

(1) Plastic products which are regularly purchased by the commission for which starch-based product alternatives are available. The report shall also include the cost of the plastic products purchased and the cost of the starch-based product alternatives.

(2) Information relating to soybean-based inks and starch-based garbage can liners regularly purchased by the commission. The report shall include the cost of purchasing soybean-based inks and starch-based garbage can liners, the percentage of inks purchased which are soybean-based and the percentage of liners purchased which are starch-based.

Sec. 6. Section 601L.3, subsection 12, Code Supplement 1989, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The department of natural resources shall review the procurement specifications currently used by the commission to eliminate, wherever possible, discrimination against the procurement of products manufactured with starch-based plastics and soybean-based inks.

NEW PARAGRAPH. e. The department of natural resources shall assist the commission in locating suppliers of starch-based plastics and soybean-based inks, and collecting data on recycled content, starch-based plastic, and soybean-based ink purchases.

NEW PARAGRAPH. f. The commission, in conjunction with the department of natural resources, shall adopt rules to carry out the provisions of this section.

NEW PARAGRAPH. g. The department of natural resources shall cooperate with the commission in all phases of implementing this section.

Approved May 3, 1990

CHAPTER 1238

ELECTION LAWS

H.F. 2329

AN ACT relating to elections and election procedures, and providing effective and applicability dates.

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

Section 1. Section 39.2, subsections 1 and 2, Code 1989, are amended to read as follows:

1. All special elections which are authorized or required by law, unless the applicable law otherwise requires, shall be held on Tuesday. ~~No~~ A special election may shall not be held on the first ~~or~~ and second ~~Tuesday~~ Tuesdays preceding and following the primary and the general elections.

A special election shall not be held in conjunction with the primary election. A special election shall not be held in conjunction with a school election unless the special election is for a school district or merged area school.

2. Except as otherwise provided in subsection 1, a special election may be held on the same day as a regularly scheduled election if the two elections are not in conflict within the meaning of section 47.6, subsection 2. A special election may be held on the same day as a regularly scheduled election with which it does so conflict if the commissioner who is responsible for conducting the elections concludes that to do so will cause no undue difficulties.

Sec. 2. Section 43.18, unnumbered paragraph 3, Code 1989, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it ~~receives~~ my committee or I receive contributions, ~~makes~~ make expenditures, or ~~incurs~~ incur indebtedness in excess of two hundred fifty dollars

for the purpose of supporting my candidacy for public office. This paragraph does not apply to candidates for federal offices.

.....
(Signed)

Sec. 3. Section 43.49, unnumbered paragraph 1, Code 1989, is amended to read as follows:
On the Monday or Tuesday following the primary election, the board of supervisors shall meet, open and canvass the returns from each voting precinct in the county, and make abstracts thereof, stating in words written at length:

Sec. 4. Section 43.67, unnumbered paragraph 3, Code Supplement 1989, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it receives my committee or I receive contributions, makes make expenditures, or incurs incur indebtedness in excess of two hundred fifty dollars for the purpose of supporting my candidacy for public office. This paragraph does not apply to candidates for federal offices.

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(Signed)

Sec. 5. Section 43.78, subsection 4, Code Supplement 1989, is amended to read as follows:

4. Political party candidates for a vacant seat in the United States house of representatives, the board of supervisors, the elected county offices, or the general assembly which is to be filled at a special election called pursuant to section 69.14 or 69.14A shall be nominated in the manner provided by subsection 1 of this section for filling a vacancy on the general election ballot for the same office. The name of any a candidate so nominated shall be submitted in writing to the state appropriate commissioner, as required by section 43.88, at the earliest practicable time.

Sec. 6. Section 43.115, unnumbered paragraph 1, Code 1989, is amended to read as follows:

All candidates for nominations to be made in primary elections held pursuant to section 43.112 shall file nomination papers with the city clerk not less no later than five p.m. forty days prior to before the date of the election as established by section 43.114, except that candidates for precinct committee member shall file affidavits of candidacy as required by section 420.130. The number of eligible electors signing petitions required for printing the name of a candidate upon the official primary ballot shall be one hundred for an office to be filled by the voters of the entire city and twenty-five for an office to be filled by the voters of a subdivision of the city.

