7 *and location* of the polling place for which the ballot is prepared, the
8 date of the election, and a facsimile of the signature of the commis-
9 sioner who has caused the ballot to be printed.

1 SEC. 37. Section forty-nine point seventy-three (49.73), Code 1973,
2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred fifty-three
4 (153), is amended to read as follows:

5 **49.73 Time of opening and closing polls.** At all elections, *except*
6 *as otherwise permitted by this section*, the polls shall be opened at
7 seven o'clock a.m., or as soon thereafter as vacancies in the places of
8 ~~judges or clerks of~~ *on the precinct* election board have been filled. *The*
9 *commissioner may direct that the polls be opened at twelve o'clock*
10 *noon for any election conducted for any school district or a city of*
11 *three thousand five hundred or less population at which he concludes,*
12 *on the basis of voter turnout for recent similar elections and factors*
13 *considered likely to affect voter turnout for the forthcoming election,*
14 *that voting will probably be so light as to justify shortened voting*
15 *hours for that election, except that the commissioner shall not do so*
16 *for any election if there is filed in the commissioner's office, at least*
17 *twenty days before the election, a petition signed by at least fifty eli-*
18 *gible electors of the school district or city, as the case may be, request-*
19 *ing that the polls not be opened later than seven o'clock a.m. All polling*
20 *places where the candidates of or any public question submitted by any*
21 *one political subdivision are being voted upon shall be opened at the*
22 *same hour. The hours at which the respective precinct polling places*
23 *are to open shall not be changed after publication of the notice required*
24 *by section forty-nine point fifty-three (49.53) of the Code. In all cases*
25 the polling places shall be closed at eight o'clock p.m.

1 SEC. 38. Section forty-nine point eighty-two (49.82), Code 1973, is
2 amended to read as follows:

3 **49.82 Voter to receive one ballot—endorsement by judge.** One of
4 the ~~judges of~~ *precinct election officials* shall give the voter one ballot
5 and only one of each of the ballots to be voted at that election in that
6 precinct, *except as provided by section forty-nine point one hundred*
7 *(49.100) of the Code*, on the back of which a ~~judge precinct election~~
8 official shall endorse his initials, ~~in such manner~~ so that they may be
9 seen when the ballot is properly folded. No ballot without ~~said the~~
10 *required* official endorsement shall be deposited in the ballot box. ~~The~~
11 ~~voter's name shall immediately be checked on the registry list.~~

1 SEC. 39. Section forty-nine point eighty-four (49.84), Code 1973,
2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section one hundred sixty-two
4 (162), is amended to read as follows:

5 **49.84 Marking and return of ballot.** On receipt of the ballot, the
6 voter shall, ~~without leaving the enclosed space,~~ *immediately* retire alone
7 to one of the voting booths, and without delay mark his ballot, and,

8 before leaving the voting booth, shall fold the ~~same in such manner~~
 9 ~~ballot so as to conceal the marks thereon, and deliver the same it to~~
 10 one of the ~~judges of precinct~~ election officials. No identifying mark or
 11 symbol shall be endorsed on the back of his ballot.

1 SEC. 40. Section forty-nine point eighty-five (49.85), Code 1973, is
 2 amended to read as follows:

3 **49.85 Depositing ballots.** One of the ~~judges of precinct~~ election
 4 ~~officials~~ shall at once, after receiving the ballot, in the presence of the
 5 voter, deposit ~~such ballot it~~ in the ballot box ~~and the voter shall quit~~
 6 ~~said enclosed space as seen as he has voted.~~

1 SEC. 41. Chapter forty-nine (49), Code 1973, is amended by add-
 2 ing the following new section:

3 **NEW SECTION. Optional authority for certain city elections.** The
 4 commissioner may appoint unpaid election precinct officials to election
 5 boards, as provided by sections forty-nine point fifteen (49.15), forty-
 6 nine point sixteen (49.16) and forty-nine point twenty (49.20) of the
 7 Code, elect not to use voting machines even though they are available,
 8 as permitted by section forty-nine point twenty-six (49.26) of the
 9 Code, and direct that the polls be opened at twelve o'clock noon, as
 10 permitted by section forty-nine point seventy-three (49.73) of the
 11 Code, for any election held for a city, regardless of the city's popula-
 12 tion, if there is no contest for any office on the ballot and no public
 13 question is being submitted to the voters at that election.

1 SEC. 42. Section fifty point eight (50.8), Code 1973, as amended by
 2 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
 3 hundred thirty-six (136), section one hundred eighty-three (183), is
 4 amended to read as follows:

5 **50.8 Error on state or district office—tie vote.** If the error be in
 6 relation to a district or state office, it shall be certified with the number
 7 of the excess to the state ~~canvassers~~ commissioner. If the error affects
 8 the result of the election, the canvass shall be suspended and a new
 9 vote ordered in the precinct where the error occurred. When there is a
 10 tie vote due to such an excess, there shall be a new election. No person
 11 who was not a qualified elector in that precinct at the time of the gen-
 12 eral election shall be allowed to vote at such special election. When the
 13 new vote is taken and returned, the canvass shall be completed.

1 SEC. 43. Section fifty point nineteen (50.19), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred ninety-one
 4 (191), is amended to read as follows:

5 **50.19 Preservation of books—when destroyed.** The commissioner
 6 shall file precinct election registers, and ~~the registry lists and other~~
 7 ~~papers pertaining to registration, together with the affidavits declara-~~
 8 ~~tions of eligibility signed by voters at the election, in his office and~~
 9 ~~preserve the same for four years and until the determination of any~~
 10 ~~contest then pending, after which they shall be destroyed.~~

1 SEC. 44. Section fifty point twenty-seven (50.27), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred ninety-six
 4 (196), is amended to read as follows:

5 **50.27 Declaration of election.** Each abstract of the votes for such
6 officers as the county alone elects at the general election, except dis-
7 trict judges and senators and representatives in the general assembly,
8 or of the votes for officers of political subdivisions whose elections are
9 conducted by the commissioner, shall contain a declaration of whom
10 the canvassers determine to be elected. *Each abstract of votes for and*
11 *against each public question submitted to and decided by the voters of*
12 *the county alone, or of a single political subdivision whose elections the*
13 *county board canvasses, shall contain a declaration of the result as*
14 *determined by the canvassers. When a public question has been sub-*
15 *mitted to the voters of a political subdivision whose elections the*
16 *county board canvasses, the commissioner shall certify a duplicate of*
17 *the abstract and declaration to the governing body of the political*
18 *subdivision.*

1 SEC. 45. Section fifty point thirty-seven (50.37), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section two hundred five (205),
4 is amended to read as follows:

5 **50.37 State canvassing board.** The executive council shall consti-
6 tute a board of canvassers of all abstracts of votes required to be filed
7 with the state commissioner, except for the offices of governor and
8 lieutenant governor. No member of such board shall take part in can-
9 vassing the votes for an office for which he is a candidate. *Any clerical*
10 *error found by the state board of canvassers shall be corrected by the*
11 *county commissioner in a letter addressed to the state board of can-*
12 *vassers.*

1 SEC. 46. Section fifty point thirty-nine (50.39), Code 1973, is
2 amended to read as follows:

3 **50.39 Abstract.** It shall make an abstract stating, in words writ-
4 ten at length, the number of ballots cast for each office, the names of
5 all the persons voted for, for what office, the number of votes each
6 received, and whom it declares to be elected, *and if a public question*
7 *has been submitted to the voters of the state, the number of ballots*
8 *cast for and against the question and a declaration of the result as*
9 *determined by the canvassers; which abstract shall be signed by the*
10 *canvassers in their official capacity and as state canvassers, and have*
11 *the seal of the state affixed.*

1 SEC. 47. Section fifty point forty-two (50.42), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section two hundred seven
4 (207), is amended to read as follows:

5 **50.42 Certificates mailed.** The state commissioner shall *prepare*
6 *and deliver or mail certificates of election to the persons declared*
7 *elected.*

1 SEC. 48. Section fifty-two point nine (52.9), unnumbered para-
2 graph one (1), Code 1973, as amended by Acts of the Sixty-fifth Gen-
3 eral Assembly, 1973 Session, chapter one hundred thirty-six (136),
4 section two hundred twenty-four (224), is amended to read as follows:

5 The commissioner having jurisdiction of any precinct for which the
6 board of supervisors has adopted voting by machine shall, as soon as
7 practicable thereafter, provide for the precinct polling place one or

8 more voting machines in complete working order, and shall thereafter
9 keep them in repair, and shall have the custody thereof and of the
10 furniture and equipment of the polling place when not in use at an
11 election. *The machines shall be used for voting at all elections unless*
12 *the commissioner directs otherwise pursuant to section forty-nine*
13 *point twenty-six (49.26) of the Code.* If it shall be impracticable to
14 supply each and every election precinct for which machine voting has
15 been adopted with a voting machine or voting machines at any election
16 following such adoption, as many may be supplied as it is practicable
17 to procure, and the same may be used in such election precincts as the
18 commissioner may direct.

