

State Government
Speaker, Chair
Drake
Welsh

JAN 11 1983

SENATE FILE 55

BY PRIEBE

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

- 1 An Act to reduce the dates on which elections are held.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 55 FISCAL NOTE

REQUESTED BY SENATOR PRIEBE

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 55 pursuant to Joint Rule 17.

Senate File 55 establishes three regularly scheduled election dates over a biennium. These dates are the present dates for the primary, general, and city elections. School elections are combined with the city election date and school board members are given four-year terms. City run-off and primary elections are eliminated.

All elections are to be held on one of the three dates unless a district court finds that the election is necessary to increase a governmental body's authority to maintain its operation or facilities, or because vacancies have prevented a governmental body from being able to function and appointments cannot be made.

Certain types of elections are exempt. These are elections which are not conducted by the county commissioner of elections; elections for benefited or historical preservation districts; elections to fill vacancies in the United States house of representatives or the Iowa general assembly; elections for drainage and levee districts; and elections where a court has voided the previous election.

This bill would reduce expenditures by counties, school districts, municipalities and other local governments. As there is no centralized data on election costs, the total savings cannot be accurately determined. The costs of school elections in fiscal 1982 in several counties surveyed ranged from \$1,102 to \$3,399.

(170S, 28, JMN)

SOURCE: SECRETARY OF STATE
POLK, POTTAWATAMIE AND POWESHIEK ELECTION OFFICES

RECEIVED BY THE SECRETARY OF THE SENATE, MARCH 18, 1983
FILED: BY LEGISLATIVE FISCAL BUREAU
MARCH 22, 1983 DENNIS C. PROUTY, DIRECTOR

1 Section 1. Chapter 39, Code 1983, is amended by adding
2 the following new section:

3 NEW SECTION. DAYS OF ELECTION.

4 1. Notwithstanding other provisions of law, a regular
5 or special election conducted by the commissioner shall be
6 held only on the dates provided by this section. Regular
7 and special elections may be held on the following dates:

8 a. The first Tuesday after the first Monday in June in
9 even-numbered years.

10 b. The first Tuesday after the first Monday in November
11 in even-numbered years.

12 c. The first Tuesday after the first Monday in November
13 in odd-numbered years.

14 2. A special election may be held on a day other than
15 those provided by subsection 1 upon the approval of the
16 district court. The governmental body seeking the special
17 election shall petition the district court of the county of
18 the commissioner responsible for the election for an order
19 fixing a date for the special election and shall provide a
20 copy of the petition to the commissioner. The petition shall
21 set forth the subject of the election and the action taken
22 which requires its submission, the next regularly scheduled
23 election at which this election would otherwise be placed
24 on the ballot, the estimated costs of conducting a separate
25 special election and the reasons why an emergency exists to
26 justify the election prior to the next regularly scheduled
27 election. The district court shall hold a hearing on the
28 petition. Any eligible elector of the jurisdiction in which
29 the election is to be conducted may oppose the petition.

30 The court may approve the petition and issue an order
31 fixing a date for a special election only if it finds one
32 of the following:

33 a. The election is on a public question necessitated by
34 an imminent need for approval of additional authority in order
35 to maintain the operations or facilities of the governmental

1 body and the need is due to circumstances beyond the control
2 of the governmental body.

3 b. The election is to fill vacancies in the governmental
4 body when vacancies prevent the governmental body from being
5 able to legally function and no other means exist to fill
6 the vacancies prior to the next regularly scheduled election.

7 3. This section does not authorize a special election
8 to be held on any date available under this section if another
9 statute requires that it be held with specified regularly
10 scheduled elections.

11 4. This section does not apply to the following elections:

12 a. Elections which are not conducted by the commissioner.

13 b. Drainage and levee district elections.

14 c. Elections of benefited districts in chapters 357 through
15 358.

16 d. Elections to fill vacancies in the United States house
17 of representatives or the Iowa general assembly.

18 e. Historical preservation district elections.

19 f. Elections held when a court has voided the previous
20 election.

21 Sec. 2. Section 39.2, subsections 2 and 3, Code 1983,
22 are amended by striking the subsections and inserting in lieu
23 thereof the following:

24 2. A special election shall be held on the same day as
25 a regularly scheduled election unless another day is pro-
26 vided under section 1 of this Act. When voting is to occur
27 on the same day in any one precinct for two or more elections,
28 they shall be considered one election for purposes of admin-
29 istration including but not limited to publishing notice of
30 the election, preparation of the precinct election register,
31 and completion of tally sheets after the polling place has
32 closed. However, if the elections conflict as provided in
33 section 47.6, subsection 2, the commissioner may prepare
34 separate precinct registers, provide for separate balloting,
35 and take other measures to allow for the balloting on the

1 conflicting elections.

2 Sec. 3. Section 39.3, subsection 5, Code 1983, is amended
3 to read as follows:

4 5. "City election" means any election held in a city for
5 ~~nomination or~~ election of the officers ~~thereof including a~~
6 ~~city primary or runoff election~~ of the city.

7 Sec. 4. Section 39.24, Code 1983, is amended to read as
8 follows:

9 39.24 SCHOOL OFFICERS. Members of boards of directors
10 of community and independent school districts, and boards
11 of directors of merged areas shall be elected at the school
12 election. Their ~~respective~~ terms of office shall be ~~three~~
13 four years, except as otherwise provided by section 280A.11.

14 Sec. 5. Section 28E.22, unnumbered paragraph 1, Code 1983,
15 is amended to read as follows:

16 The board of supervisors, or the city councils of a district
17 composed only of cities, may, and upon receipt of a petition
18 signed by five percent of the qualified electors residing
19 in the district shall, submit a proposition to the electorate
20 residing in the district at any ~~general~~ regularly scheduled
21 ~~election or at a special election held throughout the district.~~

22 The proposition shall provide for the establishment of a
23 public safety fund and the levy of a tax on taxable property
24 located in the district at rates not exceeding the rates
25 specified in this section for the purpose of providing
26 additional moneys for the operation of the district.

27 Sec. 6. Section 37.3, unnumbered paragraph 1, Code 1983,
28 is amended to read as follows:

29 Upon the filing of the requisite petition, the board of
30 supervisors, or city council, as the case may be, shall cause
31 the proposition to be submitted at a regular election, ~~or~~
32 ~~at a special election to be called if requested in the~~
33 ~~petition,~~ in substantially the following form:

34 Sec. 7. Section 43.112, Code 1983, is amended by striking
35 the section and inserting in lieu thereof the following:

1 43.112 NOMINATIONS IN CERTAIN CITIES. In special charter
2 cities having a population of over fifty thousand, political
3 parties may nominate candidates for all offices filled by
4 direct vote of the people of the city. The nominations shall
5 be made at a city convention of delegates elected at precinct
6 caucuses with the delegates from the precincts which would
7 vote for the office nominating the candidate. Nominations
8 made under this section and nominations to fill a ballot
9 vacancy shall be submitted by the city central committee to
10 the city clerk at the times provided under chapter 44 for
11 nominations by political nonparty organizations.

12 A special charter city may choose by special election to
13 conduct nonpartisan city elections under chapter 44, 45, or
14 376. An election on the question of conducting city elections
15 in the city on a nonpartisan basis may be called by the city
16 council on its own initiative and shall be called by the
17 council upon receipt of a petition of the voters requesting
18 the election presented in conformity with section 362.4.
19 The special election must be held on a regularly scheduled
20 election date provided by section 1, subsection 1, paragraph
21 c of this Act.