Sec. 7. Section 44.3, subsection 2, unnumbered paragraph 5, Code 1989, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it receives my committee or I receive contributions, makes make expenditures, or incurs incur indebtedness in excess of two hundred fifty dollars for the purpose of supporting my candidacy for public office. This paragraph does not apply to candidates for federal offices.

Sec. 8. Section 44.4, Code Supplement 1989, is amended to read as follows:

44.4 NOMINATIONS AND OBJECTIONS — TIME AND PLACE OF FILING.
Nominations made pursuant to this chapter and chapter 45 which are required to be filed in the office of the state commissioner shall be filed in that office not more than ninety-nine days nor later than five o'clock p.m. on the eighty-first day before the date of the general election to be held in November; and those nominations. Nominations made for a special election called pursuant to section 69.14 shall be filed by five p.m. not less than twenty days before the date of an election called upon at least forty days' notice and not less than seven days before the date of an election called upon at least ten days' notice. Nominations made for a special election called pursuant to section 69.14A shall be filed by five p.m. not less than twenty days

before the date of the election. Nominations made pursuant to this chapter and chapter 45 which are required to be filed in the office of the commissioner shall be filed in that office not more than ninety-two days nor later than five o'clock p.m. on the sixty-ninth day before the date of the general election. Nominations made pursuant to this chapter or chapter 45 for city office shall be filed not more than seventy-two days nor later than five o'clock p.m. on the forty-seventh day before the city election with the city clerk, who shall process them as provided by law.

Objections to the legal sufficiency of a certificate of nomination or nomination petition or to the eligibility of a candidate may be filed by any person who would have the right to vote for a candidate for the office in question. ~~Such~~ The objections must be filed with the officer with whom the certificate or petition is filed and within the following time:

1. Those filed with the state commissioner, not less than seventy-four days before the date of the election.

2. Those filed with the commissioner, not less than sixty-four days before the date of the election.

3. Those filed with the city clerk, at least forty-two days before the municipal election.

4. In the case of nominations to fill vacancies occurring after the time when an original nomination for ~~any~~ an office is required to be filed, objections shall be filed within three days after the filing of the certificate.

Objections shall be filed no later than five p.m. on the final date for filing.

Sec. 9. Section 45.3, unnumbered paragraph 6, Code Supplement 1989, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it ~~receives my committee or I receive~~ contributions, ~~makes make~~ expenditures, or ~~incurs incur~~ indebtedness in excess of two hundred fifty dollars for the purpose of supporting my candidacy for public office. This paragraph does not apply to candidates for federal offices.

Sec. 10. Section 46.22, Code 1989, is amended to read as follows:

46.22 VOTING.

Voting at judicial elections shall be by separate paper ballot, special paper ballot, ballot cards, or by voting machine in the space provided for public measures. If paper ballots are used the election judges shall offer a ballot to each voter. If special paper ballots or ballot cards are used, either a separate ballot or a distinct heading may be used to distinguish the judicial ballot. Separate ballot boxes for the general election ballots and the judicial election ballots ~~shall~~ are not be required. The general election ballot and the judicial election ballot may be voted in the same voting booth.

Sec. 11. Section 46.24, unnumbered paragraph 1, Code 1989, is amended to read as follows:

A judge of the supreme court, court of appeals, or district court including a district associate judge, or a clerk of the district court must receive more affirmative than negative votes to be retained in office. When the poll is closed, the election judges shall publicly canvass the vote forthwith. The board of supervisors shall canvass the returns ~~at its meeting on the Monday or Tuesday~~ after the election, and shall promptly certify the number of affirmative and negative votes on each judge or clerk to the state commissioner of elections.

Sec. 12. Section 47.6, subsection 1, unnumbered paragraph 2, Code Supplement 1989, is amended to read as follows:

If the proposed date of the special election coincides with the date of a regularly scheduled election, the notice shall be given no later than five o'clock p.m. on the last day on which nomination papers may be filed for the regularly scheduled election. Otherwise, the notice shall be given at least ~~thirty~~ thirty-two days in advance of the date of the proposed special election. Upon receiving the notice, the commissioner shall promptly give written approval of the

proposed date unless it appears that the special election, if held on that date, would conflict with a regular election or with another special election previously scheduled for that date.