1 SEC. 49. Section fifty-two point thirteen (52.13), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section two hundred twenty-six
4 (226), is amended to read as follows:

5 **52.13 Sample ballots.** The commissioner shall provide for each
6 precinct polling place at which votes are to be cast by machine two
7 sample ballots, which shall be arranged in the form of a diagram
8 showing the entire front of the voting machine as it will appear after
9 the official ballots are arranged for voting on election day. Such sample
10 ballots shall be open to public inspection at such polling place during
11 the day of election ~~and the day next preceding election day.~~

1 SEC. 50. Section fifty-two point sixteen (52.16), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section two hundred twenty-
4 eight (228), is amended to read as follows:

5 **52.16 Duties of election officers—~~independent~~ ballots.** The elec-
6 tion board of each precinct in which votes are to be cast by machine
7 shall meet at the precinct polling place, at least one hour before the
8 time set for the opening of the polls at each election, and shall proceed
9 to arrange ~~within the guardrail~~ the furniture, stationery, and voting
10 machine for the conduct of the election. The ~~judges board~~ shall cause
11 at least two instruction cards to be posted conspicuously within the
12 polling place. If not previously done, they shall arrange, in their
13 proper place on the voting machine, the ballots containing the names
14 of the offices to be filled at such election, and the names of the candi-
15 dates nominated therefor. If not previously done, the machine shall
16 be so arranged as to show that no vote has been cast, and the same
17 shall not be thereafter operated, except by electors in voting. Before
18 the polls are open for election, ~~each judge the board~~ shall carefully
19 examine every machine and see that no vote has been cast, and the
20 same shall be subject to inspection of the election officers. Ballots
21 voted for any person whose name does not appear on the machine as a
22 nominated candidate for office, are herein referred to as independent
23 ballots. When two or more persons are to be elected to the same office,
24 and the machine requires that all independent ballots voted for that
25 office be deposited in a single receptacle or device, an elector may vote
26 in or by such receptacle or device for one or more persons whose
27 names do not appear upon the machine with or without the names of
28 one or more persons whose names do so appear. With that exception,
29 and except for presidential electors, no independent ballot shall be
30 voted for any person for any office whose name appears on the machine

31 as a nominated candidate for that office; any independent ballot so
 32 voted shall not be counted. An independent ballot must be cast in its
 33 appropriate place on the machine, or it shall be void and not counted.

1 SEC. 51. Section fifty-two point twenty-two (52.22), Code 1973,
 2 unnumbered paragraph one (1), as amended by the Acts of the Sixty-
 3 fifth General Assembly, 1973 Session, chapter one hundred thirty-six
 4 (136), section two hundred thirty (230), is amended to read as fol-
 5 lows:

6 The judges of election shall, as soon as the count is completed and
 7 fully ascertained as in this chapter required, lock the machine against
 8 voting, and it shall so remain until thirty days after the proclamation
 9 of the results of said election, except that it shall remain locked only
 10 ten days after a primary election, including a city primary election,
 11 if such election is not contested. However, if the machines in any
 12 precinct are so constructed as to deliver, immediately upon conclusion
 13 of the voting at any election, multiple copies of a printed record of the
 14 votes cast and the totals for each candidate or question appearing on
 15 the face of the machine, the machines may be unlocked ~~upon expiration~~
 16 ~~of the time for requesting a recount of votes in a primary election or~~
 17 ~~for contesting any other election, immediately following the canvass of~~
 18 ~~votes unless the precinct election board informs the commissioner that~~
 19 ~~the printed record produced by the machine is smeared, torn or other-~~
 20 ~~wise unreadable. In the latter case, the machines shall be kept locked~~
 21 ~~for the period of time prescribed for machines which do not print~~
 22 ~~such a record.~~

1 SEC. 52. Section fifty-two point twenty-five (52.25), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section two hundred thirty-three
 4 (233), is amended to read as follows:

5 **52.25 Summary of amendment or public measure.** The question of
 6 a constitutional convention, amendments and public measures including
 7 bond issues may be voted on the voting machines in the following man-
 8 ner:

9 The entire convention question, amendment or public measure shall
 10 be printed and displayed prominently in at least two places within the
 11 voting precinct and on the left-hand side inside the curtain of each
 12 voting machine, said printing to be in conformity with the provisions
 13 of chapter 49. The public measure shall be summarized by the ~~auditor~~
 14 ~~or city clerk commissioner~~ and in the largest type possible printed on
 15 the inserts used in said voting machines, except in the case of the
 16 question of a constitutional convention, or of an amendment or mea-
 17 sure to be voted on in more than one county, the summary to be placed
 18 in the voting machine inserts shall be worded by the state commis-
 19 sioner of elections as required by section forty-nine point forty-four
 20 (49.44) of the Code.

1 SEC. 53. Section fifty-three point two (53.2), unnumbered para-
 2 graph three (3), Code 1973, as amended by Acts of the Sixty-fifth
 3 General Assembly, 1973 Session, chapter one hundred thirty-six (136),
 4 section two hundred thirty-five (235), is amended to read as follows:

5 Each application shall contain the name *and signature* of the quali-
 6 fied elector, the address at which he is qualified to vote, and the name

7 or date of the election for which the absentee ballot is requested, and
8 such other information as may be necessary to determine the correct
9 absentee ballot for the qualified elector. If insufficient information has
10 been provided, the commissioner shall, by the best means available,
11 obtain the additional necessary information.

1 SEC. 54. Section fifty-three point eleven (53.11), Code 1973, as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred thirty-six (136), section two hundred thirty-eight
4 (238), is amended to read as follows:

5 **53.11 Personal delivery of absentee ballot.** The commissioner shall
6 deliver an absentee ballot to any qualified elector applying in person at
7 his office not more than forty days before the date of the general elec-
8 tion ~~and~~ or the primary election, and for all other elections, as soon as
9 the ballot is available. The qualified elector shall immediately mark
10 the ballot, enclose it in a ballot envelope with proper affidavit, and
11 return the absentee ballot to the commissioner. The commissioner
12 shall record the numbers appearing on the application and ballot
13 envelope along with the name of the qualified elector. *The commis-*
14 *sioner of any county in which there is located a city of twenty-five*
15 *thousand or more population, which is not the county seat, may permit*
16 *qualified electors to appear in person at some designated place within*
17 *each such city and there cast an absentee ballot in the manner pre-*
18 *scribed by this section.*

1 SEC. 55. Section fifty-three point seventeen (53.17), unnumbered
2 paragraph two (2), Code 1973, as amended by Acts of the Sixty-fifth
3 General Assembly, 1973 Session, chapter one hundred thirty-six (136),
4 section two hundred forty-one (241), is amended to read as follows:

5 An applicant who is a resident or patient in a health care facility or
6 hospital *located in the county to which the application has been sub-*
7 *mitted* shall have his absentee ballot delivered to him by one member
8 of each of the political parties referred to in section forty-nine point
9 thirteen (49.13) of the Code, who shall be appointed by the commis-
10 sioner from the panel drawn up as provided by section forty-nine
11 point fifteen (49.15) of the Code for the special precinct established by
12 section fifty-three point twenty-three (53.23) of the Code. The per-
13 sons so appointed by the commissioner shall be notaries public and
14 shall be sworn in the manner provided by section forty-nine point
15 seventy-five (49.75) of the Code for election board members. They
16 may assist the qualified electors in filling out the ballot as provided in
17 section forty-nine point ninety (49.90) of the Code. The voted absentee
18 ballots shall be deposited in a sealed container which shall be returned
19 to the commissioner on the same day.

