

February 28, 1957.
Passed on File.

House File 427

By CITIES AND TOWNS COMMITTEE.

Passed House, Date 3-27 Passed Senate, Date.....

Vote: Ayes 95 Nays 6 Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act to permit town officers, including members of the council, to sell material to the town in certain specified circumstances and to publish legal notices for the town, and to amend section three hundred sixty-eight A point twenty-two (368A.22), Code 1954, relating thereto.

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

- 1 Section 1. Section three hundred sixty-eight A point
- 2 twenty-two (368A.22), Code 1954, is amended by adding at the
- 3 end thereof the following:
- 4 "Provided, however, that town officers, including members
- 5 of the council, operating established places of business in
- 6 the towns where they hold office, who have regularly furnished
- 7 materials to such town prior to their election or appointment
- 8 to office may continue to furnish such materials to such towns
- 9 in any case where it would otherwise be necessary to procure
- 10 such materials from merchants having their place of business
- 11 outside such town. Further provided, that every town officer,
- 12 including any member of the council, who furnishes supplies
- 13 for such town during his term of office shall furnish the town
- 14 clerk with a sworn affidavit that his profit margin will not be
- 15 greater than before his election or appointment. Said sworn
- 16 statement shall be a part of the permanent records of the town
- 17 for purposes of audit.
- 18 Further provided, that all publications required by law to
- 19 be made by towns in newspapers of general circulation are

20 hereby authorized to be made in newspapers owned in whole or
 21 in part by a town officer, including a member of the council,
 22 and no publication so made shall be held in violation of this
 23 section."

EXPLANATION OF HOUSE FILE 427

The purposes of this bill are to make it economically feasible for small-town merchants to seek office without loss of business in cases where the present provisions of section 368A 22 would work a mutual disadvantage of town and merchant by causing the merchant to lose business and the town to lose the convenience of purchasing locally and to authorize the making of legal publications by towns in newspapers owned in whole or in part by town officers.

HOUSE FILE 427

1 Amend House File 427, Section one (1) by striking lines
 2 four (4) through twenty-three (23) and inserting in lieu
 3 thereof the following:
 4 "However, a town council, by unanimous vote of those
 5 eligible to vote on the measure, may contract for or purchase
 6 material and services from an officer of the town, including
 7 members of the council, in any of the following circumstances:
 8 1. In the designation of a bank in which the town officer
 9 is interested as an authorized depository for public funds when
 10 it is the only bank in the town;
 11 2. In the publishing of any official matter required by law
 12 to be published in newspapers of general circulation if the
 13 newspaper is owned in whole or part by the town officer;
 14 3. A contract with a cooperative association of which the
 15 town officer is a shareholder or stockholder but not an officer
 16 or manager;
 17 4. In contracting for or purchasing any material or service
 18 which is not otherwise obtainable either in the town or in a
 19 contiguous town and does not involve more than five hundred (500)
 20 dollars.
 21 Every such town officer who furnishes supplies for such town
 22 during his term of office shall furnish the town clerk, prior to
 23 the performance of the contract or service or prior to the delivery
 24 of the material, a sworn affidavit that his profit margin will not
 25 be greater than before his election or appointment. Said sworn
 26 statement shall be a part of the permanent records of the town for
 27 purposes of audit."

Withdrawn 3-26

Filed NELSON of Winnebago.
 March 21, 1957. EDGINGTON of Franklin.

(Amendment to Nelson amendment)

1 Amend the Nelson amendment to House File 427, line ten (10)
 2 by striking the figure "2,000" and insert in lieu thereof the
 3 figure "5,000".

Offered and withdrawn X
 March 26, 1957. BREAKENRIDGE of Madison.

HOUSE FILE 427

1 1. Amend section one (1), line six (6), of House File 427
 2 by striking the words "who have regularly furnished".
 3 2. Further amend section one (1) of House File 427 by striking
 4 all of line seven (7).
 5 3. Further amend section one (1), line eight (8), of House File
 6 427 by striking the words "to office" and the words "continue
 7 to".
 8 4. Further amend section one (1), line four (4), of House
 9 File 427 by inserting the following after the word "officers":
 10 "in towns of 2,000 population or less".

Offered and adopted ✓
 March 26, 1957. NELSON of Winnebago.