Sec. 13. Section 48.3, Code 1989, is amended to read as follows:

48.3 REGISTRATION FORM.

As an alternative to the method of registration prescribed by section 48.2, a person entitled to register under that section may cause delivery of a completed voter registration form to the commissioner of registration in the person's county of residence. A registration form or the envelope containing one or more registration forms for the use of individual registrants must be postmarked ~~or otherwise delivered~~ by the fifteenth day ~~prior to~~ before an election or received by the county commissioner of registration no later than five p.m. on the date registration closes before an election or the registration will not take effect for that election. A separate registration form shall be signed by each individual registrant. Within five working days after receiving a registration, the commissioner shall send the registrant a receipt of the registration by first class mail marked "do not forward". If the receipt is returned by the postal service the commissioner shall treat the registration as prescribed by section 48.31, subsection 6. An improperly addressed or delivered registration form shall be forwarded to the appropriate county commissioner of registration within two working days after it is received by any other official.

Sec. 14. Section 48.9, Code 1989, is amended to read as follows:

48.9 USE OF UNIVERSITIES' FACILITIES.

The state board of regents shall provide access to the designated public portions of its university residence halls and lounges for a registrar, deputy registrar, ~~mobile deputy registrar~~, person delivering voter registration forms provided in section 48.3 to register eligible electors, or a candidate. The state board of regents may establish reasonable restrictions on the time, manner and place of access by those registrars, persons and candidates.

Sec. 15. Section 48.11, unnumbered paragraph 2, Code 1989, is amended to read as follows:

Registration shall close in a precinct at five o'clock p.m., ten days before a general or primary election and eleven days before all other elections, ~~except as provided in section 48.3~~. The commissioner's office shall be open from eight o'clock a.m. until at least five o'clock p.m. on the day registration closes prior to each regularly scheduled election. ~~In counties where mobile deputy registrars have been appointed, the commissioner's office shall remain open until at least six o'clock p.m. on the day registration closes for mobile deputy registrars to deliver completed forms, unless all mobile deputy registrars have turned in their supplies earlier.~~

Sec. 16. NEW SECTION. 48.23 COMPLETING A VOTER REGISTRATION FORM.

A person offering a voter registration form to another person shall not complete any portion of the form without prior consent from the person being registered.

Sec. 17. Section 49.30, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

49.30 ALL CANDIDATES ON ONE BALLOT — EXCEPTIONS.

The names of all candidates to be voted for in each election precinct, other than presidential electors, shall be printed on one ballot, except that separate ballots are authorized under the following circumstances:

1. For judicial elections, separate ballots or headings shall be used as required by section 46.22.

2. At an election where voting machines are used, and it is impossible to place the names of all candidates on the machine ballot, the commissioner may provide a separate paper ballot for the candidates for judge of the district court and the township offices, or either; one of the paper ballots shall be furnished to each qualified elector.

3. Separate paper ballots may be used for the election of township officers in precincts including both incorporated and unincorporated areas.

Sec. 18. Section 49.31, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 6. For the purposes of ballot rotation the absentee ballot and special voters precinct shall be considered a separate precinct, unless the office will appear on the ballot in only one precinct other than the absentee ballot and special voters precinct.

Sec. 19. Section 49.33, Code 1989, is amended to read as follows:

49.33 ONE SINGLE SQUARE FOR PRESIDENT AND VICE PRESIDENT CERTAIN PAIRED OFFICES.

Upon the left-hand margin of each separate column of the ballot, immediately opposite the names of the candidates for president and vice president, a single square, the sides of which shall not be less than one-fourth of an inch in length, shall be printed in front of a the bracket enclosing the names of the said candidates for president and vice president, and a separate square of the same size shall be printed in front of the bracket enclosing the names of the candidates for governor and lieutenant governor. The votes for said a team of candidates shall be counted and certified to by the election board in the same manner as the votes for other candidates as a team. Write-in votes may be tabulated for each office separately.