1 SEC. 56. Section fifty-three point twenty-three (53.23), unnum-
2 bered paragraphs two (2) and three (3), Code 1973, as amended by
3 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
4 hundred thirty-six (136), section two hundred forty-five (245), are
5 amended to read as follows:

6 The election board of the special precinct shall be known as the
7 absentee ballot counting board. There shall be only one absentee ballot
8 counting board existing at any time in each county, and when two or
9 more political subdivisions in the county hold elections simultaneously

10 the absentee ballot counting board shall count absentee ballots cast in
 11 all of the elections so held. The commissioner shall appoint the absen-
 12 tee ballot counting board in the manner prescribed in sections 49.12
 13 and ~~49.15~~ *forty-nine point thirteen (49.13) of the Code*, except that
 14 the number of *precinct election judges and clerks officials* on the
 15 absentee ballot counting board shall be sufficient to complete the count-
 16 ing of absentee ballots by nine o'clock p.m. *and*

17 ~~The commissioner~~ shall set the convening time for the ~~absentee~~
 18 ~~ballot counting~~ board, allowing a reasonable amount of time to com-
 19 plete counting the absentee ballots prior to ~~closing of the polls that~~
 20 *hour. The commissioner may direct the board to meet on the day prior*
 21 *to the election solely for the purpose of reviewing the absentee voters'*
 22 *affidavits appearing on the sealed ballot envelopes, if in the commis-*
 23 *sioner's judgment this procedure is necessary due to the number of*
 24 *absentee ballots received, but under no circumstances shall a sealed*
 25 *ballot envelope be opened before the board convenes on election day.*

1 SEC. 57. Section fifty-three point forty-nine (53.49), Code 1973, is
 2 amended by striking unnumbered paragraph three (3).

1 SEC. 58. Section sixty-nine point eleven (69.11), Code 1973, is
 2 amended to read as follows:

3 **69.11 Tenure of vacancy appointee.** An officer filling a vacancy in
 4 an office which is filled by election of the people shall continue to hold
 5 until the next ~~regular~~ election at which such vacancy can be filled as
 6 *provided by section sixty-nine point twelve (69.12) of the Code*, and
 7 until a successor is elected and qualified. Appointments to all other
 8 offices, made under this chapter, shall continue for the remainder of
 9 the term of each office, and until a successor is appointed and qualified.

1 SEC. 59. Section sixty-nine point twelve (69.12), Code 1973, is
 2 amended by striking the section and inserting in lieu thereof the fol-
 3 lowing:

4 **69.12 Officers elected to fill vacancies—tenure.** When a vacancy
 5 occurs in any elective office of a political subdivision of this state, and
 6 a method for electing a person to the vacant office for the remainder of
 7 the unexpired term is not otherwise provided by law, the vacancy shall
 8 be filled pursuant to this section. As used in this section, "pending
 9 election" means any election at which there will be on the ballot either
 10 the office in which the vacancy exists, or any other office to be filled or
 11 any public question to be decided by the voters of the same political
 12 subdivision.

13 1. If the unexpired term in which the vacancy occurs has more than
 14 seventy days to run after the date of the next pending election, the
 15 vacancy shall be filled as follows:

16 a. A vacancy occurring forty or more days prior to the next pending
 17 election shall be filled at that election. The fact that absentee ballots
 18 were distributed or voted before the vacancy occurred or was declared
 19 shall not invalidate the election.

20 b. A vacancy occurring less than forty days prior to the next pend-
 21 ing election shall be filled by appointment as provided by law until the
 22 succeeding pending election.

23 2. When the unexpired term of office in which the vacancy occurs
 24 will expire within seventy days after the date of the next pending

25 election, or after the date of a preceding election in which that office
 26 was on the ballot, the person elected to the office for the succeeding
 27 term shall also be deemed elected to fill the remainder of the unexpired
 28 term. If the vacancy is on a multi-member body to which more than
 29 one nonincumbent is elected for the succeeding term, the nonincum-
 30 bent* who received the most votes shall be deemed elected to fill the
 31 remainder of the unexpired term. A person so elected to fill an un-
 32 expired term shall qualify within the time required by sections sixty-
 33 three point three (63.3) and sixty-three point eight (63.8) of the Code.
 34 Unless other requirements are imposed by law, qualification for the
 35 unexpired term shall also constitute qualification for the full term to
 36 which the person was elected.

1 SEC. 60. Section two hundred seventy-three point five (273.5),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section two hun-
 4 dred fifty-eight (258), is amended to read as follows:

5 **273.5 Nomination papers.** Nomination papers in behalf of a candi-
 6 dicate for member of the county board of education shall be filed with
 7 the county superintendent of schools not more than sixty-five days,
 8 nor less than forty days prior to the election at which a member is
 9 to be elected. Nomination petitions shall be filed not later than five
 10 o'clock p.m. on the last day for filing. Each candidate shall be nomi-
 11 nated by a petition signed by not less than twenty-five eligible elec-
 12 tors of the area from which a member is to be elected, which petition
 13 shall state the name of the area from which a member is to be elected,
 14 the office to which he is to be elected, the name of the candidate and
 15 that he is a resident and elector in the named area. Signers of the
 16 petition shall, in addition to signing their names, show their residence,
 17 including street and number, if any, the school district in which they
 18 reside, and the date of signing, and each nomination paper shall have
 19 appended to it an affidavit of an elector other than the candidate in
 20 substantially the form provided in section 43.17 except as to the party
 21 affiliation. *The petition shall include the affidavit of the candidate*
 22 *being nominated, stating his name, his residence, that he is a candi-*
 23 *date and is eligible for the office he seeks, and that if elected he will*
 24 *qualify for the office.*

25 The county superintendent of schools shall deliver all nomination
 26 petitions to the county commissioner of elections not later than five
 27 o'clock p.m. on the day following the last day on which nomination
 28 petitions can be filed. *Any person on whose behalf nomination peti-*
 29 *tions have been filed under this section may withdraw as a candidate*
 30 *by filing a signed statement to that effect with the commissioner at*
 31 *any time prior to five o'clock p.m. on the twenty-first day before the*
 32 *election.*

1 SEC. 61. Section two hundred seventy-three point seven (273.7),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section two hun-
 4 dred fifty-nine (259), is amended to read as follows:

5 **273.7 Canvass.** Within five days following the election, the county
 6 commissioner of elections shall make return of the votes cast in said

*According to enrolled Act

7 district, ~~to the county board of education~~ on forms provided therefor,
 8 ~~and to the county board of supervisors,~~ *which* shall meet at eight
 9 o'clock a.m. on the last Monday in September, and canvass the vote
 10 and the county commissioner of elections shall issue certificates of
 11 election.

1 SEC. 62. Section two hundred seventy-five point eighteen (275.18),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section two hun-
 4 dred sixty-one (261), is amended to read as follows:

5 275.18 **Special election called—time.** When the boundaries of the
 6 territory to be included in a proposed school corporation and the num-
 7 ber and method of the election of the school directors of such proposed
 8 school corporation have been determined as herein provided, the
 9 county superintendent with whom such petition is filed shall call a
 10 special election in such proposed school corporation within thirty days
 11 from the date of the final determination of such boundaries and serve
 12 notice on the county commissioner of elections of the county in the
 13 proposed school corporation which has the greatest taxable base in the
 14 proposed school corporation. The county commissioner of elections
 15 shall give notice of the election by one publication in the same news-
 16 paper in which previous notices have been published regarding the
 17 proposed school reorganization, and in addition thereto, if more than
 18 one county is involved, by one publication in a legal newspaper in each
 19 county other than that of the first publication, which publication shall
 20 be not less than ~~ten~~ *four* nor more than ~~fifteen~~ *twenty* days prior to the
 21 election. In the case of joint districts, no notice for an election shall be
 22 published until the time for appeal, which shall be the same as that
 23 provided in section 285.12, has expired; and in the event of an appeal,
 24 not until the same has been disposed of.

1 SEC. 63. Section two hundred seventy-five point thirty-seven
 2 (275.37), Code 1973, as amended by Acts of the Sixty-fifth General
 3 Assembly, 1973 Session, chapter one hundred thirty-six (136), section
 4 two hundred sixty-six (266), is amended by striking the section and
 5 inserting in lieu thereof the following:

6 275.37 **Increase in number of directors.** At the next succeeding
 7 annual school election in a district where the number of directors has
 8 been increased from five to seven, and directors are elected at large,
 9 there shall be elected a director to succeed each incumbent director
 10 whose term is expiring in that year, and two additional directors.
 11 Upon organizing as required by section two hundred seventy-nine
 12 point one (279.1) of the Code, the newly elected director who received
 13 the fewest votes in the election shall be assigned a term of either one
 14 year or two years if necessary in order that as nearly as possible one
 15 third of the members of the board shall be elected each year.

