



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 14, 2004

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2145, an Act relating to membership on certain city planning and zoning commissions.

House File 2225, an Act relating to the establishment of drainage and levee districts, and providing an effective date.

House File 2340, an Act relating to the temporary absence of an elected local government official on active military duty and the appointment of a temporary replacement and providing an effective date.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack", written over a horizontal line.

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 2340

AN ACT

RELATING TO THE TEMPORARY ABSENCE OF AN ELECTED LOCAL GOVERNMENT OFFICIAL ON ACTIVE MILITARY DUTY AND THE APPOINTMENT OF A TEMPORARY REPLACEMENT AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. NEW SECTION. 69.20 TEMPORARY VACANCY DUE TO MILITARY SERVICE.

1. A temporary vacancy in an elective office of a political subdivision, community college, and hospital board of trustees of this state occurs on the date when the person filling that office is placed on active state service or federal service, as those terms are defined in section 29A.1, and when such a person will not be able to attend to the duties of that person's elective position for a period greater than sixty consecutive days. The temporary vacancy terminates on the date when such person is released from such service, or the term of office expires.

2. A temporary vacancy on an elective board, council, or other multimember body of a political subdivision may be filled by appointment by a majority of the remaining members of the body. A temporary vacancy in any other elective office in a political subdivision, community college, or hospital board of trustees may be filled by the governing body of that political subdivision, community college, or hospital board of trustees.

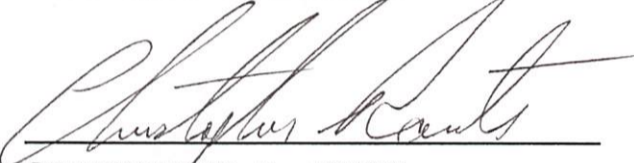
3. Upon the termination of a temporary vacancy due to a person's release from active state service or federal service, the person who held the elective office just prior to the

temporary vacancy shall immediately be deemed to have been reinstated to that position and the person who filled the temporary vacancy shall immediately be deemed to have been removed from that office.

4. A person filling a temporary vacancy or a person reinstated to office as described in this section shall qualify for that office as provided in chapter 63.


5. Upon the resignation or death of the person replaced under this section, a permanent vacancy occurs and shall be filled as otherwise provided by law.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.



CHRISTOPHER C. RANTS

Speaker of the House



JEFFREY M. LAMBERTI

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2340, Eightieth General Assembly.



MARGARET THOMSON

Chief Clerk of the House

Approved April 14, 2004



THOMAS J. VILSACK

Governor