

Reprinted
FEB 28 1991

SENATE FILE 452
BY KINLEY

Passed Senate, Date 4/5/91 (p. 1076) Passed House, Date 4/24/91 (P. 1480)
Vote: Ayes 47 Nays 0 Vote: Ayes 94 Nays 1
Approved June 7, 1991

A BILL FOR

3.5071 An Act relating to the administration of fairs.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 452

1 Section 1. CONVENTION REORGANIZATION OF COUNTY FAIR
2 DISTRICTS. A convention meeting held pursuant to section
3 173.2, shall create six county fair districts and elect
4 directors from each district pursuant to section 173.5. The
5 convention shall be held as early as determined practicable by
6 the state fair board.

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7 Sec. 2. Section 173.1, subsections 2 and 4, Code 1991, are
8 amended to read as follows:

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9 2. One director from each congressional county fair
10 district and three directors at large, to be elected at a
11 convention as provided in section 173.2.

12 4. A ~~secretary-and-a~~ treasurer to be elected by the board,
13 ~~and-who-shall-be-nonvoting-members.~~

14 Sec. 3. Section 173.1, Code 1991, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 5. A secretary to be elected by the board
17 who shall serve as a nonvoting member.

18 Sec. 4. Section 173.4, Code 1991, is amended to read as
19 follows:

20 173.4 VOTING POWER.

3295/3296
21 On all questions arising for determination by the
22 convention, each member present shall be entitled to but one
23 vote, and no proxies shall be recognized by the convention.
24 However, a member who is also a board director at large or a
25 board congressional county fair district director shall not be
26 entitled to vote for a successor to each of the three
27 directors at large or a successor to each congressional county
28 fair district director on the board.

3297, 3298
29 Sec. 5. Section 173.5, Code 1991, is amended to read as
30 follows:

3301 173.5 ELECTIONS-TO-BE-MADE DUTIES OF THE CONVENTION.

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33 1. The convention shall establish six county fair
34 districts in the state. The districts shall include the
35 entire territory of the state and no two districts shall
include the same territory. Upon the vote of two thirds of

1 the convention delegates, districts may be reorganized and
2 directors elected to replace directors representing old
3 districts. The convention shall establish staggered terms of
4 office for the directors. Notwithstanding section 173.6, the
5 convention may establish terms of office for initial elected
6 directors for more or less than three years.

7 2. The convention shall elect:

8 1 a. A successor to each-of-the-three-directors one
9 director at large whose term expires at noon on the day
10 following the adjournment of the convention. No two directors
11 at large shall be elected from the same congressional county
12 fair district.

13 2 b. A successor to each-congressional two county fair
14 district director directors on the board whose term expires at
15 noon on the day following the adjournment of the convention.

16 Sec. 6. Section 173.6, Code 1991, is amended to read as
17 follows:

18 173.6 TERMS OF OFFICE.

19 The term of the president and vice president of the board
20 shall be one year ~~and-that-of-a-director-two-years~~. No A
21 person shall not hold the office of president for more than
22 three consecutive years, plus any portion of a year in which
23 the person was first elected by the board to fill a vacancy.

24 PARAGRAPH DIVIDED. A member of the board who is a county
25 fair district director or a director at large, elected as
26 provided in section 173.2, shall serve a term of three years.

2275,3156
3301

27 The term of a director shall begin at noon on the day
28 following the adjournment of the convention at which the
29 director was elected and shall continue until a successor is
30 elected and qualified as provided in this chapter. A director
31 shall not serve more than three consecutive terms.

32 Sec. 7. Section 173.7, Code 1991, is amended to read as
33 follows:

34 173.7 VACANCIES.

35 If, after the adjournment of the convention, a vacancy

1 occurs in the office of any member of the board elected by the
2 convention the board shall fill the ~~same~~, and the vacancy by
3 election. The elected member so-elected shall qualify at once
4 and serve until noon of the day following the adjournment of
5 the next convention. If, by that time, the member elected by
6 the board will not have completed the full term for which the
7 member's predecessor was elected, said the convention shall
8 elect a member to serve out for the unexpired portion of such
9 the term. The member ~~so~~ elected by the convention shall
10 qualify at the same time as other members elected by the
11 convention.