1 SEC. 64. Section two hundred seventy-five point thirty-eight
 2 (275.38), Code 1973, is amended by striking the section and inserting
 3 in lieu thereof the following:

4 275.38 **Implementing changed method of election.** If change in
 5 the method of election of school directors is approved at a regular or
 6 special school election, the directors who were serving unexpired terms
 7 or were elected concurrently with approval of the change of method

8 shall serve out the terms for which they were elected. If the plan
 9 adopted is that described in section two hundred seventy-five point
 10 twelve (275.12), subsection two (2), paragraph b, c or d, of the Code,
 11 the board shall at the earliest practicable time designate the districts
 12 from which residents are to be elected as school directors at each of the
 13 next three succeeding annual school elections, arranging so far as
 14 possible for elections of directors as residents of the respective dis-
 15 tricts to coincide with the expiration of terms of incumbent members
 16 residing in those districts. If an increase in the size of the board from
 17 five to seven members is approved concurrently with the change in
 18 method of election of directors, the board shall make the necessary
 19 adjustment in the manner prescribed in section two hundred seventy-
 20 five point thirty-seven (275.37) of the Code, as well as providing for
 21 implementation of the districting plan under this section.

1 SEC. 65. Section two hundred seventy-seven point four (277.4),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section two hun-
 4 dred sixty-eight (268), is amended to read as follows:

5 **277.4 Nominations required.** Nomination papers for all candidates
 6 for election to office in each school district shall be filed with the secre-
 7 tary of the school board not more than sixty-five days, nor less than
 8 forty days prior to the election. Nomination petitions shall be filed not
 9 later than five o'clock p.m. on the last day for filing. Each candidate
 10 shall be nominated by a petition signed by not less than ten ~~qualified~~
 11 *eligible* electors of the district. To each such petition shall be attached
 12 the affidavit of a ~~qualified~~ *an eligible* elector of the district, *other than*
 13 *the candidate being nominated*, that all of the signers thereof are elec-
 14 tors of such district and that the signatures thereto are genuine. *The*
 15 *petition shall include the affidavit of the candidate being nominated,*
 16 *stating his name, his residence, that he is a candidate and is eligible*
 17 *for the office he seeks, and that if elected he will qualify for the office.*

18 The secretary of the school board shall deliver all nomination peti-
 19 tions to the county commissioner of elections not later than five o'clock
 20 p.m. on the day following the last day on which nomination petitions
 21 can be filed. *Any person on whose behalf nomination petitions have*
 22 *been filed under this section may withdraw as a candidate by filing a*
 23 *signed statement to that effect with the commissioner at any time*
 24 *prior to five o'clock p.m. on the twenty-first day before the election.*

1 SEC. 66. Section two hundred seventy-seven point twenty-seven
 2 (277.27), Code 1973, is amended to read as follows:

3 **277.27 Qualification.** A school officer or member of the board
 4 shall, at the time of election or appointment, be a ~~qualified voter an~~
 5 *eligible elector* of the corporation or subdistrict. Notwithstanding any
 6 contrary provision of the Code, no member of the board of directors
 7 of any school district, or his or her spouse, shall receive compensation
 8 directly from the school board. No director or spouse affected by this
 9 provision on July 1, 1972, whose term of office for which elected has
 10 not expired, or whose contract of employment has a fixed date of
 11 expiration and has not expired, shall be affected by this provision until
 12 the expiration of the term of office to which elected, or the expiration
 13 date of the contract for which employed.

1 SEC. 67. Section two hundred seventy-eight point one (278.1), sub-
2 section ten (10), Code 1973, is amended to read as follows:

3 10. Authorize the establishment *or abandonment* of director dis-
4 tricts or a change of boundaries of director districts.

1 SEC. 68. Section two hundred seventy-nine point seven (279.7),
2 unnumbered paragraph one (1), Code 1973, as amended by Acts of
3 the Sixty-fifth General Assembly, 1973 Session, chapter one hundred
4 thirty-six (136), section two hundred seventy-three (273), is amended
5 to read as follows:

6 In any case where a vacancy or vacancies occur among the elective
7 officers or members of a school board and the remaining members of
8 such board have not filled such vacancy within ten days after the
9 occurrence thereof, or when the board is reduced below a quorum for
10 any cause, the secretary of the board, or if there be no secretary, the
11 county superintendent of schools shall call a special election in the
12 district, subdistrict, or subdistricts, as the case may be, to fill such
13 vacancy or vacancies. The county commissioner of elections shall
14 publish the notices required by law for such special elections, which
15 election shall be held not sooner than thirty days nor later than forty
16 days ~~thereafter~~ *after the tenth day following the occurrence of the*
17 *vacancy*. In any case where the secretary fails for more than three
18 days to call such election, the county superintendent shall call it.

1 SEC. 69. Section two hundred eighty A point fifteen (280A.15),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter one hundred thirty-six (136), section two hun-
4 dred seventy-seven (277), is amended to read as follows:

5 **280A.15 Conduct of elections.** The nomination of candidates, prep-
6 aration of ballots, and canvass for all elections of members of the
7 board of directors of an area vocational school or an area community
8 college, except as otherwise directed, shall be conducted in the manner
9 provided in sections 273.5, ~~273.6~~, and 273.7 for members of county
10 boards of education. Nomination papers in behalf of a candidate shall
11 be filed with the secretary of the board of the merged area. Each
12 candidate shall be nominated by a petition signed by not less than fifty
13 ~~qualified~~ *eligible* electors of the district from which the member is to
14 be elected. The election notice shall be published as provided in ~~chapter~~
15 *section forty-nine (49) point fifty-three (49.53) of the Code* and the
16 election shall be conducted by the county commissioner of elections
17 pursuant to the provisions of chapters thirty-nine (39) through fifty-
18 three (53) of the Code. The votes cast in the election shall be can-
19 vassed by the county board of supervisors and the county commis-
20 sioner of elections shall issue certificates of election as prescribed in
21 section 273.7. Members elected to the board of directors of a merged
22 area shall qualify by taking the oath of office prescribed in section
23 277.28.

1 SEC. 70. Section two hundred eighty A point thirty-nine
2 (280A.39), unnumbered paragraph one (1), Code 1973, as amended
3 by Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
4 hundred thirty-six (136), section two hundred seventy-eight (278), is
5 amended to read as follows:

6 Any merged area may combine with any adjacent merged area after
7 a favorable vote by the electors of each of the areas involved. If the

8 boards of directors of two or more merged areas agree to a combina-
 9 tion, the question shall be submitted to the electors of each area at a
 10 special election to be held on the same day in each area. The special
 11 election shall not be held within thirty days of any general election.
 12 Prior to the special election, the board of each merged area shall notify
 13 the county commissioner of elections of the county in which the *great-*
 14 *est proportion of the merged area's administrative offices are taxable*
 15 *base is located* who shall publish notice of the election at least three
 16 times, no oftener than once a week, in one or more newspapers of
 17 general circulation within the merged area. The two respective county
 18 commissioners of elections shall conduct the election pursuant to the
 19 provisions of chapters thirty-nine (39) through fifty-three (53) of the
 20 Code. The votes cast in the election shall be canvassed by the county
 21 board of supervisors and the county commissioners of elections who
 22 conducted the election shall certify the results to the board of directors
 23 of each merged area.

1 SEC. 71. Section two hundred ninety-six point four (296.4), Code
 2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
 3 Session, chapter one hundred thirty-six (136), section two hundred
 4 eighty-one (281), is amended to read as follows:

5 **296.4 Notice—ballots.** Notice of ~~such~~ *the* election shall be given
 6 by the county commissioner of elections by publication once each week
 7 for four weeks in some newspaper published in the district, ~~or, if there~~
 8 ~~is none, in some newspaper published in the county~~ and of general
 9 circulation in the district. The notice shall state the date of the elec-
 10 tion, the hours of opening and closing the polls and the exact location
 11 thereof, and the questions to be submitted, and shall be in lieu of any
 12 other notice, any other statute to the contrary notwithstanding. The
 13 county commissioner of elections shall conduct the election pursuant
 14 to the provisions of chapters thirty-nine (39) through fifty-three (53)
 15 of the Code and certify the results to the board of directors.