Sec. 20. Section 49.42, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

49.42 FORM OF OFFICIAL BALLOT.

The ballot for the general election shall be arranged in vertical columns or horizontal rows each of which shall be substantially in the following form:

<p><u>REPUBLICAN</u> (For President, (A.... B...., (of Ohio. <u>(For Vice</u> (President, (C.... D...., (of New York. For United States Senator. <u>E.... F....,</u> For United States Representative, <u>G.... H....,</u> (For Governor, (I.... J...., <u>(For Lieutenant</u> (Governor, (K.... L....</p>	<p><u>DEMOCRATIC</u> (For President, (N.... O...., (of Virginia. <u>(For Vice</u> (President, (P.... Q...., (of Indiana. For United States Senator. <u>R.... S....,</u> For United States Representative, <u>T.... U....,</u> (For Governor, (V.... W...., <u>(For Lieutenant</u> (Governor, (X.... Y....</p>	<p><u>PROHIBITION</u> (For President, (A.... B...., (of Maine. <u>(For Vice</u> (President, (C.... D...., (of Illinois. For United States Senator. <u>E.... F....,</u> For United States Representative, <u>G.... H....,</u> (For Governor, (I.... J...., <u>(For Lieutenant</u> (Governor, (K.... L....</p>	<p><u>UNION LABOR</u> (For President, (N.... O...., (of Idaho. <u>(For Vice</u> (President, (P.... Q...., (of Ohio. For United States Senator. <u>R.... S....,</u> For United States Representative, <u>T.... U....,</u> (For Governor, (V.... W...., <u>(For Lieutenant</u> (Governor, (X.... Y....</p>
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Sec. 21. Section 49.80, subsection 3, Code 1989, is amended by striking the subsection.

Sec. 22. Section 49.99, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The voter may also insert in writing in the proper place the name of any person for whom the voter desires to vote and place a cross or check in the square opposite thereto the name. The If the voter is using a voting system other than an electronic voting system, as defined in section 52.1, the writing of such the name shall constitute a valid vote for the person whose name has been written on the ballot without regard to whether the voter has made a cross or check opposite thereto the name. However, when a write-in vote is cast using an electronic voting system, the ballot must also be marked in the corresponding space in order to be counted. The

making of a cross or check in a square opposite a blank without writing a name ~~therein~~ in the blank, shall not affect the validity of the remainder of the ballot.

Sec. 23. Section 49.104, subsection 6, Code 1989, is amended to read as follows:

6. Any persons expressing an interest in a ballot issue to be voted upon at an election except a general or primary election. Any such person shall file a notice of intent to serve as an observer with the commissioner ~~prior to~~ before election day. If more than three ~~such~~ persons file a notice of intent to serve at the same time with respect to ballot issues at ~~any~~ an election, the commissioner shall appoint from those submitting a notice of intent the three persons ~~to~~ who may serve at that time as observers, and shall provide a schedule to all persons who filed notices of intent. The appointees, whenever possible, shall include both opponents and proponents of the ballot issues.

Sec. 24. Section 49.107, subsection 8, Code Supplement 1989, is amended by striking the subsection and inserting in lieu thereof the following:

8. Serving as a member of a challenging committee or observer under section 49.104, subsection 2, 5, or 6, by a precinct election official serving at the polls or by an incumbent officeholder of, or a candidate for, an office being voted for at the election in progress.

Sec. 25. Section 50.21, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The commissioner shall reconvene the election board of the special precinct established by section 53.20 not earlier than noon on the second day following each election which is required by law to be canvassed on the Monday or Tuesday following the election. If the second day following such an election is a legal holiday the special precinct election board may be convened at noon on the day following the election, and if the canvass of the election is ~~required~~ scheduled at any time earlier than the Monday following the election, the special precinct election board shall be reconvened at noon on the day following the election.

Sec. 26. Section 50.24, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

The county board of supervisors shall meet to canvass the vote at ~~nine o'clock~~ on the morning of the first Monday or Tuesday after the day of each election to which this chapter is applicable, unless the law authorizing the election specifies another date for the canvass. If that Monday or Tuesday is a public holiday, section 4.1, subsection 22 controls. Upon convening, the board shall open and canvass the tally lists and shall prepare abstracts stating, in words written at length, the number of votes cast in the county, or in that portion of the county in which the election was held, for each office and on each question on the ballot for the election. The board shall contact the chairperson of the special precinct board before adjourning and include in the canvass any absentee ballots which were received after the polls closed in accordance with section 53.17 and which were canvassed by the special precinct board after election day. The abstract shall further indicate the name of each person who received votes for each office on the ballot, and the number of votes each person named received for that office, and the number of votes for and against each question submitted to the voters at the election.