22 Sec. 8. Section 43.116, Code 1983, is amended by striking
23 the section and inserting in lieu thereof the following:

24 43.116 BALLOT VACANCIES. A vacancy exists on the ballot
25 for an election at which city officers are to be chosen and
26 for which candidates have been nominated under this chapter
27 when a political party lacks a candidate for an office to
28 be filled at that election because the candidate nominated
29 by city convention has withdrawn by giving notice to the city
30 clerk, has died, or was found to lack the requisite
31 requirements for the office. A ballot vacancy may be filled
32 by the city central committee of the party on whose ticket
33 the vacancy exists or, in the case of an officer elected by
34 the voters of a district within the city, by those members
35 of the committee who represent the precincts lying in that

1 district.

2 Sec. 9. Section 47.6, Code 1983, is amended to read as
3 follows:

4 47.6 DATES FOR SPECIAL ELECTIONS.

5 1. The governing body of any political subdivision which
6 has authorized a special election to which section 1 of this
7 Act and section 39.2 ~~is~~ are applicable shall by written notice
8 inform the commissioner who will be responsible for conducting
9 the election of the proposed date of the special election.
10 If the proposed date of the special election coincides with
11 the date of a regularly scheduled election, the notice shall
12 be given no later than five o'clock p.m. on the last day on
13 which nomination papers may be filed for the regularly
14 scheduled election. Otherwise, the notice shall be given
15 at least thirty days in advance of the date of the proposed
16 special election. ~~Upon receiving the notice, the commissioner~~
17 ~~shall promptly give written approval of the proposed date~~
18 ~~unless it appears that the special election, if held on that~~
19 ~~date, would conflict with a regular election or with another~~
20 ~~special election previously scheduled for that date.~~

21 2. For the purpose of this section and section 39.2, a
22 conflict between two elections exists only when one of the
23 elections would require use of precinct boundaries which
24 differ from those to be used for the other election, or when
25 some but not all of the qualified electors of any precinct
26 would be entitled to vote in one of the elections and all
27 of the qualified electors of the same precinct would be
28 entitled to vote in the other election. ~~Nothing in this~~
29 ~~subsection shall deny a commissioner discretionary authority~~
30 ~~to approve holding a special election on the same date as~~
31 ~~another election, even though the two elections may be defined~~
32 ~~as being in conflict, if the commissioner concludes that to~~
33 ~~do so will cause no undue difficulties.~~

34 Sec. 10. Section 52.22, unnumbered paragraphs 1 and 2,
35 Code 1983, are amended to read as follows:

1 The precinct election officials shall, as soon as the count
2 is completed and fully ascertained as in this chapter required,
3 lock the machine against voting, and it shall so remain until
4 thirty days after the proclamation of the results of said
5 the election, except that it shall remain locked only ten
6 days after a primary election, ~~and only two days after a city~~
7 ~~primary election,~~ if such the election is not contested.

8 ~~In cities in which the council has chosen a runoff election~~
9 ~~in lieu of a primary pursuant to section 376-9, the machine~~
10 ~~shall remain locked only two days after the regular city~~
11 ~~election if the canvass shows that a runoff election is~~
12 ~~required, and the election is not contested. However, if~~
13 If the machines in any precinct are so constructed as to
14 deliver, immediately upon conclusion of the voting at any
15 election, multiple copies of a printed record of the votes
16 cast and the totals for each candidate or question appearing
17 on the face of the machine, the machines may be unlocked
18 immediately following the canvass of votes by the county board
19 of supervisors unless the precinct election board informs
20 the commissioner that the printed record produced by the
21 machine is smeared, torn or otherwise unreadable. In the
22 latter case, the machines shall be kept locked for the period
23 of time prescribed for machines which do not print such a
24 record.

25 Sec. 11. Section 145A.7, Code 1983, is amended to read
26 as follows:

27 145A.7 SPECIAL ELECTION. When a protesting petition is
28 received, the officials receiving the petition shall call
29 a special election at a regularly scheduled election of all
30 qualified voters of that political subdivision for the purpose
31 of approving or rejecting the order setting out the proposed
32 merger plan. The vote will be taken by ballot in the form
33 provided by sections 49.43 to 49.47, and the election shall
34 be initiated and held as provided in chapter 49. A majority
35 vote of those qualified voters voting at said the special

1 election ~~shall-be~~ is sufficient to approve the order and thus
2 include the political subdivision within the merged area.

3 Sec. 12. Section 273.8, subsection 1, subsection 2,
4 unnumbered paragraph 2, subsection 3, unnumbered paragraph
5 1, and subsections 5 and 6, Code 1983, are amended to read
6 as follows:

7 1. BOARD OF DIRECTORS. The board of directors of an area
8 education agency shall consist of not less than five nor more
9 than nine members, each a resident of and elected in the
10 manner provided in this section from a director district that
11 is approximately equal in population to the other director
12 districts in the area education agency. Each director shall
13 serve a ~~three-year~~ four-year term which expires on the first
14 Monday in ~~October~~ December of each odd-numbered year. The
15 terms of one-half of the members, as nearly as possible, shall
16 expire on the first Monday of December of each odd-numbered
17 year.

18 The director district conventions shall be called and the
19 locations of the conventions shall be determined by the area
20 education agency administrator. ~~Annually~~ Biennially the
21 director district conventions shall be held within two weeks
22 following the regular school election. Notice of the time,
23 date and place of a director district convention shall be
24 published by the area education agency administrator at least
25 forty-five days prior to the day of the district conventions
26 in at least one newspaper of general circulation in the
27 director district. The cost of publication shall be paid
28 by the area education agency.

29 The board of directors of each area education agency shall
30 meet at the first regular meeting in ~~October~~ December of each
31 odd-numbered year at a suitable place designated by the
32 president. Directors whose terms commence at the organization
33 meeting shall qualify by taking the oath of office required
34 by section 279.31 at or before the organization meeting.

35 5. CHANGE IN DIRECTORS. The board of an area education

1 agency may change the number of directors on the board and
2 shall make corresponding changes in the boundaries of director
3 districts. Changes shall be completed not later than July
4 1 of a fiscal year for the director district conventions to
5 be held the following ~~September~~ November.

6 6. BOUNDARY LINE CHANGES. To the extent possible the
7 board shall provide that changes in the boundary lines of
8 director districts of area education agencies shall not
9 lengthen or diminish the term of office of a director of an
10 area education agency board. Initial terms of office shall
11 be set by the board so that as nearly as possible the terms
12 of ~~one-third~~ one-half of the members expire ~~annually~~
13 biennially.

14 Sec. 13. Section 274.7, Code 1983, is amended to read
15 as follows:

16 274.7 DIRECTORS. The affairs of each school corporation
17 shall be conducted by a board of directors, the members of
18 which in all community or independent school districts shall
19 be chosen for a term of ~~three~~ four years.

20 Sec. 14. Section 275.12, subsection 2, paragraphs b, c,
21 d, and e, Code 1983, are amended to read as follows:

22 b. Division of the entire school district into designated
23 geographical subdistricts on the basis of population, to be
24 known as director districts, each of which director districts
25 shall be represented on the school board by one director who
26 shall be a resident of ~~such~~ the director district but who
27 shall be elected by the vote of the electors of the entire
28 school district. The school district shall be divided into
29 the same number of director districts as the number of school
30 directors the district is authorized by law. The boundaries
31 of ~~such~~ the director districts and the area and population
32 included within each district shall be ~~such~~ as justice, equity,
33 and the interests of the people may require. Changes in the
34 boundaries of director districts shall not be made during
35 a period commencing sixty days prior to the date of the ~~annual~~

1 biennial school election. Insofar as ~~may-be~~ practicable,
2 the boundaries of ~~such~~ districts shall follow established
3 political or natural geographical divisions.