1 SEC. 72. Section two hundred ninety-eight point eighteen (298.18),
 2 unnumbered paragraph five (5), Code 1973, as amended by Acts of
 3 the Sixty-fifth General Assembly, 1973 Session, chapter one hundred
 4 thirty-six (136), section two hundred eighty-two (282), is amended to
 5 read as follows:

6 Notice of ~~such~~ *the* election shall be given by the county commissioner
 7 of elections by publication once each week for four consecutive weeks
 8 in a newspaper published in the school corporation, ~~or if there is no~~
 9 ~~newspaper published in the school corporation, in a newspaper pub-~~
 10 ~~lished in the county~~ and of general circulation in the school corpora-
 11 tion. Such notice shall state the date of the election, the hours of open-
 12 ing and closing the polls and the exact location thereof, and the question
 13 to be submitted. The election shall be held on a date not less than ~~five~~
 14 ~~four~~ nor more than twenty days after the last publication of the notice.
 15 Such notice shall be sufficient and shall be in lieu of any other notice
 16 required by any other statute. At such election the ballot used for the
 17 submission of said proposition shall be in substantially the form for
 18 submitting special questions at general elections. The county commis-
 19 sioner of elections shall conduct the election pursuant to the provisions
 20 of chapters thirty-nine (39) through fifty-three (53) of the Code and
 21 certify the results to the board of directors. Such proposition shall not

22 be deemed carried or adopted unless the vote in favor of such proposi-
 23 tion is equal to at least sixty percent of the total vote cast for and
 24 against said proposition at said election. Whenever such a proposition
 25 has been approved by the voters of a school corporation as herein-
 26 before provided, no further approval of the voters of such school
 27 corporation shall be required as a result of any subsequent change in
 28 the boundaries of such school corporation.

1 SEC. 73. Section two hundred ninety-eight point twenty-two
 2 (298.22), Code 1973, is amended to read as follows:

3 **298.22 Form—rate of interest—where registered.** All of said
 4 bonds shall be substantially in the form provided for county bonds,
 5 but subject to changes that will conform them to the action of the
 6 board providing therefor; shall run not more than twenty years, and
 7 may be sooner paid if so nominated in the bond; ~~be in denomination~~
 8 ~~of not more than one thousand dollars or less than one hundred dol-~~
 9 ~~lars each;~~ bear a rate of interest not exceeding seven percent per
 10 annum, payable semiannually; be signed by the president and counter-
 11 signed by the secretary of the board of directors; and shall not be dis-
 12 posed of for less than par value, nor issued for other purposes than
 13 this chapter provides.

14 All of said bonds ~~shall be registered in the office of the county audi-~~
 15 ~~ter, when issued, shall be delivered to the secretary of the board of~~
 16 ~~directors, who shall register them in a book to be kept for that pur-~~
 17 ~~pose, and shall deliver them when they have been properly counter-~~
 18 ~~signed.~~

19 The expenses of engraving and printing of bonds may be paid out
 20 of the general fund.

1 SEC. 74. Section three hundred sixty-three point seven (363.7),
 2 Code 1973, is amended to read as follows:

3 **363.7 Wards.** Cities may be by ordinance divided into wards, new
 4 wards created, or the boundaries changed, but in all cases the bound-
 5 aries of wards shall *follow the boundaries of election precincts and*
 6 *shall* be as far as practicable established so as to give all wards an
 7 equal population. Any ordinance of annexation entered into or ordi-
 8 nance passed by a city or town or cities and towns prior to the year
 9 1900 that prevents or has prevented an equal population of wards as
 10 provided by this section or provides that a specified number of repre-
 11 sentatives on the city or town council shall represent certain wards
 12 may be amended by a simple majority of votes of the existing city or
 13 town council, any provisions in the city or town charter, rules, ordi-
 14 nances, or ordinances of annexation notwithstanding.

1 SEC. 75. Section three hundred sixty-three point eleven (363.11),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section two hun-
 4 dred ninety-four (294), is amended to read as follows:

5 **363.11 Candidates—filing.** Any person desiring to become a can-
 6 didate for any elective municipal office shall, not more than sixty-five
 7 days nor less than forty days prior to the election, file with the clerk
 8 of the municipal corporation a petition signed by ~~qualified voters eli-~~
 9 ~~gible electors~~ equaling in number at least two percent of the greatest
 10 number of votes cast for any candidate for such office at the last regu-

11 lar municipal election, and in no case less than ten, requesting that his
 12 (or her) name be printed upon the official election ballot. *When a*
 13 *municipal office is filled by the voters of a ward, signers of a nominat-*
 14 *ing petition for a candidate for that office must be eligible electors of*
 15 *that ward.* Nomination petitions shall be filed not later than five o'clock
 16 p.m. on the last day for filing. Provided that any city having a popula-
 17 tion of ten thousand or less or any town may by ordinance provide that
 18 all candidates for all elective city or town offices shall be nominated
 19 under the provisions of chapter 44 or 45. In such event nomination for
 20 all such offices in the manner provided for in this chapter shall not be
 21 authorized.

22 The clerk of the municipal corporation shall deliver all nomination
 23 petitions to the county commissioner of elections not later than five
 24 o'clock p.m. on the day following the last day on which nomination
 25 petitions can be filed. *Any person on whose behalf nomination peti-*
 26 *tions have been filed under this section may withdraw as a candidate*
 27 *by filing a signed statement to that effect with the commissioner at*
 28 *any time prior to five o'clock p.m. on the twenty-first day before the*
 29 *election.*

1 SEC. 76. Section three hundred sixty-three point twelve (363.12),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **363.12 Form of petition.** A petition filed pursuant to section three
 5 hundred sixty-three point eleven (363.11) of the Code shall include the
 6 signatures of each of the petitioners, a statement of their places of
 7 residence, and the date on which each petitioner signed the petition.

1 SEC. 77. Section three hundred sixty-three point thirteen (363.13),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **363.13 Elector's affidavit.** A petition filed pursuant to section
 5 three hundred sixty-three point eleven (363.11) of the Code shall
 6 include the affidavit of at least one eligible elector, other than the
 7 petitioners and the candidate being nominated, stating the affiant's
 8 knowledge, information, and belief as to the residence of the peti-
 9 tioners.

1 SEC. 78. Section three hundred sixty-three point fourteen (363.14),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **363.14 Candidate's affidavit.** A petition filed pursuant to section
 5 three hundred sixty-three point eleven (363.11) of the Code shall
 6 include the affidavit of the candidate being nominated, stating his
 7 name, his residence, that he is a candidate for and eligible for the office
 8 he seeks, and that if elected he will qualify for the office.

1 SEC. 79. Section three hundred sixty-three point sixteen (363.16),
 2 subsection one (1), Code 1973, as amended by Acts of the Sixty-fifth
 3 General Assembly, 1973 Session, chapter one hundred thirty-six (136),
 4 section two hundred ninety-six (296), is amended to read as follows:

5 1. In cities having a population of more than ten thousand, as shown
 6 by the latest federal census, the procedure shall be as follows:
 7 a. If the county commissioner of elections and mayor find that the
 8 number of candidates for any office, as shown by candidates' petitions

9 filed with the county commissioner of elections, be not more than twice
 10 the number of persons that may be elected to said office, said candi-
 11 dates shall be found to be the nominees, and for said office no primary
 12 election shall be held. For any office or offices, for which the number
 13 of candidates, as shown by the candidates' petitions filed with the
 14 county commissioner of elections, is found to be more than twice the
 15 number of persons that may be elected to said office or offices, the
 16 nominees shall be determined by a municipal primary election, as
 17 hereinafter provided. The county commissioner of elections and
 18 mayor shall file a written report with the council, stating the nominees
 19 for such office or offices, if any, for which no municipal primary elec-
 20 tion is required, and also stating the office, or offices, if any, for which
 21 the nominees shall be determined by a municipal primary election.

22 b. Any such city, under one hundred thousand population, may by
 23 ordinance provide that all candidates for all elective city offices shall
 24 be nominated under the provisions of chapter 44 and chapter 45. In
 25 ~~such~~ that event ~~neither~~ nomination for all such offices by primary ~~nor~~
 26 a runoff election shall ~~not~~ be authorized, and the candidates receiving
 27 the greatest number of votes in the election held as required by section
 28 three hundred sixty-three point eight (363.8) of the Code shall be
 29 declared elected.