Sec. 27. Section 50.46, Code 1989, is amended to read as follows:

50.46 SPECIAL ELECTIONS -- CANVASS AND CERTIFICATE.

When a special election has been held to fill a vacancy, pursuant to section 69.14, the board of county canvassers shall meet at one o'clock in the afternoon of the second day ~~thereafter~~ after the election, and canvass the votes cast ~~thereat~~ at the election. The commissioner, as soon as the canvass is completed, shall transmit to the state commissioner an abstract of the votes so canvassed, and the state board, within five days after receiving such abstracts, shall canvass the tally lists. A certificate of election shall be issued by the county or state board of canvassers, as in other cases. All the provisions regulating elections, obtaining tally lists, and canvass of votes at general elections, except as to time, shall apply to special elections.

Sec. 28. Section 53.1, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 3. When the elector expects to be unable to go to the polls and vote on election day.

Sec. 29. Section 53.17, subsection 2, Code 1989, is amended to read as follows:

2. The sealed carrier envelope may be mailed to the commissioner. The carrier envelope shall indicate that greater postage than ordinary first class mail may be required. The commissioner shall pay any insufficient postage due on a carrier envelope bearing ordinary first class postage and accept the ballot.

PARAGRAPH DIVIDED. In order for the ballot to be counted, the carrier envelope must be clearly postmarked by an officially authorized postal service not later than the day before the election and received by the commissioner not later than ~~the time established for the canvass by the board of supervisors for that noon on the Monday following the election.~~

~~If the law authorizing the election specifies that the supervisors canvass the votes earlier than the Monday following the election, absentee ballots returned through the mail must be received not later than the time established for the canvass by the board of supervisors for that election. The commissioner shall contact the post office serving the commissioner's office at the latest practicable hour prior to before the canvass by the board of supervisors for that election, and shall arrange for absentee ballots received in that post office but not yet delivered to the commissioner's office to be brought to the commissioner's office prior to before the canvass for that election by the board of supervisors.~~

Sec. 30. Section 53.23, Code 1989, is amended by adding the following new subsection after subsection 4 and renumbering the subsequent subsection:

NEW SUBSECTION. 5. The special precinct election board shall preserve the secrecy of all absentee and special ballots. After the affidavits on the envelopes have been reviewed and the qualifications of the persons casting the ballots have been determined, those that have been accepted for counting shall be opened. The ballots shall be removed from the affidavit envelopes without being unfolded or examined, and then shall be thoroughly intermingled, after which they shall be unfolded and tabulated. If secrecy folders or envelopes are used with special paper ballots, the ballots shall be removed from the secrecy folders after the ballots have been intermingled.

Sec. 31. Section 53.24, Code 1989, is amended to read as follows:

53.24 COUNTIES USING VOTING MACHINES.

In counties which provide the ~~absentee ballot counting~~ special precinct election board with a voting ~~machine machines~~, the absentee ballot envelopes shall be opened by the ~~counting board~~ and ~~the ballots shall~~, without being unfolded, be thoroughly intermingled ~~in some proper manner~~, after which they shall be unfolded and, under the personal supervision of ~~all the precinct election officials of each of the political parties~~, be registered on the voting ~~machine machines~~ the same as if the absent voter had been present and voted in person, ~~except that a tally of the write-in votes may be kept in the tally list rather than on the machine.~~ When two or more political subdivisions in the county are holding separate elections simultaneously, the commissioner may arrange the machine so that the absentee ~~and special~~ ballots for more than one ~~such~~ election may be recorded on the same machine.

Sec. 32. Section 62.18, Code 1989, is amended to read as follows:

62.18 JUDGMENT.

The court shall ~~pronounce judgment~~ adjudge whether the incumbent or any other person was duly elected, and ~~adjudge~~ that the person ~~so declared elected will be~~ is entitled to the certificate. If the court finds that the election resulted in a tie vote for any office, the tie shall be resolved pursuant to section 50.44. If the judgment ~~be is~~ is against the incumbent, and the incumbent has already received the certificate, the judgment shall annul ~~it~~ the certificate. If

the court ~~find~~ finds that no person was elected, the judgment shall be that the election be set aside.