4 c. Election of not more than one-half of the total number
5 of school directors at large from the entire district and
6 the remaining directors from and as residents of designated
7 single-member director districts into which the entire school
8 district shall be divided on the basis of population. In
9 such case, all directors shall be elected by the electors
10 of the entire school district. Changes in the boundaries
11 of director districts shall not be made during a period
12 commencing sixty days prior to the date of the ~~annual~~ biennial
13 school election.

14 d. Division of the entire school district into designated
15 geographical subdistricts on the basis of population, to be
16 known as director districts, each of which director districts
17 shall be represented on the school board by one director who
18 shall be a resident of ~~such~~ the director district and who
19 shall be elected by the voters of ~~said~~ the director district.
20 Place of voting in ~~such~~ director districts shall be designated
21 by the commissioner of elections. Changes in the boundaries
22 of director districts shall not be made during a period
23 commencing sixty days prior to the date of the ~~annual~~ biennial
24 school election.

25 e. In districts having seven directors, election of three
26 directors at large by the electors of the entire district,
27 one at each annual school election, and election of the
28 remaining directors as residents of and by the electors of
29 individual geographic subdistricts established on the basis
30 of population and identified as director districts. Boundaries
31 of the subdistricts shall follow precinct boundaries, insofar
32 as practicable, and shall not be changed less than sixty days
33 prior to the ~~annual~~ biennial school election.

34 Sec. 15. Section 275.18, Code 1983, is amended to read
35 as follows:

1 275.18 SPECIAL ELECTION CALLED--TIME. When the boundaries
2 of the territory to be included in a proposed school
3 corporation and the number and method of the election of the
4 school directors of such the proposed school corporation have
5 been determined as ~~herein~~ provided in this chapter, the area
6 education agency administrator with whom such the petition
7 is filed shall give written notice of the proposed date of
8 the election to the county commissioner of elections of the
9 county in the proposed school corporation which has the
10 greatest taxable base ~~therein~~. The proposed date shall be
11 ~~as-seen-as-possible-pursuant-to-sections-39-27-subsections~~
12 ~~1-and-27-and-47-67-subsections-1-and-27-but-not-later-than~~
13 ~~December-31~~ at a regularly scheduled election. The county
14 commissioner of elections shall give notice of the election
15 by one publication in the same newspaper in which previous
16 notices have been published regarding the proposed school
17 reorganization, and ~~in-addition-thereto~~, if more than one
18 county is involved, by one publication in a legal newspaper
19 in each county other than that of the first publication, which
20 publication shall be not less than four nor more than twenty
21 days prior to the election. In the case of districts located
22 in more than one county, no notice for an election shall be
23 published until the time for appeal, which shall be the same
24 as that provided in section 285.12, has expired; and in the
25 event of an appeal, not until the ~~same~~ appeal has been disposed
26 of.

27 Sec. 16. Section 275.25, unnumbered paragraphs 1 and 2,
28 Code 1983, are amended to read as follows:

29 If the proposition to establish a new corporation carries
30 under the method provided, the board of the reorganized
31 district shall consist of the members of the boards of the
32 districts involved in the reorganization who are residents
33 of the reorganized district until their successors are elected
34 at the ~~second~~ next regular school election held at least one
35 year thereafter. Terms of office of such members shall be

1 extended beyond their expiration to the organizational meeting
2 after the ~~second~~ next regular school election held at least
3 one year thereafter. Vacancies occurring on the board during
4 the period shall be filled by appointment by the remaining
5 members.

6 At the next ~~succeeding~~ regular school election held at
7 least one year after the effective date of the reorganization,
8 two directors shall be elected to serve until the next
9 ~~succeeding~~ regular school election, ~~two until the second,~~
10 and ~~one~~ three to serve until the ~~third~~ second regular school
11 election thereafter, except in districts which include all
12 or part of a city of fifteen thousand or more population
13 and in districts in which the proposition to establish a new
14 corporation provides for seven directors, three directors
15 shall be elected to serve until the ~~third-regular~~ next
16 succeeding regular school election and four to serve until
17 the second regular school election thereafter, all of whom
18 ~~to~~ shall serve until ~~such-time-as~~ their successors are elected
19 and qualified. ~~Provided, however, that~~ However, in all
20 community school districts which include a city of fifteen
21 thousand or more population and which became effective prior
22 to July 4, 1955, and in all community school districts
23 containing a city which has attained a population of fifteen
24 thousand or more as shown by the most recent decennial federal
25 census, the board of directors shall consist of seven members.
26 Where it becomes necessary to increase the membership of any
27 such board under ~~the-provisions-hereof~~ this section, two
28 directors shall be added according to the procedure described
29 in section 277.23. The county board of supervisors shall
30 canvass the votes and the county commissioner of elections
31 report the results to the area education agency administrator
32 who shall notify the persons who are elected directors.

33 Sec. 17. Section 275.37, Code 1983, is amended to read
34 as follows:

35 275.37 INCREASE IN NUMBER OF DIRECTORS. At the next

1 succeeding ~~annual~~ biennial school election in a district where
2 the number of directors has been increased from five to seven,
3 and directors are elected at large, there shall be elected
4 a director to succeed each incumbent director whose term is
5 expiring in that year, and two additional directors. Upon
6 organizing as required by section 279.1, the newly elected
7 director who received the fewest votes in the election shall
8 be assigned a term of ~~either-one-year-or~~ two years if necessary
9 in order that as nearly as possible ~~one-third~~ one-half of
10 the members of the board shall be elected each year.

11 Sec. 18. Section 275.38, Code 1983, is amended to read
12 as follows:

13 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION. If change
14 in the method of election of school directors is approved
15 at a regular or special school election, the directors who
16 were serving unexpired terms or were elected concurrently
17 with approval of the change of method shall serve out the
18 terms for which they were elected. If the plan adopted is
19 that described in section 275.12, subsection 2, paragraph
20 "b," "c," "d," or "e," the board shall at the earliest
21 practicable time designate the districts from which residents
22 are to be elected as school directors at each of the next
23 ~~three~~ two succeeding ~~annual~~ biennial school elections,
24 arranging so far as possible for elections of directors as
25 residents of the respective districts to coincide with the
26 expiration of terms of incumbent members residing in those
27 districts. If an increase in the size of the board from five
28 to seven members is approved concurrently with the change
29 in method of election of directors, the board shall make the
30 necessary adjustment in the manner prescribed in section
31 275.37, as well as providing for implementation of the
32 districting plan under this section.

33 Sec. 19. Section 275.55, unnumbered paragraph 1, Code
34 1983, is amended to read as follows:

35 The board of the school district shall call a special

1 election to be held ~~not-later-than-forty-days~~ following the
2 date of the final hearing on the dissolution proposal. The
3 special election ~~may~~ shall be held at the same time as the
4 ~~regular-school~~ a regularly scheduled election. The proposi-
5 tion submitted to the voters residing in the school district
6 at the special election shall describe each separate area
7 to be attached to a contiguous school district and shall name
8 the school district to which it will be attached.

