

### **37.9 Commissioners appointed — vacancies — request for appropriation.**

1. When the proposition to erect a building or monument under [this chapter](#) has been carried by a majority vote, the board of supervisors or the city council, as the case may be, shall appoint a commission consisting of not less than five and not more than eleven members, in the manner and with the qualifications provided in [this chapter](#), which shall have charge and supervision of the erection of the building or monument, and when erected, the management and control of the building or monument.

2. On or before January 15 of each year, a commission which manages and controls a county memorial hospital shall prepare and submit to the county auditor a request for an appropriation for the next fiscal year from the general fund for the operation and maintenance of the county memorial hospital. On or before January 20, the county auditor shall submit the request to the county board of supervisors. The board of supervisors may adjust the commission's request and may make an appropriation for the county memorial hospital as provided in [section 331.427, subsection 3](#), paragraph "b". For the purposes of public notice, the commission is a certifying board and is subject to the requirements of [sections 24.3 through 24.5, sections 24.9 through 24.12](#), and [section 24.16](#).

3. The term of office of each member shall be three years, and any vacancies occurring in the membership shall be filled in the same manner as the original appointment.

4. Commencing with the commissioners appointed to take office after January 1, 1952, the terms of office of the commissioners shall be staggered so that all commissioners' terms will not end in the same year. Thereafter, the successors in each instance shall hold office for a term of three years or until a successor is appointed and qualified.

5. The commissioners having the management and control of a memorial hospital shall, within ten days after their appointment, qualify by taking the usual oath of office, but no bonds shall be required of them. The commissioners shall organize by electing a chairperson, secretary, and treasurer. The secretary shall immediately report to the county auditor and county treasurer the names of the chairperson, secretary, and treasurer of the commission. The commission shall meet as necessary to adequately oversee the operation of the hospital. A majority of the commission members shall constitute a quorum for the transaction of business. The secretary shall keep a complete record of its proceedings. The commissioners of a memorial hospital shall have all of the powers and duties necessary to manage, control, and govern the memorial hospital including but not limited to any applicable powers and duties granted boards of trustees under other provisions of the Code relating to hospitals, nursing homes, assisted or independent living services, and other ancillary services irrespective of the chapter of the Code under which such institutions are established, organized, operated, or maintained, unless such provisions conflict with [this chapter](#).

6. Memorial hospital funds shall be received, disbursed, and accounted for in the same manner and by the same procedure as provided by [section 347.12](#).

[C97, §436; C24, 27, 31, 35, 39, §491; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §37.9]

86 Acts, ch 1200, §1; 89 Acts, ch 296, §9; 95 Acts, ch 114, §1; 99 Acts, ch 36, §1; 2000 Acts, ch 1154, §7; 2007 Acts, ch 21, §1; 2009 Acts, ch 110, §2

Referred to in [§37.15, 37.21, 331.321](#)