12 Sec. 8. Section 173.11, subsection 3, Code 1991, is
13 amended by striking the subsection.

14 Sec. 9. Section 173.14, subsection 4, Code 1991, is
15 amended to read as follows:

16 4. Appoint, as the president deems necessary, security
17 personnel as-the-president-deems-necessary and peace officers
18 qualified according to standards adopted by the board.

19 Sec. 10. Section 174.2, unnumbered paragraph 3, Code 1991,
20 is amended to read as follows:

21 No salary or compensation of any kind shall be paid to the
22 president, vice president, treasurer, or to any a director of
23 the association for such duties. However, the president, vice
24 president, treasurer, or a director of the association is
25 entitled to be reimbursed for actual expenses incurred by
26 carrying out duties under this chapter or chapter 173,
27 including, but not limited to attending the convention
28 provided under section 173.2. A person claiming expenses
29 under this paragraph shall be reimbursed to the same extent
30 that a state employee is entitled to be reimbursed for
31 expenses.

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EXPLANATION

33 This bill amends provisions relating to the state fair
34 board. It provides for the establishment of six county fair
35 board districts and the election of directors from the

1 districts to serve on the board. Under current law, districts
2 are based on congressional districts. Districts are
3 established and board members are elected by a convention of
4 delegates representing interested sectors throughout the
5 state.

6 The bill provides that the treasurer to the board shall
7 serve as a voting member. The treasurer is no longer required
8 to file a bond. The board is authorized to appoint peace
9 officers.

10 The bill limits the time that a director from a district or
11 elected at large by the convention may serve on the board.

12 The bill provides that a president, vice president,
13 treasurer, or a director of a county or district fair, or an
14 agricultural society, is entitled to be reimbursed for actual
15 expenses incurred when performing the duties of office.

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SENATE FILE 452

S-3156

- 1 Amend Senate File 452 as follows:
- 2 1. Page 1, line 3, by striking the word "six" and
3 inserting the following: "five".
- 4 2. Page 1, by inserting after line 6 the follow-
5 ing:
- 6 "Sec. ____ . Section 173.1, subsection 1, Code 1991,
7 is amended by striking the subsection and inserting in
8 lieu thereof the following:
- 9 1. The governor of the state or a designee of the
10 governor."
- 11 3. Page 1, line 9, by striking the words "One
12 director" and inserting the following: "~~One-director~~
13 Two directors".
- 14 4. Page 1, by striking line 10 and inserting the
15 following: "~~district and-three-directors-at-large,~~ to
16 be elected at a".
- 17 5. Page 1, line 24, by striking the words "a
18 board director at large or" and inserting the
19 following: "~~a-board-director-at-large-or~~".
- 20 6. Page 1, lines 26 and 27, by striking the words
21 "a successor to each of the three directors at large
22 or" and inserting the following: "~~a-successor-to-each~~
23 ~~of-the-three-directors-at-large-or~~".
- 24 7. By striking page 1, line 29, through page 2,
25 line 15, and inserting the following:
- 26 "Sec. ____ . Section 173.5, Code 1991, is amended by
27 striking the section and inserting in lieu thereof the
28 following:
- 29 173.5 DUTIES OF THE CONVENTION.
- 30 1. The convention shall establish five county fair
31 districts which shall be the same as the five
32 congressional districts established by the general
33 assembly pursuant to chapter 42. The convention shall
34 establish staggered terms of office for the directors.
35 Notwithstanding section 173.6, the convention may
36 establish terms of office for initial elected
37 directors for more or less than three years.
- 38 2. The convention shall elect a successor to each
39 of the two county fair district directors on the board
40 whose term expires at noon on the day following the
41 adjournment of the convention."
- 42 8. Page 2, line 25, by striking the words "or a
43 director at large".
- 44 9. By renumbering sections as required.

By COMMITTEE ON STATE GOVERNMENT
JOHN P. KIBBIE, Chairperson

S-3156 FILED MARCH 25, 1991

Blair o/o 4/5 (g. 1076)