9 Sec. 20. Section 277.1, Code 1983, is amended to read
10 as follows:

11 277.1 REGULAR ELECTION. The regular election shall be
12 held ~~annually~~ biennially on the ~~second~~ first Tuesday after
13 the first Monday in September ~~November of each odd-numbered~~
14 year in each school district for the election of officers
15 of the district, merged area, and county school system and
16 for the purpose of submitting to the voters ~~thereof~~ any matter
17 authorized by law.

18 Sec. 21. Section 277.20, unnumbered paragraph 1, Code
19 1983, is amended to read as follows:

20 On the next ~~Friday~~ Monday after the regular school election,
21 the county board of supervisors shall canvass the returns
22 made to the county commissioner of elections from the several
23 precinct polling places and the absentee ballot counting
24 board, ascertain the result of the voting with regard to every
25 matter voted upon and cause a record to be made thereof as
26 required by section 50.24. Special elections held in school
27 districts shall be canvassed at the time and in the manner
28 required by that section. The board shall declare the results
29 of the voting for members of boards of directors of school
30 corporations nominated pursuant to section 277.4, and the
31 commissioner shall at once issue a certificate of election
32 to each person declared elected. The board shall also declare
33 the results of the voting on any public question submitted
34 to the voters of a single school district, and the commissioner
35 shall certify the result as required by section 50.27.

1 Sec. 22. Section 277.23, unnumbered paragraph 2, Code
2 1983, is amended to read as follows:

3 A change from five to seven directors shall be effected
4 in a district at the first regular election after authorization
5 by the voters or when a district becomes wholly or in part
6 within a city of fifteen thousand population or more in the
7 following manner: If the ~~term-of-one-director~~ terms of two
8 directors of the five-member board ~~expires~~ expire at the time
9 of ~~said~~ the regular election, ~~three~~ four directors shall be
10 elected to serve until the ~~third~~ second regular election
11 thereafter; if the terms of ~~two~~ three directors expire at
12 the time of ~~said~~ the regular election, ~~three~~ four directors
13 shall be elected to serve until the ~~third~~ second regular
14 election thereafter and one director shall be elected to serve
15 ~~a-term-the-expiration-of-which-coincides-with-the-expiration~~
16 ~~of-the-term-of-the-director-heretofore-singly-elected~~ until
17 the next succeeding regular election.

18 Sec. 23. Section 277.25, subsections 1, 2, and 3, Code
19 1983, are amended to read as follows:

20 1. In districts having three directors, one director shall
21 be elected for ~~one-year,~~ ~~one-fer~~ two years, and ~~one~~ two for
22 ~~three~~ four years.

23 2. In districts having five directors, two shall be elected
24 for ~~one-year,~~ ~~two-fer~~ two years, and ~~one~~ three for ~~three~~ four
25 years.

26 3. In districts having seven directors, ~~two~~ three shall
27 be elected for ~~one-year,~~ ~~two-fer~~ two years, and ~~three~~ four
28 for ~~three~~ four years.

29 Sec. 24. Section 277.28, unnumbered paragraph 1, Code
30 1983, is amended to read as follows:

31 Each director elected at a regular district or director
32 district election, ~~as-the-case-may-be,~~ shall qualify by taking
33 the oath of office on or before the time set for the
34 organization meeting of the board the third Monday in ~~September~~
35 November of each odd-numbered year, and his the district's

1 election and qualification shall be entered of record by the
2 secretary. The oath may be administered by any qualified
3 member of the board or the secretary of the board and may
4 be taken in substantially the following form:

5 Sec. 25. Section 279.1, unnumbered paragraph 1, Code 1983,
6 is amended to read as follows:

7 The board of directors of each school corporation shall
8 meet and organize at two o'clock p.m., or at seven-thirty
9 o'clock p.m., if so ordered by the president of the board,
10 on the third Monday in ~~September-each-year~~ November of each
11 odd-numbered year at some suitable place to be designated
12 by the secretary. Notice of the place and hour of ~~such the~~
13 meeting shall be given by the secretary to each member and
14 each member-elect of the board.

15 Sec. 26. Section 280A.11, unnumbered paragraph 1, Code
16 1983, is amended to read as follows:

17 The governing board of a merged area shall be a board of
18 directors composed of one member elected from each director
19 district in the area by the electors of the respective
20 district. Members of the board shall be residents of the
21 district from which elected. Successors shall be chosen at
22 the ~~annual~~ biennial school elections for members whose terms
23 expire on the first Monday in ~~October~~ December following such
24 elections. Terms of members of the board of directors shall
25 be ~~three~~ four years. Vacancies on the board which occur more
26 than ninety days prior to the next regular school election
27 may be filled at the next regular meeting of the board by
28 appointment by the remaining members of the board. A member
29 so chosen shall be a resident of the district in which the
30 vacancy occurred and shall serve until a member ~~shall-be is~~
31 elected pursuant to section 69.12 to fill the vacancy for
32 the balance of the unexpired term. A vacancy shall be defined
33 as in section 277.29. No member shall serve on the board
34 of directors who is a member of a board of directors of a
35 local school district or a member of an area education agency

1 board.

2 Sec. 27. Section 280A.12, Code 1983, is amended to read
3 as follows:

4 280A.12 DIRECTORS OF MERGED AREA. In each merged area,
5 the initial board of directors elected at the special election
6 shall organize within fifteen days following the election
7 and may thereafter proceed with the establishment of the
8 designated area vocational school or area community college.
9 The board of directors of the merged area shall organize at
10 the first regular meeting in ~~October~~ December of each odd-
11 numbered year. Organization of the board shall be effected
12 by the election of a president and other officers from the
13 board membership as board members determine. The board of
14 directors shall appoint a secretary and a treasurer who shall
15 each give bond as prescribed in section 291.2 and who shall
16 each receive the salary determined by the board. The secretary
17 and treasurer shall perform duties under chapter 291 and
18 additional duties the board of directors deems necessary.
19 However, the board may appoint one person to serve as the
20 secretary and treasurer. If one person serves as the secretary
21 and treasurer, only one bond is necessary for that person.
22 The frequency of meetings other than organizational meetings
23 shall be as determined by the board of directors but the
24 president or a majority of the members may call a special
25 meeting at any time.

26 Sec. 28. Section 280A.13, subsections 1 and 4, Code 1983,
27 are amended to read as follows:

28 1. The board of a merged area may change the number of
29 directors on the board and shall make corresponding changes
30 in the boundaries of director districts. Changes shall be
31 completed not later than July 1 of a fiscal year for the
32 regular school election to be held the next following ~~September~~
33 November.

34 4. To the extent possible the board shall provide that
35 changes in the boundary lines of director districts of merged

1 areas do not lengthen or diminish the term of office of a
2 director of the board. Initial terms of office shall be set
3 by the board so that as nearly as possible the terms of one-
4 ~~third~~ one-half of the members expire ~~annually~~ biennially.

5 Sec. 29. Section 280A.15, subsections 1 and 4, Code 1983,
6 are amended to read as follows:

7 1. Regular elections held ~~annually~~ biennially by the
8 merged area for the election of members of the board of
9 directors as required by section 280A.11, for the renewal
10 of the twenty and one-fourth cents per thousand dollars of
11 assessed valuation levy authorized in section 280A.22, or
12 for any other matter authorized by law and designated for
13 election by the board of directors of the merged area, shall
14 be held on the date of the school election as fixed by section
15 277.1. The election notice shall be made a part of the local
16 school election notice published as provided in section 49.53
17 in each local school district where voting is to occur in
18 the merged area election and the election shall be conducted
19 by the county commissioner of elections pursuant to chapters
20 39 to 53 and section 277.20.