1 SEC. 80. Section three hundred sixty-three point sixteen (363.16),
 2 subsection two (2), unnumbered paragraph two (2), Code 1973, as
 3 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 4 chapter one hundred thirty-six (136), section two hundred ninety-six
 5 (296), is amended to read as follows:

6 The provisions of chapters thirty-nine (39) through fifty-three (53)
 7 of the Code shall apply to the conduct of run-off elections except that
 8 there shall be no added voter registrations accepted for said election
 9 but transfers may be accepted until ten days before the election, as
 10 now provided under law. *If a city provides by ordinance for a runoff*
 11 *election, the county board of supervisors shall publicly canvass the*
 12 *tally lists of the vote cast in the election held by that city pursuant to*
 13 *section three hundred sixty-three point eight (363.8) of the Code,*
 14 *following the procedures prescribed in section fifty point twenty-four*
 15 *(50.24) of the Code, at a meeting to be held beginning at one o'clock*
 16 *p.m. in the afternoon on the day following that city election.*

1 SEC. 81. Section six hundred nine point seven (609.7), Code 1973,
 2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section three hundred ninety-
 4 two (392), is amended to read as follows:

5 **609.7 Apportionment in other counties.** The county commissioner
 6 of elections, in counties having no appointive jury commission, shall,
 7 prior to furnishing the *precinct election judges officials* the election
 8 registers, apportion the number of grand and petit jurors to be selected
 9 from among the several election precincts, and the talesmen of which
 10 there shall be at least two, among the precincts from which the same
 11 are to be selected, in each case as nearly as practicable in proportion
 12 to the number of electors registered in each precinct as shown by the
 13 election registers of the ~~last preceding~~ general election. Such appor-
 14 tionment shall be computed on the same basis as provided in section
 15 609.1.

1 SEC. 82. Acts of the Sixty-fourth General Assembly, 1972 Session,
2 chapter one thousand eighty-eight (1088), section three (3), subsec-
3 tion one (1), is amended to read as follows:

4 1. If notice of an election, hearing, or other official action is required
5 by this Act, the notice must be published at least once, not less than ~~ten~~
6 *four* nor more than ~~twenty-five~~ *twenty* days before the date of the
7 election, hearing, or other action.

1 SEC. 83. Acts of the Sixty-fourth General Assembly, 1972 Session,
2 chapter one thousand eighty-eight (1088), section sixty-four (64), un-
3 numbered paragraph seven (7), as contained in Acts of the Sixty-fifth
4 General Assembly, 1973 Session, chapter one hundred thirty-six (136),
5 section three hundred thirty-one (331), is amended to read as follows:

6 The city clerk shall deliver all nomination petitions to the county
7 commissioner of elections not later than five o'clock p.m. on the day
8 following the last day on which nomination petitions can be filed. *Any*
9 *person on whose behalf nomination petitions have been filed under this*
10 *section may withdraw as a candidate by filing a signed statement to*
11 *that effect with the commissioner at any time prior to five o'clock p.m.*
12 *on the twenty-first day before the election.*

1 SEC. 84. Acts of the Sixty-fourth General Assembly, 1972 Session,
2 chapter one thousand eighty-eight (1088), section sixty-five (65), is
3 amended to read as follows:

4 Sec. 65. Notice ~~and containing~~ a copy of the ballot for each regu-
5 lar, special, primary, or run-off city election must be published as
6 provided in section three (3) of this Act, except that notice of a regu-
7 lar, primary, or run-off election may be published not less than ~~five~~
8 *four* days before the date of the election. The published ballot must
9 contain the names of all candidates, and may not contain any party
10 designations. The published ballot must contain any question to be
11 submitted to the voters.

1 SEC. 85. Acts of the Sixty-fourth General Assembly, 1972 Session,
2 chapter one thousand eighty-eight (1088), section sixty-six (66), is
3 amended to read as follows:

4 Sec. 66. An individual for whom a valid petition is filed becomes
5 a candidate in the regular city election for the office for which he has
6 filed, except that a primary election must be held for offices for which
7 the number of individuals for whom valid petitions are filed is more
8 than twice the number of positions to be filled. However, ~~the~~:

9 1. *The council may by ordinance choose to have a run-off election,*
10 *as provided in section sixty-nine (69) of this Act, in lieu of a primary*
11 *election.*

12 2. *If the council has by ordinance chosen to have nominations made*
13 *in the manner provided by chapter forty-four (44) or forty-five (45)*
14 *of the Code, neither a primary election nor a runoff election are re-*
15 *quired.*

1 SEC. 86. Acts of the Sixty-fourth General Assembly, 1972 Session,
2 chapter one thousand eighty-eight (1088), section sixty-eight (68), is
3 amended to read as follows:

4 Sec. 68. In a regular city election following a primary, the candi-
5 dates who receive the highest number of votes cast for the office for
6 which they have filed are elected, to the extent necessary to fill the

7 positions for which they have filed. In a regular city election when a
 8 council has chosen a run-off election in lieu of a primary, the candi-
 9 dates who receive the highest number of votes and a majority of the
 10 votes cast for the office for which they have filed are elected, to the
 11 extent necessary to fill the positions for which they have filed. *In a*
 12 *regular city election when a council has chosen to have nominations*
 13 *made in the manner provided by chapter forty-four (44) or forty-five*
 14 *(45) of the Code, the candidates who receive the highest number of*
 15 *votes for the office for which they are nominated are elected, to the*
 16 *extent necessary to fill the positions for which they are nominated.*

1 SEC. 87. Acts of the Sixty-fourth General Assembly, 1972 Session,
 2 chapter one thousand eighty-eight (1088), section sixty-nine (69), un-
 3 numbered paragraph one (1), is amended to read as follows:

4 A run-off election may be held only for positions unfilled because of
 5 failure of a sufficient number of candidates to receive a majority vote
 6 in the regular city election. *When a council has chosen a runoff*
 7 *election in lieu of a primary, the county board of supervisors shall*
 8 *publicly canvass the tally lists of the vote cast in the regular city*
 9 *election, following the procedures prescribed in section fifty point*
 10 *twenty-four (50.24) of the Code, at a meeting to be held beginning at*
 11 *one o'clock in the afternoon on the day following the regular city elec-*
 12 *tion. Candidates who do not receive a majority of the votes cast for*
 13 *the office for which they have filed, but who receive the highest number*
 14 *of votes cast for that office in the regular city election, to the extent of*
 15 *twice the number of unfilled positions, are candidates in the run-off*
 16 *election.*

1 SEC. 88. Acts of the Sixty-fourth General Assembly, 1972 Session,
 2 chapter one thousand eighty-eight (1088), section one hundred seven
 3 (107), subsection three (3), is amended to read as follows:

4 3. Notice of the election must be given by publication once each
 5 week for at least three consecutive weeks in a newspaper of general
 6 circulation in the city. The notice must state the date of the election,
 7 the hours of opening and closing the polls and the location thereof, and
 8 the question to be submitted. The election must be held on a date not
 9 less than ~~five~~ *four* nor more than twenty days after the last publica-
 10 tion of the notice. Such notice is sufficient and is in lieu of any other
 11 notice required by any other statute. At the election the ballot used
 12 for the submission of the proposition must be in substantially the form
 13 for submitting special questions at general elections.

1 SEC. 89. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter one hundred thirty-six (136), section ten (10), is amended to
 3 read as follows:

4 **NEW SECTION. Officers of cities.** The times at which officers of
 5 cities shall be elected and their terms of office shall be as provided by
 6 or established pursuant to Acts of the Sixty-fourth General Assembly,
 7 1972 Session, chapter one thousand eighty-eight (1088), sections
 8 sixty-one (61) and sixty-two (62). However, the times at which
 9 officers of cities and towns shall be elected and their terms of office
 10 shall be governed until July 1, ~~1974~~ *1975* by sections three hundred
 11 sixty-three point eight (363.8), three hundred sixty-three point nine
 12 (363.9), three hundred sixty-three point ten (363.10), three hundred

13 seventy point one (370.1), three hundred seventy-two point three
 14 (372.3) and three hundred eighty point one (380.1), Code 1973, in the
 15 respective cities and towns to which these sections are applicable.