SENATE FILE 452

S-3295

- 1 Amend Senate File 452 as follows:
2 1. Page 1, line 3, by striking the word "six" and
3 inserting the following: "five".
4 2. Page 1, by inserting after line 6 the follow-
5 ing:
6 "Sec. _____. Section 173.1, subsection 1, Code 1991,
7 is amended by striking the subsection and inserting in
8 lieu thereof the following:
9 1. The secretary of agriculture or a designee of
10 the secretary."
11 3. Page 1, line 9, by striking the words "One
12 director" and inserting the following: "~~One director~~
13 Two directors".
14 4. Page 1, by striking line 10 and inserting the
15 following: "~~district and three directors at large~~ to
16 be elected at a".
17 5. Page 1, line 24, by striking the words "a
18 board director at large or" and inserting the
19 following: "~~a board director at large or~~".
20 6. Page 1, lines 26 and 27, by striking the words
21 "a successor to each of the three directors at large
22 or" and inserting the following: "~~a successor to each~~
23 ~~of the three directors at large or~~".
24 7. By striking page 1, line 29, through page 2,
25 line 15, and inserting the following:
26 "Sec. _____. Section 173.5, Code 1991, is amended by
27 striking the section and inserting in lieu thereof the
28 following:
29 173.5 DUTIES OF THE CONVENTION.
30 1. The convention shall establish five county fair
31 districts which shall be the same as the five
32 congressional districts established by the general
33 assembly pursuant to chapter 42. The convention shall
34 establish staggered terms of office for the directors.
35 Notwithstanding section 173.6, the convention may
36 establish terms of office for initial elected
37 directors for more or less than three years.
38 2. The convention shall elect a successor to each
39 of the two county fair district directors on the board
40 whose term expires at noon on the day following the
41 adjournment of the convention."
42 8. Page 2, line 25, by striking the words "or a
43 director at large".
44 9. By renumbering sections as required.

By BERL E. PRIEBE
JOHN E. SOORHOLTZ

S-3295 FILED APRIL 3, 1991
Adopted & amended by 3321 4/5 (p 1076)

SENATE FILE 452

S-3307

- 1 Amend Senate File 452 as follows:
- 2 1. Page 1, line 3, by striking the words "create
3 six county fair districts and".
- 4 2. Page 1, by striking lines 4 through 6 and
5 inserting the following: "directors from each county
6 fair district pursuant to section 173.5."
- 7 3. Page 1, line 13, by inserting after the word
8 "members" the following: "who shall serve as a
9 nonvoting member".
- 10 4. Page 1, line 31, by striking the words "DUTIES
11 OF THE CONVENTION" and inserting the following:
12 "COUNTY FAIR DISTRICTS".
- 13 5. By striking page 1, line 32, through page 2,
14 line 3, and inserting the following:
- 15 "1. There is established six county fair
16 districts. The first county fair district shall
17 include the following counties: Allamakee, Benton,
18 Black Hawk, Bremer, Buchanan, Chickasaw, Clayton,
19 Clinton, Delaware, Dubuque, Fayette, Jackson, Jones,
20 Linn, and Winneshiek. The second county fair district
21 shall include the following counties: Butler, Cerro
22 Gordo, Floyd, Franklin, Grundy, Hamilton, Hancock,
23 Hardin, Howard, Humboldt, Kossuth, Mitchell, Webster,
24 Winnebago, Wright, and Worth. The third county fair
25 district shall include the following counties: Buena
26 Vista, Calhoun, Carroll, Cherokee, Clay, Crawford,
27 Dickinson, Emmet, Greene, Ida, Lyon, Monona, O'Brien,
28 Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux,
29 and Woodbury. The fourth county fair district shall
30 include the following counties: Adair, Adams,
31 Audubon, Cass, Clarke, Decatur, Fremont, Guthrie,
32 Harrison, Madison, Mills, Montgomery, Page,
33 Pottawattamie, Ringgold, Shelby, Taylor, and Union.
34 The fifth county fair district shall include the
35 following counties: Appanoose, Boone, Dallas, Jasper,
36 Lucas, Marion, Marshall, Monroe, Polk, Poweshiek,
37 Story, Tama, Warren, and Wayne. The sixth county fair
38 district shall include the following counties: Cedar,
39 Davis, Des Moines, Henry, Iowa, Jefferson, Johnson,
40 Keokuk, Lee, Louisa, Mahaska, Muscatine, Scott, Van
41 Buren, Wapello, and Washington.
- 42 The convention shall establish staggered terms of".
- 43 6. Page 2, line 6, by striking the word "three"
44 and inserting the following: "two".
- 45 7. Page 2, line 26, by striking the word "three"
46 and inserting the following: "two".
- 47 8. Page 2, by striking lines 30 and 31 and
48 inserting the following: "elected and qualified as
49 provided in this chapter."
- 50 9. Page 3, by inserting after line 31 the

S-3307

Page 2

1 following:

2 "Sec. ____ . EFFECTIVE DATE. Sections 1 through 9
3 of this Act become effective in 1992 on the first day
4 of the annual convention provided in section 173.2."
5 10. Title page, line 1, by inserting after the
6 word "fairs" the following: ", and providing an
7 effective date".