Sec. 33. Section 69.14A, subsection 2, Code Supplement 1989, is amended by striking the subsection and inserting in lieu thereof the following:

2. a. When a vacancy exists in an elected county office, the board of supervisors shall publish notice as provided in section 331.305 indicating the method, appointment or special election, by which the board intends to fill the vacancy. If appointment is selected by the board, the appointment may be made before publication of the notice, but the appointment shall be made within forty days after the vacancy occurs.

b. When the board is notified, in writing, by the county officer of the officer's wish to vacate an office, the board shall publish notice of the vacancy if the board selects appointment by which to fill the vacancy. Following publication of notice of the vacancy, the board may appoint a prospective appointee, to serve as a deputy, no earlier than fourteen days before the vacancy occurs.

c. If within fourteen days after the date of the notice or within fourteen days after the appointment is made, whichever date is later, a petition requesting a special election to fill the vacancy is filed with the county auditor, the appointment is temporary and a special election shall be called as provided in subsection 3. The petition shall meet the requirements of section 331.306.

Sec. 34. Section 111A.2, Code 1989, is amended to read as follows:

111A.2 PETITION — BOARD MEMBERSHIP.

Upon a petition to the board of supervisors which meets the requirements of section 331.306, the board shall submit to the voters at the next ~~primary or~~ general election the question of whether a county conservation board shall be created as provided for in this chapter. If at the election the majority of votes favors the creation of a county conservation board, the board of supervisors within sixty days after the election shall create a county conservation board to consist of five bona fide residents of the county. The members first appointed shall hold office for the term of one, two, three, four, and five years respectively, as indicated and fixed by the board of supervisors. Thereafter, succeeding members shall be appointed for a term of five years, except that vacancies occurring otherwise than by expiration of term shall be filled by appointment for the unexpired term. When ~~any~~ a member of the board, during the term of office, ceases to be a bona fide resident of the county, the member is disqualified as a member and the office becomes vacant. Members of the board shall be selected and appointed on the basis of their demonstrated interest in conservation matters, and shall serve without compensation, but may be paid their actual and necessary expenses incurred in the performance of their official duties. Members of the county conservation board may be removed for cause by the board of supervisors as provided in section 331.321, subsection 3, if the cause is malfeasance, nonfeasance, ~~or~~ disability, or failure to participate in board activities as set forth by the rules of the conservation board.

Sec. 35. Section 277.4, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

Nomination papers for all candidates for election to office in each school district shall be filed with the secretary of the school board not more than sixty-four days, nor less than forty days ~~prior to~~ before the election. Nomination petitions shall be filed not later than five o'clock p.m. on the last day for filing. If the school board secretary is not readily available during normal office hours, the secretary may designate a full-time employee of the school district who is ordinarily available to accept nomination papers under this section. On the final date for filing nomination papers the office of the school secretary shall remain open until five p.m.

Sec. 36. Section 278.2, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

The board may, and upon the written request of one hundred eligible electors or a number of electors which equals thirty percent of the number of ~~votes~~ electors who voted in the last regular school board election, whichever number is greater, shall, direct the county commissioner of elections to provide in the notice of the regular election for the submission of

any proposition authorized by law to the voters. When the board has directed the commissioner to submit to the voters a proposition authorized by section 278.1, subsection 8 or 9, it shall not thereafter direct the commissioner to submit at the same election any other proposition under either of ~~these~~ those subsections.

Sec. 37. Section 279.1, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The board of directors of each school corporation shall meet and organize at the first regular meeting after a the canvass for the regular school election at some suitable place to be designated by the secretary. Notice of the place and hour of such the meeting shall be given by the secretary to each member and each member-elect of the board.

Sec. 38. Section 280.9A, Code 1989, is amended to read as follows:

280.9A HISTORY AND GOVERNMENT REQUIRED — VOTER REGISTRATION.

1. The board of directors of each local public school district and the authorities in charge of each nonpublic school shall require that all students in grades nine through twelve complete, as a condition of graduation, instruction in American history and the governments of Iowa and the United States, including instruction in voting statutes and procedures, voter registration requirements, the use of paper ballots and voting machines in the election process, and the method of acquiring and casting an absentee ballot.

2. The board of directors of each local public school district and the authorities in charge of each nonpublic school shall submit a list of currently enrolled full-time and part-time students who have attained the age of eighteen years or will attain the age of eighteen years within six months, twice each calendar year, to the county commissioner of elections in the county or counties in which the public school district or nonpublic school is located. The list shall be submitted on September 30 and March 30 of each school year and shall list the student's name, address, and date of birth. The county commissioner of elections may use this list to send a voter registration form to the student.