21 4. The votes cast in the election shall be canvassed and
22 abstracts of the votes cast shall be certified as required
23 by section 277.20. In each county whose commissioner of
24 elections is responsible under section 47.2 for conducting
25 elections held for a merged area, the county board of
26 supervisors shall convene at ten o'clock a.m. on the last
27 Monday in ~~September~~ November, canvass the abstracts of votes
28 cast and declare the results of the voting. The commissioner
29 shall at once issue certificates of election to each person
30 declared elected, and shall certify to the merged area board
31 in substantially the manner prescribed by section 50.27 the
32 result of the voting on any public question submitted to the
33 voters of the merged area. Members elected to the board of
34 directors of a merged area shall qualify by taking the oath
35 of office prescribed in section 277.28.

1 Sec. 30. Section 280A.22, subsection 1, paragraph a, Code
2 1983, is amended to read as follows:

3 a. In addition to the tax authorized under section 280A.17,
4 the voters in any merged area may at the ~~annual~~ biennial
5 school election vote a tax not exceeding twenty and one-fourth
6 cents per thousand dollars of assessed value in any one year
7 for a period not to exceed ten years for the purchase of
8 grounds, construction of buildings, payment of debts contracted
9 for the construction of buildings, purchase of buildings and
10 equipment for buildings, and the acquisition of libraries,
11 and for the purpose of maintaining, remodeling, improving,
12 or expanding the area vocational school or area community
13 college of the merged area which tax shall be collected by
14 the county treasurers and remitted to the treasurer of the
15 merged area as other taxes are collected and remitted, and
16 the proceeds of ~~said~~ the tax shall be deposited in a separate
17 and distinct fund to be known as the voted tax fund, to be
18 paid out upon warrants drawn by the president and secretary
19 of the board of directors of the merged area district for
20 the payment of costs incurred in providing the school
21 facilities for which the tax was voted.

22 Sec. 31. Section 280A.39, unnumbered paragraph 1, Code
23 1983, is amended to read as follows:

24 Any merged area may combine with any adjacent merged area
25 after a favorable vote by the electors of each of the areas
26 involved. If the boards of directors of two or more merged
27 areas agree to a combination, the question shall be submitted
28 to the electors of each area at a special election to be held
29 on a regularly scheduled election day on the same day in each
30 area. ~~The special election shall not be held within thirty~~
31 ~~days of any general election.~~ Prior to the special election,
32 the board of each merged area shall notify the county
33 commissioner of elections of the county in which the greatest
34 proportion of the merged area's taxable base is located who
35 shall publish notice of the election according to section

1 49.53. The two respective county commissioners of elections
2 shall conduct the election pursuant to ~~the provisions of~~
3 chapters 39 to 53. The votes cast in the election shall be
4 canvassed by the county board of supervisors and the county
5 commissioners of elections who conducted the election shall
6 certify the results to the board of directors of each merged
7 area.

8 Sec. 32. Section 296.3, Code 1983, is amended to read
9 as follows:

10 296.3 ELECTION CALLED. The president of the board of
11 directors on receipt of a petition under section 296.2 shall,
12 within ten days after considering the suggestions of the area
13 education agency board, or the board of a district contiguous
14 to the district for which the petition is received, under
15 section 297.7, subsection 3, call a meeting of the board which
16 shall call the election, ~~fixing the time of the election,~~
17 ~~which may be~~ at the time and place of holding ~~the regular~~
18 ~~school~~ a regularly scheduled election. The president shall
19 notify the county commissioner of elections of the time of
20 the election.

21 Sec. 33. Section 298.18, unnumbered paragraph 4, Code
22 1983, is amended to read as follows:

23 The amount estimated and certified to apply on principal
24 and interest for any one year may exceed two dollars and
25 seventy cents per thousand dollars of assessed value by the
26 amount approved by the voters of the school corporation, but
27 not exceeding four dollars and five cents per thousand dollars
28 of the assessed value of the taxable property within any
29 school corporation, provided that the qualified voters of
30 ~~such~~ the school corporation have first approved ~~such~~ the
31 increased amount at a special election, which ~~may~~ shall be
32 held at the same time as ~~the regular school~~ a regularly
33 scheduled election. The proposition submitted to the voters
34 at ~~such~~ the special election shall be in substantially the
35 following form:

1 Sec. 34. Section 300.2, unnumbered paragraph 1, Code 1983,
2 is amended to read as follows:

3 The board of directors of a school district may, and upon
4 receipt of a petition signed by eligible electors equal in
5 number to at least twenty-five percent of the number of voters
6 at the last preceding school election, shall, direct the
7 county commissioner of elections to submit to the qualified
8 electors of the school district at a regularly scheduled
9 election the question of whether to levy a tax of not to
10 exceed thirteen and one-half cents per thousand dollars of
11 assessed valuation for public educational and recreational
12 activities authorized under this chapter. ~~If-at-the-time~~
13 ~~of-filing-the-petition,-it-is-more-than-three-months-until~~
14 ~~the-next-regular-school-election,-the-board-of-directors-shall~~
15 ~~submit-the-question-at-a-special-election-within-sixty-days-~~
16 ~~otherwise,-the-question-shall-be-submitted-at-the-next-regular~~
17 ~~school-election-~~

18 Sec. 35. Section 330.17, unnumbered paragraph 1, Code
19 1983, is amended to read as follows:

20 The council of any city or county which owns or acquires
21 an airport may, and upon the council's receipt of a valid
22 petition as provided in section 362.4, or receipt of a petition
23 by the board of supervisors as provided in section 331.306
24 shall, at a ~~regular-city~~ regularly scheduled election ~~or-a~~
25 ~~general-election-if-one-is-to-be-held-within-sixty-days-from~~
26 ~~the-filing-of-the-petition,-or-otherwise-at-a-special-election~~
27 ~~called-for-that-purpose,~~ submit to the voters the question
28 as to whether the management and control of the airport shall
29 be placed in an airport commission. If a majority of the
30 voters favors placing the management and control of the airport
31 in an airport commission, the commission shall be established
32 as provided in this chapter.

33 Sec. 36. Section 331.207, subsection 2, Code 1983, is
34 amended to read as follows:

35 2. The petition shall be filed with the auditor by January

1 September 1 of a year before the general election year, subject
2 to subsection 5. The special election shall be held at ~~least~~
3 ~~one-hundred-days~~ a regularly scheduled election before the
4 primary election. Notice of the special election shall be
5 published once each week for three successive weeks in an
6 official newspaper of the county, shall state the representa-
7 tion plans to be submitted to the electors, and shall state
8 the date of the special election which shall be held not less
9 than five nor more than twenty days from the date of last
10 publication.

11 Sec. 37. Section 331.383, Code 1983, is amended to read
12 as follows:

13 331.383 DUTIES AND POWERS RELATING TO ELECTIONS. The
14 board shall ensure that the county commissioner of elections
15 conducts primary, general, city, school and special elections
16 in accordance with applicable state law. The board shall
17 canvass elections in accordance with sections 43.49 to 43.51,
18 43.60 to 43.62, 46.24, 50.13, 50.24 to 50.29, 50.44 to 50.47,
19 275.25, 277.20, 280A.39, and ~~376.17-376-77--and-376-9~~. The
20 board shall prepare and deliver a list of persons nominated
21 in accordance with section 43.55, provide for a recount in
22 accordance with section 50.48, provide for election precincts
23 in accordance with sections 49.3, 49.4, 49.6 to 49.8 and
24 49.11, pay election costs as provided in section 47.3, partici-
25 pate in election contests as provided in sections 62.1 and
26 62.9, and perform other election duties required by state
27 law. The board may authorize additional precinct election
28 officials as provided in section 51.1, provide for the use
29 of a voting machine or electronic voting system as provided
30 in sections 52.2, 52.3, 52.8 and 52.34, and exercise other
31 election powers as provided by state law.