By LEONARD L. BOSWELL

S-3307 FILED APRIL 4, 1991

A/C 4/5

SENATE FILE 452

S-3321

1 Amend the amendment, S-3295, to Senate File 452, as
2 follows:

3 1. Page 1, by inserting after line 16 the
4 following:

5 " ____ . Page 1, line 13, by inserting after the
6 word "members" the following: "who shall serve as a
7 nonvoting member"."

8 2. Page 1, by inserting after line 43 the
9 following:

10 " ____ . Page 2, line 26, by striking the word
11 "three" and inserting the following: "two"."

12 3. Page 1, by inserting after line 43 the
13 following:

14 " ____ . Page 2, by striking lines 30 and 31 and
15 inserting the following: "elected and qualified as
16 provided in this chapter.""

By LEONARD L. BOSWELL

S-3321 FILED APRIL 4, 1991

Adopted 4/5 (Sp. 1076)

House Ag. 4/8/91 Amend (3622), D.C. Pass 4/12/91

SENATE FILE 452
BY KINLEY

(AS AMENDED AND PASSED BY THE SENATE APRIL 5, 1991)

_____ - New Language by the Senate

* - Language Stricken by the Senate

*see S-3630
as amended*

Passed Senate, Date 4/30/91 (p. 1547) Passed House, Date 4/24/91 (p. 1450)
Vote: Ayes 50 Nays 0 Vote: Ayes 94 Nays 1

Approved June 7, 1991

*motion to reconsider (p. 1551)
w/ 5/1/91*

*Repassed House as amended (4012)
5/3/91 (p. 2071)
96-1*

A BILL FOR

3725 1 An Act relating to the administration of fairs.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 452

1 Section 1. CONVENTION REORGANIZATION OF COUNTY FAIR
2 DISTRICTS. A convention meeting held pursuant to section
3 173.2, shall create five county fair districts and elect
4 directors from each district pursuant to section 173.5. The
5 convention shall be held as early as determined practicable by
6 the state fair board.

7 Sec. 2. Section 173.1, subsection 1, Code 1991, is amended
8 by striking the subsection and inserting in lieu thereof the
9 following:

10 1. The secretary of agriculture or a designee of the
11 secretary.

3725 12 Sec. 3. Section 173.1, subsections 2 and 4, Code 1991, are
13 amended to read as follows:

14 2. ~~One-director~~ Two directors from each congressional
15 county fair district and-three-directors-at-large, to be
16 elected at a convention as provided in section 173.2.

3725 17 4. A secretary-and-a treasurer to be elected by the board,
18 and-who-shall-be-nonvoting-members who shall serve as a
19 nonvoting member.

20 Sec. 4. Section 173.1, Code 1991, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 5. A secretary to be elected by the board
23 who shall serve as a nonvoting member.

24 Sec. 5. Section 173.4, Code 1991, is amended to read as
25 follows:

26 173.4 VOTING POWER.

27 On all questions arising for determination by the
28 convention, each member present shall be entitled to but one
29 vote, and no proxies shall be recognized by the convention.
30 However, a member who is also a-board-director-at-large-or a
31 board congressional county fair district director shall not be
32 entitled to vote for a-successor-to-each-of-the-three
33 directors-at-large-or a successor to each congressional county
34 fair district director on the board.

35 Sec. 6. Section 173.5, Code 1991, is amended by striking

1 the section and inserting in lieu thereof the following:

2 173.5 DUTIES OF THE CONVENTION.

3 1. The convention shall establish five county fair
4 districts which shall be the same as the five congressional
5 districts established by the general assembly pursuant to
6 chapter 42. The convention shall establish staggered terms of
37257 office for the directors. Notwithstanding section 173.6, the
8 convention may establish terms of office for initial elected,
9 directors for more or less than three years.

10 2. The convention shall elect a successor to each of the
11 two county fair district directors on the board whose term
12 expires at noon on the day following the adjournment of the
13 convention.