Sec. 39. Section 359.8, Code Supplement 1989, is amended to read as follows:

359.8 DIVISION — EFFECT.

If the petition is signed by a majority of the eligible qualified electors of the township residing without the corporate limits of ~~such the~~ city, the board of supervisors shall divide the township into two townships, as petitioned; but, except for election purposes, including the appointment of precinct election officers officials rendered necessary by the change, the division shall not take effect until the first day of January following the next general election which is not a Sunday or a legal holiday.

Sec. 40. Section 376.4, unnumbered paragraph 5, Code Supplement 1989, is amended to read as follows:

If the city clerk is not readily available during normal office hours, the city clerk shall designate other employees or officials of the city who are ordinarily available to accept nomination papers under this section. On the final date for filing nomination papers the office of the city clerk shall remain open until five p.m.

PARAGRAPH DIVIDED. The city clerk shall accept the petition for filing if on its face it appears to have the requisite number of signatures and if it is timely filed. The city clerk shall note upon each petition and affidavit accepted for filing the date and time that ~~the petition~~ was they were filed.

Sec. 41. Section 467A.5, subsection 3, Code Supplement 1989, is amended to read as follows:

3. At each general election a successor shall be chosen for each commissioner whose term will expire in the succeeding January. Nomination of candidates for the office of commissioner shall be made by petition in accordance with chapter 45, except that each candidate's nominating petition shall be signed by at least twenty-five eligible electors of the district. The petition form shall be furnished by the county commissioner of elections. Every candidate shall file with the nomination papers an affidavit stating the candidate's name, the candidate's residence, that the person is a candidate and is eligible for the office of commissioner, and that

if elected the candidate will qualify for the office. The signed petitions shall be filed with the county commissioner of elections not later than five o'clock p.m. on the ~~fifty-fifth~~ sixty-ninth day ~~prior to~~ before the general election. The votes for the office of district commissioner shall be canvassed in the same manner as the votes for county officers, and the returns shall be certified to the commissioners of the district. A plurality ~~shall be~~ is sufficient to elect commissioners, and ~~no~~ a primary election for the office shall not be held. If the canvass shows that the two candidates receiving the highest and the second highest number of votes for the office of district commissioner are both residents of the same township, the board shall certify as elected the candidate who received the highest number of votes for the office and the candidate receiving the next highest number of votes for the office who is not a resident of the same township as the candidate receiving the highest number of votes.

Sec. 42. Section 48.19, subsection 2, if enacted in 1990 Iowa Acts, House File 2009,* is amended to read as follows:

2. If the commissioner is unable to make available to a county precinct the information required of an eligible elector who registers through special late registration procedures, on the election register of a county precinct or through the provision of a separate listing of the eligible electors who register through special late registration procedures, an eligible elector may obtain from the commissioner of registration a form of affidavit prescribed by the state commissioner of elections to serve as evidence of special late registration. If the affidavit is completed by the elector and notarized by the commissioner of registration or the commissioner's designee, the elector is deemed registered under special late registration procedures and may present the affidavit at the elector's polling place on election day as proof that the elector is registered to vote. The election officials of the elector's precinct shall accept the elector's affidavit of special late registration and shall proceed as if the elector's name were listed in the election register. The election officials shall preserve all affidavits submitted pursuant to this section and forward them to the commissioner of registration at the time the election register is returned. A registration under this section is subject to verification as provided in section 48.3.

Sec. 43. Sections 48.27 and 359.22, Code 1989, are repealed.

Sec. 44. 1990 Iowa Acts, chapter 1007, being House File 2001 of the Seventy-third General Assembly, is amended by adding the following new section:

SEC. 3. EFFECTIVE DATE.

This Act, being deemed of immediate importance, takes effect upon the enactment of 1990 Iowa Acts, House File 2329, if enacted by the Seventy-third General Assembly, and is retroactively applicable to voting booths and electronic voting systems approved by the board of examiners and furnished before the enactment of this Act.

Sec. 45. EFFECTIVE DATE.

1. Section 44 and this section of this Act, being deemed of immediate importance, take effect upon enactment.

2. All other sections of this Act take effect July 1, 1990.

Approved May 3, 1990

*House File 2009 vetoed