32 Sec. 38. Section 331.421, subsection 15, Code 1983, is
33 amended to read as follows:

34 15. For the purpose of establishing an institution of
35 benevolence, not to exceed twenty and one-fourth cents per

1 thousand dollars, if the county receives property by gift
 2 or devise for that purpose and a sufficient fund is not pro-
 3 vided for the maintenance of the institution. However this
 4 tax shall not be levied until the board has submitted the
 5 question of levying the tax to the qualified electors at a
 6 ~~regular-or-special~~ regularly scheduled election and a majority
 7 of the votes cast have been in favor of the levy. After five
 8 years of levying the tax the board may, and upon receipt of
 9 a petition signed by twenty-five percent of the qualified
 10 electors of the county as shown by the pollbooks of the last
 11 preceding general election, shall resubmit the question of
 12 levying the tax to the qualified electors at a ~~regular-or~~
 13 ~~special~~ regularly scheduled election. If sixty-five percent
 14 of the votes cast are in favor of discontinuing the levy,
 15 it shall be discontinued. The tax collected under this subsec-
 16 tion shall be paid to the treasurer of the institution and
 17 be expended on the order of the trustees of the institution.

18 Sec. 39. Section 331.423, subsections 1 and 2, Code 1983,
 19 are amended to read as follows:

20 1. The election may be held only if the board gives at
 21 least three weeks notice to the county commissioner of elec-
 22 tions, ~~-not-later-than-February-15,~~ that the election is to
 23 be held.

24 2. The election shall be held on the ~~second~~ first Tuesday
 25 ~~in-March~~ after the first Monday in November and be conducted
 26 by the county commissioner of elections in accordance with
 27 the law.

28 Sec. 40. Section 331.442, subsection 2, unnumbered para-
 29 graph 1, Code 1983, is amended to read as follows:

30 Before the board may institute proceedings for the issu-
 31 ance of bonds for a general county purpose, it shall call
 32 a county special election at a regularly scheduled election
 33 to vote upon the question of issuing the bonds. At the elec-
 34 tion the proposition shall be submitted in the following form:

35 Sec. 41. Section 331.447, subsection 1, paragraph b,

1 unnumbered paragraph 1, Code 1983, is amended to read as
2 follows:

3 The amount estimated and certified to apply on principal
4 and interest for any one year may only exceed the statutory
5 rate of levy limit, if any, by the amount that the qualified
6 electors of the county have approved at a special election,
7 which may shall be held at the same time as ~~the-general~~ a
8 regularly scheduled election and may be included in the
9 proposition authorizing the issuance of bonds, if an election
10 on the proposition is necessary, or may be submitted as a
11 separate proposition at the same election or at a different
12 election. Notice of the election shall be given as specified
13 in section 331.305. If the proposition includes issuing bonds
14 and increasing the levy limit, it shall be in substantially
15 the following form:

16 Sec. 42. Section 347.13, subsection 12, Code 1983, is
17 amended to read as follows:

18 12. Submit to the voters at any ~~regular-or-special~~
19 regularly scheduled election a proposition to sell or lease
20 any sites and buildings, excepting those described in
21 subsection 11 hereef, and upon ~~such~~ the proposition being
22 carried by a majority of the total number of votes cast at
23 ~~such~~ the election, may proceed to sell ~~such~~ the property at
24 either public or private sale, and apply the proceeds only
25 for:

- 26 a. Retirement of bonds issued and outstanding in connection
27 with the purchase of ~~said~~ the property so sold;
- 28 b. Repairs or improvements to property owned or for the
29 purchase or lease of equipment as the board of hospital
30 trustees may determine.

31 Sec. 43. Section 361.5, Code 1983, is amended to read
32 as follows:

33 361.5 ELECTION ON QUESTION. Upon request of the weather
34 modification board, the county board of supervisors shall
35 submit to the owners and tenants of agricultural land in the

1 county at any ~~general-election-or-special~~ regularly scheduled
2 election called for that purpose, the question of whether
3 a tax in accordance with section 361.3, subsection 4, shall
4 be levied annually on agricultural land. Notice of the
5 election shall be published each week for two consecutive
6 weeks as provided in section 331.305. The notice shall include
7 the date and time of the election and the question to be voted
8 upon. A majority of the agricultural landowners and tenants
9 voting shall determine the question.

10 Sec. 44. Section 361.7, Code 1983, is amended to read
11 as follows:

12 361.7 CANCELLATION OF PROGRAM. If a tax levy has been
13 authorized under section 361.5, the county board of supervisors
14 shall, upon receipt of a petition signed by at least one
15 hundred owners and tenants of agricultural land located in
16 the county, submit to the owners and tenants of agricultural
17 land at any ~~general-election-or-special~~ regularly scheduled
18 election ~~called-for-that-purpose~~ the following question:
19 "Shall the power to levy a tax for the administration of an
20 artificial weather modification program be canceled?" Notice
21 of the date and time of election and the question to be voted
22 upon shall be published each week for two consecutive weeks
23 in a newspaper of general circulation throughout the county.
24 If a majority of the agricultural landowners and tenants
25 voting favor the question, no further tax levy as provided
26 in section 361.6 shall be made.

27 Sec. 45. Section 364.2, subsection 4, paragraph b, Code
28 1983, is amended to read as follows:

29 b. No such ordinance shall become effective unless approved
30 at an election. The proposal may be submitted by the council
31 on its own motion to the voters at any city election. Upon
32 receipt of a valid petition as defined in section 362.4
33 requesting that a proposal be submitted to the voters, the
34 council shall submit the proposal at the next regular city
35 election or at a ~~special-election-called-for-that-purpose~~

1 a regularly scheduled election held prior to the next regular
2 city election. If a majority of those voting approves the
3 proposal the city may proceed as proposed.

4 Sec. 46. Section 368.19, unnumbered paragraph 1, Code
5 1983, is amended to read as follows:

6 The committee shall approve or disapprove the petition
7 or plan as amended, within ninety days of the final hearing,
8 and shall file its decision for record and promptly notify
9 the parties to the proceeding of its decision. If a petition
10 or plan is approved, the board shall set a date ~~within ninety~~
11 days for a special election at a regularly scheduled election
12 on the proposal and the county commissioner of elections shall
13 conduct the election. In a case of incorporation or
14 discontinuance, qualified electors of the territory or city
15 may vote, and the proposal is authorized if a majority of
16 those voting approves it. In a case of annexation or
17 severance, qualified electors of the territory and of the
18 city may vote, and the proposal is authorized if a majority
19 of the total number of persons voting approves it. In a case
20 of consolidation, qualified electors of each city to be
21 consolidated may vote, and the proposal is authorized only
22 if it receives a favorable majority vote in each city. The
23 county commissioner of elections shall publish notice of the
24 election as provided in section 49.53 and shall conduct the
25 election in the same manner as other special city elections.