14 Sec. 7. Section 173.6, Code 1991, is amended to read as
15 follows:

16 173.6 TERMS OF OFFICE.

17 The term of the president and vice president of the board
18 shall be one year ~~and that of a director two years~~. No A
19 person shall not hold the office of president for more than
20 three consecutive years, plus any portion of a year in which
21 the person was first elected by the board to fill a vacancy.

22 PARAGRAPH DIVIDED. A member of the board who is a county
* 23 fair district director, elected as provided in section 173.2,
24 shall serve a term of two years. The term of a director shall
25 begin at noon on the day following the adjournment of the
26 convention at which the director was elected and shall
27 continue until a successor is elected and qualified as
372528 provided in this chapter.

29 Sec. 8. Section 173.7, Code 1991, is amended to read as
30 follows:

31 173.7 VACANCIES.

32 If, after the adjournment of the convention, a vacancy
33 occurs in the office of any member of the board elected by the
34 convention the board shall fill the ~~same~~ vacancy by
35 election. The elected member so-elected shall qualify at once

1 and serve until noon of the day following the adjournment of
2 the next convention. If, by that time, the member elected by
3 the board will not have completed the full term for which the
4 member's predecessor was elected, ~~said~~ the convention shall
5 elect a member to serve ~~out~~ for the unexpired portion of ~~such~~
6 the term. The member ~~so~~ elected by the convention shall
7 qualify at the same time as other members elected by the
8 convention.

9 Sec. 9. Section 173.11, subsection 3, Code 1991, is
10 amended by striking the subsection.

11 Sec. 10. Section 173.14, subsection 4, Code 1991, is
12 amended to read as follows:

13 4. Appoint, as the president deems necessary, security
14 personnel ~~as-the-president-deems-necessary~~ and peace officers
15 qualified according to standards adopted by the board.

16 Sec. 11. Section 174.2, unnumbered paragraph 3, Code 1991,
17 is amended to read as follows:

18 No salary or compensation of any kind shall be paid to the
19 president, vice president, treasurer, or to any a director of
20 the association for such duties. However, the president, vice
21 president, treasurer, or a director of the association is
22 entitled to be reimbursed for actual expenses incurred by
23 carrying out duties under this chapter or chapter 173,
24 including, but not limited to attending the convention
25 provided under section 173.2. A person claiming expenses
26 under this paragraph shall be reimbursed to the same extent
27 that a state employee is entitled to be reimbursed for
28 expenses.

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SENATE FILE 452

H-3622

- 1 Amend Senate File 452, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 1 through 11.
4 2. Page 1, line 14, by striking the word
5 "~~congressional~~" and inserting the following:
6 "congressional".
7 3. Page 1, line 15, by striking the words "county
8 fair".
9 4. Page 1, line 31, by striking the words
10 "~~congressional county fair district~~" and inserting the
11 following: "congressional".
12 5. Page 1, lines 33 and 34, by striking the words
13 "~~congressional county fair district~~" and inserting the
14 following: "congressional".
15 6. Page 2, by striking lines 3 through 6, and
16 inserting the following:
17 "1. The convention shall establish staggered terms
18 of".
19 7. Page 2, line 9, by striking the word "three"
20 and inserting the following: "two".
21 8. Page 2, line 11, by striking the words "county
22 fair".
23 9. Page 2, lines 22 and 23, by striking the words
24 "county fair district".
25 10. Page 2, line 23, by striking the figure
26 "173.2" and inserting the following: "173.1".
27 11. Page 3, lines 21 and 22, by striking the
28 words "is entitled to" and inserting the following:
29 "may".

By COMMITTEE ON AGRICULTURE
FOGARTY of Palo Alto, Chairperson

H-3622 FILED APRIL 12, 1991

Adopted 4/24/91 (p 1477)