1 SEC. 90. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter one hundred thirty-six (136), section ninety-six (96), unnum-
 3 bered paragraph one (1), is amended to read as follows:

4 The commissioner shall take bids for any goods and services which
 5 will be performed or provided by persons who are not employees of the
 6 commissioner and where the costs of such services exceed five thousand
 7 *dollars per contract in the case of contracts for the printing of ballots*
 8 *or, in the case of other services, two thousand five hundred dollars per*
 9 *contract. No bids shall be required for legal services. The commis-*
 10 *sioner shall publish notice to bidders, including specifications regarding*
 11 *the goods or services to be purchased or a description of the nature*
 12 *and object of the services to be retained, in a newspaper of general*
 13 *circulation in the county not less than fifteen days before the final date*
 14 *for submission of bids. The commissioner shall also file a copy of the*
 15 *bid specifications in the office of the state commissioner for a period*
 16 *of not less than twenty days prior to the date the bid is let. When*
 17 *competitive bidding procedures are used, the purchase of goods or*
 18 *services shall be made from the lowest responsible bidder which meets*
 19 *the specifications or description of the services needed or the commis-*
 20 *sioner may reject all bids and readvertise. In determining the lowest*
 21 *responsible bidder, various factors may be considered, including but*
 22 *not limited to the past performance of the bidder relative to quality*
 23 *of product or service, the past experience of the purchaser in relation*
 24 *to the product or service, the relative quality of products or services,*
 25 *the proposed terms of delivery and the best interest of the county.*

1 SEC. 91. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter one hundred thirty-six (136), section one hundred six (106),
 3 subsection one (1) and paragraph b are amended to read as follows:

4 1. Mobile deputy registrars shall be appointed by the county com-
 5 missioner of registration *not more than one hundred eighty days prior*
 6 *to any general election or not more than one hundred twenty days*
 7 *prior to any primary, general, or partisan city election, or any election*
 8 *held pursuant to section sixty-nine point fourteen (69.14) of the Code,*
 9 *in accordance with the following guidelines:*

10 b. Each political party shall submit a list of nominees, ~~not later~~
 11 ~~than sixty days prior to the election,~~ and may request not more than
 12 one person for each one thousand six hundred (1,600) residents or
 13 major fraction thereof in the county to be appointed as mobile deputy
 14 registrars.

1 SEC. 92. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter one hundred thirty-six (136), section four hundred (400), is
 3 amended to read as follows:

4 Sec. 400. At each election held after the effective date of this Act
 5 and before January 1, 1975 in any county or portion of a county in
 6 which registration is not required as a prerequisite to voting, pursuant
 7 to section three hundred ~~eighty-eight (388)~~ *ninety-nine (399)* of this
 8 Act, there shall be provided to each elector appearing at the polls on
 9 election day an opportunity to register to vote in elections to be held

10 after January 1, 1975. At each such election there shall be promi-
 11 nently displayed in every polling place one or more signs which state
 12 "You May Register To Vote Here Today. You Will Not Be Allowed
 13 To Vote After January 1, 1975 Until You Are Registered." Registra-
 14 tion of voters at the polls under this section shall be conducted in
 15 accordance with chapter forty-eight (48) of the Code as amended by
 16 this Act, insofar as possible. It shall be the duty of the precinct elec-
 17 tion judges and clerks officials, in addition to their usual duties, to
 18 register all eligible electors as defined by this Act who desire to regis-
 19 ter at the polls as permitted by this section, unless the county com-
 20 missioner of registration appoints other persons to perform this duty.
 21 The county commissioner of registration shall in advance of the 1974
 22 general election, and may in advance of any other election occurring
 23 after the effective date of this Act and before January 1, 1975, appoint
 24 two or more persons in the manner provided by section ninety-four
 25 (94) of this Act addition to the precinct election officials to register
 26 electors at each polling place on election day as permitted by this sec-
 27 tion. The appointments shall be made in the manner prescribed by
 28 section forty-eight point twenty-seven (48.27), subsection one (1),
 29 paragraph a, of the Code for appointment of mobile deputy registrars,
 30 and the persons so appointed shall be compensated for their services at
 31 the polling place on election day in the same manner as provided by
 32 section forty-nine point twenty (49.20) of the Code for precinct elec-
 33 tion officials.

1 SEC. 93. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter two hundred (200), section three (3), is amended to read as
 3 follows:

4 Sec. 3. NEW SECTION. Election. A trustee of a regional board
 5 shall be elected without regard to political affiliation at the general
 6 election by the vote of the electors of his district from a list of nomi-
 7 nees, the names of which have been taken from nomination papers
 8 filed in accordance with chapter forty-five (45) of the Code in all
 9 respects except that they shall be signed by not less than twenty-five
 10 qualified voters eligible electors of the respective district. The election
 11 shall be administered by the commissioner who has jurisdiction under
 12 section forty-seven point two (47.2) of the Code.

1 SEC. 94. The appointment, pursuant to Acts of the Sixty-fifth Gen-
 2 eral Assembly, 1973 Session, chapter one hundred thirty-six (136),
 3 section four hundred (400), as amended by section eighty-five (85) of
 4 this Act, of two or more persons in addition to the precinct election
 5 officials to register electors at each polling place at the June 4, 1974
 6 primary election shall be mandatory in each county or portion of a
 7 county to which Acts of the Sixty-fifth General Assembly, 1973 Ses-
 8 sion, chapter one hundred thirty-six (136), section three hundred
 9 ninety-nine (399), is applicable if on May 15, 1974 the total number
 10 of persons in that county or portion of a county who are registered to
 11 vote does not equal or exceed ten percent of the total population of
 12 that county or portion of a county as shown by the 1970 federal decen-
 13 nial census.

1 SEC. 95. At each precinct located in a county or portion of a
 2 county to which Acts of the Sixty-fifth General Assembly, 1973 Session,

3 chapter one hundred thirty-six (136), section three hundred ninety-
4 nine (399), is applicable, any elector who seeks to vote the ballot of a
5 political party at the primary election on June 4, 1974, and is chal-
6 lenged on the ground that he has previously registered as an elector
7 of that precinct pursuant to chapter forty-eight (48) of the Code and
8 in so doing made a declaration regarding political party affiliation
9 inconsistent with the affiliation indicated by his request for a primary
10 election ballot, may overcome the challenge by the procedure pre-
11 scribed in section forty-three point forty-four (43.44) of the Code.

1 SEC. 96. The county commissioner of elections of each county to
2 all or any portion of which Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter one hundred thirty-six (136), section three hun-
4 dred ninety-nine (399), is applicable, shall on August 30, 1974 send a
5 report to the state commissioner of elections stating the total number
6 of persons registered to vote in that county or portion of a county as
7 of that date. If the report has not been received by the state commis-
8 sioner by September 10, 1974 he shall investigate the cause of the
9 delay. If it appears from the report that the number of persons reg-
10 istered to vote in that county or portion of a county is unduly low, the
11 state commissioner shall consult with the county commissioner of the
12 county involved regarding measures which may be employed to en-
13 courage registration of eligible electors as voters prior to January 1,
14 1975.

1 SEC. 97. The limitations imposed by section forty-nine point eight
2 (49.8) of the Code notwithstanding, a county board of supervisors or
3 city council having jurisdiction over a precinct which includes the
4 places of residence of fewer than fifty qualified electors may prior to
5 July 1, 1975 attach the precinct to an abutting precinct if the attach-
6 ment is permissible under section forty-nine point three (49.3), sub-
7 section two (2), paragraph a, of the Code.

1 SEC. 98. A school district which has a seven-member board of
2 directors for which the term of office has been shortened by law from
3 four years to three years commencing with the election held Septem-
4 ber 9, 1975, shall hold elections as follows:

- 5 1. At the regular school election held September 9, 1975, two mem-
6 bers shall be elected for two-year terms and three members shall be
7 elected for three-year terms.
- 8 2. At the regular school election held September 14, 1976, two mem-
9 bers shall be elected for three-year terms.
- 10 3. At the regular school election held September 13, 1977, two mem-
11 bers shall be elected for three-year terms.

1 SEC. 99. The code editor is directed to:

- 2 1. Substitute the term "state commissioner" for each reference to
3 the secretary of state found in sections fifty-two point five (52.5),
4 fifty-four point five (54.5), fifty-five point nine (55.9), fifty-five point
5 eleven (55.11), fifty-five point thirteen (55.13), fifty-five point four-
6 teen (55.14), fifty-five point fifteen (55.15), fifty-five point twenty-one
7 (55.21) and fifty-five point twenty-two (55.22), Code 1973, and to such
8 extent the enumerated sections are amended.
- 9 2. Substitute the term "commissioner" for each reference to the
10 county auditor found in sections fifty-three point forty (53.40), fifty-

11 three point forty-one (53.41), fifty-three point forty-two (53.42), fifty-
 12 five point ten (55.10), fifty-five point eleven (55.11), fifty-five point
 13 eighteen (55.18) and three hundred sixty-three point twenty-two
 14 (363.22), Code 1973, and to such extent the enumerated sections are
 15 amended.