26 Sec. 47. Section 372.2, subsection 2, Code 1983, is amended
27 to read as follows:

28 2. Within one week after receiving a valid petition, the
29 mayor shall proclaim a special city election to be held ~~within~~
30 sixty-days at a regularly scheduled election to determine
31 whether the city shall change to a different form of
32 government. The mayor shall notify the county commissioner
33 of elections to publish notice of the election and conduct
34 the election pursuant to ~~the provisions of~~ chapters 39 to
35 53. The county commissioner of elections shall certify the

1 results of the election to the mayor.

2 Sec. 48. Section 372.9, subsections 3, 5, and 7, Code
3 1983, are amended to read as follows:

4 3. The proposed home rule charter must be submitted at
5 a special city election on a date selected by the mayor after
6 consulting regarding the regularly scheduled election date
7 on which the election may most conveniently be held with the
8 county commissioner of elections who will be responsible for
9 conducting the election. However, the date of the election
10 must be not less than thirty ~~not more than sixty~~ days after
11 the last publication of the proposed home rule charter.

12 5. If a petition for the appointment of a charter
13 commission is filed at any time within two weeks after the
14 second publication of a charter proposed by the council, the
15 submission to the voters of a charter proposed by the council
16 must be delayed to another regularly scheduled election, a
17 charter commission appointed, and the council proposal and
18 the charter proposed by the charter commission must be
19 submitted to the voters at the same special election.

20 7. If only two forms of government are being voted upon,
21 the form of government which receives the highest number of
22 votes is adopted.

23 If more than two forms are being voted upon and no form
24 receives a majority of the votes cast in the special election,
25 there must be a runoff election between the two proposed forms
26 which receive the highest number of votes in the special
27 election. The runoff election must be held ~~within thirty~~
28 days following the special election at the next regularly
29 scheduled election and must be conducted in the same manner
30 as a special city election.

31 Sec. 49. Section 372.13, subsection 2, Code 1983, is
32 amended to read as follows:

33 2. A vacancy in an elective city office during a term
34 of office shall be filled, at the council's option, by one
35 of the two following procedures:

1 a. By appointment by the remaining members of the council,
2 except that if the remaining members do not constitute a
3 quorum of the full membership, paragraph "b" shall be followed.
4 The appointment shall be for the period until the next pending
5 regularly scheduled election ~~as-defined-in-section-69-12,~~
6 and shall be made within forty days after the vacancy occurs.
7 If the council chooses to proceed under this paragraph, it
8 shall publish notice in the manner prescribed by section
9 362.3, stating that the council intends to fill the vacancy
10 by appointment but that the electors of the city or ward,
11 as the case may be, have the right to file a petition requiring
12 that the vacancy be filled by a special election. The council
13 may publish notice in advance if an elected official submits
14 a resignation to take effect at a future date. The council
15 may make an appointment to fill the vacancy after the notice
16 is published or after the vacancy occurs, whichever is later.
17 However, if within fourteen days after publication of the
18 notice or within fourteen days after the appointment is made,
19 whichever is later, there is filed with the city clerk a
20 petition which requests a special election to fill the vacancy
21 and which is signed by eligible electors who are, or would
22 be if registered, entitled to vote to fill the office in
23 question, equal in number to two percent of those who voted
24 for candidates for the office at the last preceding regular
25 election at which the office was on the ballot, but not less
26 than ten persons, an appointment to fill the vacancy is
27 temporary and the council shall call a special election to
28 fill the vacancy permanently, under paragraph "b".

29 b. By a special election held to fill the office for the
30 remaining balance of the unexpired term. If the council opts
31 for a special election or a valid petition is filed under
32 paragraph "a", the special election ~~may~~ shall be held concur-
33 rently with any pending regularly scheduled election ~~as-pre-~~
34 ~~vided-by-section-69-12-if-by-so-doing-the-vacaney-will-be~~
35 ~~filled-not-more-than-ninety-days-after-it-occurs.~~ Otherwise,

1 ~~a special election to fill the office shall be called at the~~
2 ~~earliest practicable date.~~ If there are concurrent vacancies
3 on the council and the remaining council members do not con-
4 stitute a quorum of the full membership, a special election
5 shall be called at the earliest practicable date. A special
6 election held under this subsection is subject to neither
7 a primary election nor runoff, ~~even if such an election is~~
8 ~~required when the office in question is filled at a regular~~
9 ~~city election,~~ and the candidate receiving a plurality of
10 the vote is elected.

11 Sec. 50. Section 376.1, unnumbered paragraph 1, Code 1983,
12 is amended to read as follows:

13 A city shall hold a regular city election on the first
14 Tuesday after the first Monday in November of each odd-numbered
15 year. A city shall hold regular, or special, ~~primary, or~~
16 ~~runoff~~ city elections as provided by state law.

17 Sec. 51. Section 376.2, unnumbered paragraph 2, Code 1983,
18 is amended to read as follows:

19 Except as otherwise provided by state law or the city
20 charter, terms for elective offices are two years. However,
21 the term of an elective office may be changed to two or four
22 years by petition and election. Upon receipt of a valid
23 petition as defined in section 362.4, requesting that the
24 term of an elective office be changed, the council shall
25 submit the question at a special city election to be held
26 within sixty days at a regularly scheduled election. If a
27 majority of the persons voting at the special election approves
28 the changed term, it becomes effective at the beginning of
29 the term following the next regular city election. If a
30 majority does not approve the changed term, the council shall
31 not submit the same proposal to the voters within the next
32 four years.

33 Sec. 52. Section 376.3, Code 1983, is amended to read
34 as follows:

35 376.3 NOMINATIONS. Candidates for elective city offices

1 must be nominated as provided in sections 376.4 to ~~376-9~~ 376.8
2 unless by ordinance a city chooses the provisions of ~~chapters~~
3 chapter 44 or 45. However, a city acting under a special
4 charter in 1973 and having a population of over fifty thousand
5 shall continue to hold partisan elections as provided in
6 sections 43.112 ~~to-43-118~~, 43.116, and 420.126 to 420.137
7 unless the city by election as provided in section 43.112
8 chooses to conduct city elections under this chapter or chapter
9 44 or 45. The choice of one of these options by such a special
10 charter city does not otherwise affect the validity of the
11 city's charter. However, special charter cities which choose
12 to exercise the option to conduct nonpartisan city elections
13 may choose in the same manner the original decision was made,
14 to resume holding city elections on a partisan basis.

15 Sec. 53. Section 376.5, Code 1983, is amended to read
16 as follows:

17 376.5 PUBLICATION OF BALLOT. Notice containing a copy
18 of the ballot for each regular, or special, ~~primary, or runoff~~
19 city election must be published by the county commissioner
20 of elections as provided in section 362.3, except that notice
21 of a regular, ~~primary, or runoff~~ election may be published
22 not less than four days before the date of the election.
23 The published ballot must contain the names of all candidates,
24 and ~~may~~ shall not contain any party designations. The
25 published ballot must contain any question to be submitted
26 to the voters.

27 Sec. 54. Section 376.8, Code 1983, is amended by striking
28 the section and inserting in lieu thereof the following:

29 376.8 PERSONS ELECTED IN CITY ELECTIONS. In a regular
30 city election, the candidates receiving the greatest number
31 of votes cast for each office on the ballot are elected to
32 the extent necessary to fill the positions open.