SENATE FILE 452

H-3725

- 1 Amend Senate File 452, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 12, by inserting after the figure
4 "2" the following: ", 3,".
- 5 2. Page 1, by inserting after line 16 the
6 following:
7 "3. A president and vice president to be elected
8 by the state fair board from the nine elected
9 directors."
- 10 3. Page 2, line 7, by inserting before the word
11 "directors" the following: "elected".
- 12 4. Page 2, line 28, by inserting after the word
13 "chapter." the following: "However, a director
14 elected on or after the effective date of this section
15 shall not serve more than five consecutive terms which
16 begin on or after the effective date of this section."
- 17 5. Page 3, by inserting after line 28, the
18 following:
19 "Sec. 1000. ELECTION OF MEMBERS TO THE IOWA STATE
20 FAIR BOARD.
21 1. Notwithstanding chapter 173, a convention which
22 meets pursuant to section 173.2 is not required to
23 elect new directors in 1991, unless this Act becomes
24 effective in that year.
25 2. The convention shall meet as early as
26 determined practicable by the Iowa state fair board
27 after the effective date of this section. The
28 convention shall elect ten directors to the Iowa state
29 fair board as provided in this Act who shall serve for
30 staggered terms as determined by the convention.
31 Sec. ____ . EFFECTIVE DATE.
32 1. Except as provided in subsection 2, this Act
33 takes effect upon the date that five congressional
34 districts are legally established pursuant to chapter
35 42, and according to the 1990 United States census.
36 2. Section 173.11, subsection 3, section 173.14,
37 subsection 4, and section 174.2, unnumbered paragraph
38 3, as amended by this Act, take effect July 1, 1991.
39 Section 1000, subsection 1, of this Act also takes
40 effect July 1, 1991."
- 41 6. Title page, line 1, by inserting after the
42 word "fairs" the following: ", and providing for
43 effective dates".
- 44 7. By renumbering and correcting internal
45 references as necessary.

By GRUHN of Dickinson

H-3725 FILED APRIL 18, 1991

Adopted 4/24/91 (p. 14 74)

HOUSE AMENDMENT TO
SENATE FILE 452

S-3630

- 1 Amend Senate File 452, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 11.
4 2. Page 1, line 12, by inserting after the figure
5 "2" the following: ", 3,".
6 3. Page 1, line 14, by striking the word
7 "~~congressional~~" and inserting the following:
8 "congressional".
9 4. Page 1, line 15, by striking the words "county
10 fair".
11 5. Page 1, by inserting after line 16 the
12 following:
13 "3. A president and vice president to be elected
14 by the state fair board from the nine elected
15 directors."
16 6. Page 1, line 31, by striking the words
17 "~~congressional county fair district~~" and inserting the
18 following: "congressional".
19 7. Page 1, lines 33 and 34, by striking the words
20 "~~congressional county fair district~~" and inserting the
21 following: "congressional".
22 8. Page 2, by striking lines 3 through 6, and
23 inserting the following:
24 "1. The convention shall establish staggered terms
25 of".
26 9. Page 2, line 7, by inserting before the word
27 "directors" the following: "elected".
28 10. Page 2, line 9, by striking the word "three"
29 and inserting the following: "two".
30 11. Page 2, line 11, by striking the words
31 "county fair".
32 12. Page 2, lines 22 and 23, by striking the
33 words "county fair district".
34 13. Page 2, line 23, by striking the figure
35 "173.2" and inserting the following: "173.1".
36 14. Page 2, line 28, by inserting after the word
37 "chapter." the following: "However, a director
38 elected on or after the effective date of this section
39 shall not serve more than five consecutive terms which
40 begin on or after the effective date of this section."
41 15. Page 3, lines 21 and 22, by striking the
42 words "is entitled to" and inserting the following:
43 "may".
44 16. Page 3, by inserting after line 28, the
45 following:
46 "Sec. 1000. ELECTION OF MEMBERS TO THE IOWA STATE
47 FAIR BOARD.
48 1. Notwithstanding chapter 173, a convention which
49 meets pursuant to section 173.2 is not required to
50 elect new directors in 1991, unless this Act becomes

S-3630

Page 2

1 effective in that year.

2 2. The convention shall meet as early as
3 determined practicable by the Iowa state fair board
4 after the effective date of this section. The
5 convention shall elect ten directors to the Iowa state
6 fair board as provided in this Act who shall serve for
7 staggered terms as determined by the convention.

8 Sec. ____ . EFFECTIVE DATE.

9 1. Except as provided in subsection 2, this Act
10 takes effect upon the date that five congressional
11 districts are legally established pursuant to chapter
12 42, and according to the 1990 United States census.

13 2. Section 173.11, subsection 3, section 173.14,
14 subsection 4, and section 174.2, unnumbered paragraph
15 3, as amended by this Act, take effect July 1, 1991.
16 Section 1000, subsection 1, of this Act also takes
17 effect July 1, 1991."