1 SEC. 100. Section fifty point one (50.1), Code 1973, as amended by
 2 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
 3 hundred thirty-six (136), section one hundred eighty (180), is amended
 4 to read as follows:

5 **50.1 Canvass by judges.** At every election conducted under chapter
 6 forty-nine (49) of the Code, except the primary election provided
 7 for by chapter forty-three (43) of the Code, and at every other elec-
 8 tion unless the law authorizing the election otherwise requires, the
 9 vote shall be canvassed at each polling place by the election board in
 10 the manner prescribed by this chapter. When the poll is closed, the
 11 ~~judges~~ *precinct election officials* shall forthwith, and without adjourn-
 12 ment:

13 1. Publicly canvass the vote, and credit each candidate with the
 14 number of votes counted for him.

15 2. Ascertain the result of the vote.

16 3. Prepare in writing a list of any apparently or possibly erroneous
 17 information appearing in the precinct election register.

18 4. ~~Cause each clerk to~~ *Designate two election board members, not*
 19 *members of the same political party, who shall each separately keep a*
 20 tally list of the count.

1 SEC. 101. Section fifty point eleven (50.11), Code 1973, as amended
 2 by Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
 3 hundred thirty-six (136), section one hundred eighty-six (186), is
 4 amended to read as follows:

5 **50.11 Proclamation of result.** When the canvass is completed one
 6 of the ~~judges~~ *precinct election officials* shall publicly announce the total
 7 number of votes received by each of the persons voted for, the office
 8 for which he is designated, as announced by the ~~clerks~~ *designated tally*
 9 *keepers*, and the number of votes for, and the number of votes against,
 10 any proposition which shall have been submitted to a vote of the
 11 people, and he shall communicate said information by telephone or
 12 telegraph or in person to the commissioner who is conducting the
 13 election immediately upon completion of the canvass; and the commis-
 14 sioner shall remain on duty until such information is communicated
 15 to him from each polling place in his county.

1 SEC. 102. Section fifty point sixteen (50.16), Code 1973, as
 2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 3 chapter one hundred thirty-six (136), section one hundred eighty-nine
 4 (189), is amended to read as follows:

5 **50.16 Tally list of board.** The tally list shall be prepared in writing
 6 by the election board, giving, in legibly printed numerals, the whole
 7 number of ballots cast for each officer, except those rejected, the name
 8 of each person voted for, and the number of votes given to each person
 9 for each different office; which tally list shall be signed by the ~~judges~~
 10 *precinct election officials*, and be substantially as follows:

11 At an election at in township, or in
 12 precinct of city or township, in county, state of
 13 Iowa, on the day of A.D., there were
 14 ballots cast for the office of of which
 15 A..... B..... had votes.
 16 C..... D..... had votes.
 17 (and in the same manner for any other officer).

18 A true tally list:

19		L.....	M.....	} Judges of Election Board Members
20		N.....	O.....	
21		P.....	Q.....	
22	Attest:	R.....	S.....	} Clerks of Election
23		T.....	U.....	

1 SEC. 103. Section fifty-one point one (51.1), Code 1973, as amended
 2 by Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
 3 hundred thirty-six (136), section two hundred nine (209), is amended
 4 to read as follows:

5 **51.1 Election counting board.** In all election precincts the board of
 6 supervisors may authorize the commissioner to appoint for each pri-
 7 mary and general election ~~three additional judges and two five addi-~~
 8 ~~tional clerks precinct election officials~~ to be known as the election
 9 counting board.

1 SEC. 104. The code editor is directed to change sections forty-three
 2 point thirty-eight (43.38), forty-three point forty-four (43.44), forty-
 3 nine point fifty (49.50), forty-nine point sixty-two (49.62), forty-nine
 4 point sixty-seven (49.67), forty-nine point seventy-one (49.71), forty-
 5 nine point seventy-five (49.75), forty-nine point eighty-seven (49.87),
 6 fifty point three (50.3), fifty point four (50.4), fifty point five (50.5),
 7 fifty-one point six (51.6), fifty-one point fourteen (51.14), fifty-two
 8 point eighteen (52.18), fifty-two point nineteen (52.19) and fifty-two
 9 point twenty (52.20), Code 1973, and sections forty-three point thirty-
 10 six (43.36), forty-three point forty-two (43.42), forty-three point
 11 forty-five (43.45), forty-three point forty-six (43.46), forty-nine point
 12 eighteen (49.18), forty-nine point fifty-five (49.55), forty-nine point
 13 sixty (49.60), forty-nine point sixty-one (49.61), forty-nine point
 14 sixty-four (49.64), forty-nine point sixty-five (49.65), forty-nine point
 15 sixty-six (49.66), forty-nine point seventy (49.70), forty-nine point
 16 seventy-six (49.76), forty-nine point seventy-seven (49.77), forty-nine
 17 point seventy-nine (49.79), forty-nine point eighty (49.80), forty-
 18 nine point eighty-one (49.81), forty-nine point eighty-three (49.83),
 19 forty-nine point eighty-nine (49.89), forty-nine point ninety-one
 20 (49.91), forty-nine point one hundred five (49.105), forty-nine point
 21 one hundred twenty-four (49.124), fifty point nine (50.9), fifty point
 22 twelve (50.12), fifty point seventeen (50.17), fifty-one point three
 23 (51.3), fifty-one point four (51.4), fifty-one point five (51.5), fifty-one
 24 point seven (51.7), fifty-one point eight (51.8), fifty-one point nine
 25 (51.9), fifty-one point twelve (51.12), fifty-two point fifteen (52.15),
 26 fifty-two point twenty-one (52.21), fifty-two point twenty-two (52.22),
 27 fifty-two point twenty-three (52.23) and fifty-three point twenty-three
 28 (53.23), Code 1973, as amended by Acts of the Sixty-fifth General
 29 Assembly, 1973 Session, chapter one hundred thirty-six (136), by
 30 inserting the term "precinct election officials" or "precinct election

31 official" or, where it is determined alternative terms are required,
 32 either the term "election board" or the term "board member" in place
 33 of the term "judge" or the term "clerk" or the term "judges and
 34 clerks" or any similar terms referring to the officers heretofore known
 35 as precinct judges of election or clerks of election, and to such extent
 36 the enumerated sections are amended.

1 SEC. 105. Sections forty-three point one hundred six (43.106),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section fifty-nine
 4 (59), and fifty point two (50.2), Code 1973, are repealed.

1 SEC. 106. If Senate File one thousand one hundred sixty-three
 2 (1163) of the Sixty-fifth General Assembly, 1974 Session, is enacted
 3 into law, sections sixty (60), sixty-one (61) and sixty-nine (69) of this
 4 Act shall be of no force or effect.*

1 SEC. 107. Sections one (1) through fifty-nine (59), sixty-two (62)
 2 through sixty-eight (68), and seventy (70) through one hundred seven
 3 (107) of this Act shall take effect and be in force on April 26, 1974
 4 after its publication in the Muscatine Journal, a newspaper published
 5 in Muscatine, Iowa, and in the West Des Moines Express, a newspaper
 6 published in West Des Moines, Iowa.

Approved April 24, 1974

I hereby certify that the foregoing Act, House File 1399, was published in the Muscatine Journal, Muscatine, Iowa, April 25, 1974, and in the West Des Moines Express, West Des Moines, Iowa, April 25, 1974.

MELVIN D. SYNHORST, *Secretary of State.*

*See chapter 1172 hereof

CHAPTER 1102

CAMPAIGN DISCLOSURE

S. F. 1200

AN ACT relating to the campaign disclosure-income tax checkoff law.

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

1 SECTION 1. Acts of the Sixty-fifth General Assembly, 1973 Ses-
 2 sion, chapter one hundred thirty-eight (138), section six (6), subsec-
 3 tion one (1), is amended by striking the subsection and inserting in
 4 lieu thereof the following:

5 1. Every political committee which receives or expends any amount
 6 of money shall file a statement of organization within ten days from
 7 the date of its organization. For the purposes of this section, "political
 8 committee" means a person or committee, but not a candidate,* includ-
 9 ing a statutory committee which accepts any contributions or makes
 10 any expenditures for the purpose of supporting or opposing a candi-
 11 date for public office.

1 SEC. 2. Acts of the Sixty-fifth General Assembly, 1973 Session,
 2 chapter one hundred thirty-eight (138), section six (6), subsection two
 3 (2), is amended by adding the following new paragraph:

*See 65 GA, ch 138, §3