33 Sec. 55. Section 376.10, Code 1983, is amended to read
34 as follows:

35 376.10 CONTEST. ~~A nomination or~~ An election to a city

1 office may be contested in the manner provided in chapter
2 62 for contesting elections to county offices, except that
3 a statement of intent to contest must be filed with the city
4 clerk within ten days after the ~~nomination-or~~ election. The
5 mayor is presiding officer of the court for the trial of a
6 ~~nomination-or~~ an election contest, except that if the mayor's
7 ~~nomination-or~~ election is contested, the council shall elect
8 one of its members other than the mayor to serve as presiding
9 officer.

10 Sec. 56. Section 420.126, Code 1983, is amended to read
11 as follows:

12 420.126 CITY CONVENTION. Political parties in special
13 charter cities having a population of fifty thousand or more
14 shall hold a city convention within the city on the ~~second~~
15 first Friday ~~following-the-primary-election~~ in October. The
16 city central committee shall set the time and place of the
17 convention and shall file the same in the office of the city
18 clerk at least ten days prior to the convention.

19 Sec. 57. Section 420.128, Code 1983, is amended to read
20 as follows:

21 420.128 CHAIRMAN CHAIRPERSON AND SECRETARY. The precinct
22 caucus shall elect, by a majority vote of those present, a
23 ~~chairman~~ chairperson and secretary who shall certify to the
24 city central committee and city clerk the names and addresses
25 of those elected as delegates to the city convention and as
26 members of the city central committee. The number of delegates
27 from each voting precinct shall be determined by a ratio
28 adopted by the respective political party's city central
29 committee, and the ~~chairman~~ chairperson of the city central
30 committee shall file with the city clerk a statement
31 designating the number of delegates for each voting precinct
32 in the city not less than twenty-five days before the date
33 of the precinct caucuses. If the ~~chairman~~ chairperson of
34 the city central committee fails to so act, the county ~~chairman~~
35 chairperson shall designate the number of delegates to be

1 elected from each voting precinct and shall cause ~~such~~ the
2 information to be published in two newspapers within the city
3 at least ten days prior to holding the precinct caucuses.

4 Sec. 58. Section 420.131, Code 1983, is amended to read
5 as follows:

6 420.131 MEMBERS FROM EACH PRECINCT. Two persons for each
7 political party shall be elected from each precinct to the
8 city central committee at the ~~primary-election~~ precinct caucus.
9 They shall hold office for a period of two years immediately
10 following the adjournment of the city convention, or until
11 their successors are duly elected and qualified, unless sooner
12 removed by the city central committee for failing to perform
13 the duties of ~~committeemen~~ committee members, incompetency,
14 or failing to support the ticket nominated by their respective
15 party.

16 Sec. 59. Section 420.136, Code 1983, is amended to read
17 as follows:

18 420.136 DUTIES OF CITY CLERK. The city clerk shall keep
19 a certified list of delegates to the city convention elected
20 at the precinct caucuses and a record of the precinct
21 ~~committeeman-and-committeewoman-elected-at-the-primary-election~~
22 committee members. The city clerk shall maintain a current
23 list of all members of the city central committee. The
24 certified list and records shall be maintained by the city
25 clerk for at least two years subsequent to the election of
26 the delegates and precinct ~~committeeman~~ committee members
27 and shall be available for public inspection.

28 Sec. 60. Section 442.14, subsection 2, Code 1983, is
29 amended to read as follows:

30 2. The board shall determine the additional enrichment
31 amount per pupil needed, within the limits of this section,
32 and shall direct the county commissioner of elections to sub-
33 mit the question of whether to raise that amount under this
34 section and section 442.15, to the qualified electors of the
35 school district at a regular school election held during

~~1 September of the base year or at a special election held not
2 later than February 15 of the base year. Only one election
3 on the question shall be held during a twelve-month period.
4 If a majority of those voting favors raising the enrichment
5 amount, the board may include the approved amount in its
6 certified budget.~~

7 Sec. 61. Sections 43.114, 43.115, 43.117, 43.118, 279.7,
8 376.6, 376.7, 376.9, 376.11, 420.130, 420.133, and 420.134,
9 Code 1983, are repealed.

10 Sec. 62. In order to accomplish the transition from elec-
11 tion of directors of community and independent school
12 districts, and of merged areas, annually for terms of three
13 years each to election of such directors biennially for terms
14 of four years each, the following adjustments in terms and
15 times of election shall be made:

16 1. The term of office of each director of a community
17 or an independent school district elected at the annual school
18 election in the years 1981 or 1982, and of any person elected
19 or appointed as provided by law to fill a vacancy in such
20 an office for the balance of a term to which some other person
21 was elected at the annual school election in the years 1981
22 or 1982, shall be extended until the third Monday in November
23 of the year 1985. The term of office of each director of
24 a merged area elected at the annual school election in the
25 years 1981 or 1982, and of any person elected or appointed
26 as provided by law to fill a vacancy in such an office for
27 the balance of a term to which some other person was elected
28 at the annual school election in the years 1981 or 1982, shall
29 be extended until the first Monday in December of the year
30 1985.

31 a. In community and independent school districts and
32 merged areas having five-member boards of directors which
33 under this subsection will elect successors to four of those
34 members at the biennial school election in 1985, the persons
35 so elected who received the greatest and the next greatest

1 number of votes in that election shall serve terms of four
2 years each, and the other persons so elected shall serve terms
3 of two years each.

4 b. In community and independent school districts and
5 merged areas having seven-member boards of directors which
6 under this subsection will elect successors to five of those
7 members at the biennial school election in 1985, the persons
8 so elected who received the greatest, the next greatest, and
9 the third greatest number of votes shall serve terms of four
10 years each, and the other persons so elected shall serve terms
11 of two years each.

12 c. In merged areas, the persons elected as directors at
13 the biennial school election in 1985 who receive the greatest,
14 the next greatest, the third greatest, and the fourth greatest
15 number of votes shall serve terms of four years each, and
16 the other persons so elected shall serve terms of two years
17 each.

18 2. The term of office of each director of a community
19 or an independent school district elected at the annual school
20 election in the year 1983, and of any person elected or
21 appointed as provided by law to fill a vacancy in such an
22 office for the balance of a term to which some other person
23 was elected at the annual school election in the year 1983,
24 shall be extended until the third Monday in November of the
25 year 1987. The term of office of each director of a merged
26 area elected at the annual school election in the year 1983,
27 and of any person elected or appointed as provided by law
28 to fill a vacancy in such an office for the balance of a term
29 to which some other person was elected at the annual school
30 election in the year 1983, shall be extended until the first
31 Monday in December of the year 1987.

32 Sec. 63. This Act is effective January 1, 1984.

33 EXPLANATION

34 This bill establishes three regularly scheduled election
35 dates over a biennium. These dates are the present dates

1 for the primary, general, and city elections. The bill re-
2 quires all elections to be held on those days with certain
3 exemptions. To accomplish this the school election is com-
4 bined with the city election date and the school board mem-
5 bers are given four-year terms. City run-off and primary
6 elections are eliminated. A special election is exempt if
7 a district court finds that the election is necessary to
8 increase a governmental body's authority to maintain its
9 operations or facilities or is necessary because vacancies
10 have prevented a governmental body from being able to func-
11 tion and appointments cannot be made to fill the vacancies.
12 Elections which are not conducted by the county commissioner
13 of elections or are for benefited or historical preservation
14 districts, vacancies in the United States house of represen-
15 tatives or the Iowa general assembly, or drainage and levee
16 districts are exempt from the bill as are elections where
17 a court has voided the previous election.

18 The bill takes effect January 1, 1984.

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