18 17. Title page, line 1, by inserting after the
19 word "fairs" the following: ", and providing for
20 effective dates".

21 18. By renumbering, relettering, or redesignating
22 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3630 FILED APRIL 29, 1991

Senate concerned as amended to 3645 4/30/91 (p. 1547)

SENATE FILE 452

S-3645

1 Amend the House amendment, S-3630, to Senate File
2 452, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 37 by striking the word
5 "director" and inserting the following: "person".
6 2. Page 1, by striking lines 38 through 40 and
7 inserting the following: "elected as a director
8 pursuant to section 173.1 shall not serve for more
9 than five consecutive terms. A director who has ever
10 served five consecutive terms is again eligible to
11 serve for an additional five consecutive terms after
12 not serving as a director for at least one term."

13 3. Page 2, by inserting after line 7 the
14 following:

15 "____. The convention shall provide for staggered
16 terms of office for directors elected pursuant to this
17 Act. A limit shall be placed on the number of terms
18 that original directors may serve on or after the
19 effective date of this Act. At the time of the first
20 election held pursuant to this Act, an original
21 director who has served for the longest consecutive
22 period shall not be eligible to serve for the next
23 term. At each subsequent election, the original
24 director who has served for the longest period shall
25 not serve for the next term. A person who was an
26 original director is again eligible to serve for an
27 additional five consecutive terms after not serving as
28 a director for at least one term, as provided in
29 section 173.6.

30 As used in this subsection "original director"
31 means a person who was elected as a director pursuant
32 to section 173.1, and who served as a director
33 immediately prior to the first election held pursuant
34 to this Act."

35 4. By renumbering as necessary.

By JOHN SOORHOLTZ
GEORGE KINLEY
BERL PRIEBE

S-3645 FILED APRIL 30, 1991

ADOPTED (p. 1547)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 452
H-4016

1 Amend the House amendment, S-3630, to Senate File
2 452, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 37 by striking the word
5 "director" and inserting the following: "person".

6 2. Page 1, by striking lines 38 through 46 and
7 inserting the following: "elected as a director
8 pursuant to section 173.1 shall not serve for more
9 than five consecutive terms. A director who has ever
10 served five consecutive terms is again eligible to
11 serve for an additional five consecutive terms after
12 not serving as a director for at least one term."

13 3. Page 2, by inserting after line 7 the
14 following:

15 "____. The convention shall provide for staggered
16 terms of office for directors elected pursuant to this
17 Act. A limit shall be placed on the number of terms
18 that original directors may serve on or after the
19 effective date of this Act. At the time of the first
20 election held pursuant to this Act, an original
21 director who has served for the longest consecutive
22 period shall not be eligible to serve for the next
23 term. At each subsequent election, the original
24 director who has served for the longest period shall
25 not serve for the next term. A person who was an
26 original director is again eligible to serve for an
27 additional five consecutive terms after not serving as
28 a director for at least one term, as provided in
29 section 173.6.

30 As used in this subsection "original director"
31 means a person who was elected as a director pursuant
32 to section 173.1, and who served as a director
33 immediately prior to the first election held pursuant
34 to this Act."

35 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-4016 FILED MAY 2, 1991

House concurred 5/3/91 (p 2071)

SENATE FILE 452

AN ACT

RELATING TO THE ADMINISTRATION OF FAIRS, AND PROVIDING FOR
EFFECTIVE DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 173.1, subsections 2, 3, and 4, Code 1991, are amended to read as follows:

2. ~~One director~~ Two directors from each congressional district ~~and three directors-at-large~~ to be elected at a convention as provided in section 173.2.

3. A president and vice president to be elected by the state fair board from the nine elected directors.

4. A secretary ~~and a treasurer~~ to be elected by the board ~~and who shall be nonvoting members~~ who shall serve as a nonvoting member.

Sec. 2. Section 173.1, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 5. A secretary to be elected by the board who shall serve as a nonvoting member.

Sec. 3. Section 173.4, Code 1991, is amended to read as follows:

173.4 VOTING POWER.

On all questions arising for determination by the convention, each member present shall be entitled to but one vote, and no proxies shall be recognized by the convention. However, a member who is also ~~a board director-at-large or a board congressional director~~ shall not be entitled to vote for ~~a successor to each of the three directors-at-large or a successor to each congressional director on the board.~~

Sec. 4. Section 173.5, Code 1991, is amended by striking the section and inserting in lieu thereof the following:

173.5 DUTIES OF THE CONVENTION.

1. The convention shall establish staggered terms of office for the elected directors. Notwithstanding section 173.6, the convention may establish terms of office for initial elected directors for more or less than two years.

2. The convention shall elect a successor to each of the two district directors on the board whose term expires at noon on the day following the adjournment of the convention.

Sec. 5. Section 173.6, Code 1991, is amended to read as follows:

173.6 TERMS OF OFFICE.

The term of the president and vice president of the board shall be one year ~~and that of a director two years.~~ No A person shall not hold the office of president for more than three consecutive years, plus any portion of a year in which the person was first elected by the board to fill a vacancy.

PARAGRAPH DIVIDED. A member of the board who is a director, elected as provided in section 173.1, shall serve a term of two years. The term of a director shall begin at noon on the day following the adjournment of the convention at which the director was elected and shall continue until a successor is elected and qualified as provided in this chapter. However, a person elected as a director pursuant to

section 173.1 shall not serve for more than five consecutive terms. A director who has ever served five consecutive terms is again eligible to serve for an additional five consecutive terms after not serving as a director for at least one term.

Sec. 6. Section 173.7, Code 1991, is amended to read as follows:

173.7 VACANCIES.

If, after the adjournment of the convention, a vacancy occurs in the office of any member of the board elected by the convention the board shall fill the ~~same~~ and the vacancy by election. ~~The elected member so-elected shall qualify at once and serve until noon of the day following the adjournment of the next convention. If, by that time, the member elected by the board will not have completed the full term for which the member's predecessor was elected, said the convention shall elect a member to serve out for the unexpired portion of such the term. The member so elected by the convention shall qualify at the same time as other members elected by the convention.~~

Sec. 7. Section 173.11, subsection 3, Code 1991, is amended by striking the subsection.

Sec. 8. Section 173.14, subsection 4, Code 1991, is amended to read as follows:

4. ~~Appoint, as the president deems necessary, security personnel as the president deems necessary and peace officers qualified according to standards adopted by the board.~~

Sec. 9. Section 174.2, unnumbered paragraph 3, Code 1991, is amended to read as follows:

No salary or compensation of any kind shall be paid to the president, vice president, treasurer, or to any a director of the association for such duties. However, the president, vice president, treasurer, or a director of the association may be reimbursed for actual expenses incurred by carrying out duties under this chapter or chapter 173, including, but not limited to attending the convention provided under section 173.2. A

person claiming expenses under this paragraph shall be reimbursed to the same extent that a state employee is entitled to be reimbursed for expenses.

Sec. 10. ELECTION OF MEMBERS TO THE IOWA STATE FAIR BOARD.

1. Notwithstanding chapter 173, a convention which meets pursuant to section 173.2 is not required to elect new directors in 1991, unless this Act becomes effective in that year.

2. The convention shall meet as early as determined practicable by the Iowa state fair board after the effective date of this section. The convention shall elect ten directors to the Iowa state fair board as provided in this Act who shall serve for staggered terms as determined by the convention.

3. The convention shall provide for staggered terms of office for directors elected pursuant to this Act. A limit shall be placed on the number of terms that original directors may serve on or after the effective date of this Act. At the time of the first election held pursuant to this Act, an original director who has served for the longest consecutive period shall not be eligible to serve for the next term. At each subsequent election, the original director who has served for the longest period shall not serve for the next term. A person who was an original director is again eligible to serve for an additional five consecutive terms after not serving as a director for at least one term, as provided in section 173.6.

As used in this subsection "original director" means a person who was elected as a director pursuant to section 173.1, and who served as a director immediately prior to the first election held pursuant to this Act.

Sec. 11. EFFECTIVE DATE.

1. Except as provided in subsection 2, this Act takes effect upon the date that five congressional districts are legally established pursuant to chapter 42, and according to the 1990 United States census.

2. Section 173.11, subsection 3, section 173.14, subsection 4, and section 174.2, unnumbered paragraph 3, as amended by this Act, take effect July 1, 1991. Section 10, subsection 1, of this Act also takes effect July 1, 1991.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 452, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved June 7, 1991

TERRY E. BRANSTAD
Governor

SF 452