

January 22, 1970

Passed on File

County Dist. 1-23, Pass of w. Rigler amendment 3/17

Reprinted 3/24
SENATE FILE 1111

By RIGLER

Passed Senate, Date..... Passed House, Date.....

Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

- 1 An Act relating to election precincts.
- 2 *Be It Enacted by the General Assembly of the State of Iowa:*
- 3 Section 1. Section forty-nine point four (49.4), Code
- 4 1966, is hereby amended by adding thereto the following:
- 5 "No election precinct shall have total population in
- 6 excess of one-tenth of one percent of the total population
- 7 of the state, as shown by the most recent federal decennial
- 8 census, except that a civil township may constitute a single
- 9 election precinct if its total population is not in excess
- 10 of twelve-hundredths of one percent of the total population
- 11 of the state and the board of supervisors deems the divi-
- 12 sion of such township into two precincts impractical. Where
- 13 a civil township, or the portion of a civil township outside
- 14 the corporate limits of any or all cities and towns located
- 15 wholly or partially within the boundaries of such township,
- 16 is divided into two or more election precincts, the popula-
- 17 tions of each such precinct shall be as nearly equal as
- 18 possible within the limitations of availability of suitable
- 19 polling places and of reliable data on the populations of
- 20 various parts of such township. The board of supervisors
- 21 shall make any changes necessary to comply with this section
- 22 not later than February fifteenth of each year immediately
- 23 following a year in which the federal decennial census is
- 24 taken, unless the general assembly by joint resolution
- 25 establishes a later date for such compliance due to unavail-

1 ability of necessary census data.”

2 Sec. 2. Section forty-nine point five (49.5), Code 1966,
3 is hereby amended by adding thereto the following:

4 “Election precincts shall be of as nearly equal population
5 as possible within the limitations of availability of suitable
6 polling places and of reliable data on the populations of
7 various parts of such city. No election precinct shall
8 have a total population in excess of one-tenth of one per-
9 cent of the total population of the state, as shown by the
10 most recent federal decennial census, except that:

11 1. A city whose total population permits may be divided
12 into not more than four precincts of as nearly equal popula-
13 tion as possible, none of which shall have a total population
14 in excess of twelve-hundredths of one percent of the total
15 population of the state.

16 2. No city with a total population less than twelve-
17 hundredths of one percent of the total population of the
18 state need be divided into more than one precinct if the
19 council deems such division impractical.

20 The council shall make any changes necessary to comply with
21 this section not later than February fifteenth of each year
22 immediately following a year in which the federal decennial
23 census is taken, unless the general assembly by joint resolu-
24 tion establishes a later date for such compliance due to
25 unavailability of necessary census data.”

26 Sec. 3. Section forty-nine point six (49.6), Code 1966,
27 is hereby amended as follows:

28 1. By inserting in line two (2) after the word “any” the
29 words “town or”.

30 2. By adding thereto the following:

31 “No precinct so created shall have a total population in
32 excess of one-tenth of one percent of the total state popula-
33 tion, as shown by the most recent federal decennial census,
34 except that if the entire town or city and township are to
35 constitute a single election precinct, the total population

- 1 shall not exceed twelve-hundredths of one percent of the
- 2 total state population.”

EXPLANATION

The objectives of this bill are (1) to facilitate voting by limiting the size of election precincts, and (2) to make election precincts better “building blocks” for legislative districting by requiring that the precincts within individual cities be of generally equal size. The bill primarily affects larger cities, which are required by the bill to redraw precinct lines immediately after every decennial census so as to create precincts of approximately equal size, and no larger in total population than 1/10 of one percent of the total state population (2,757 on the basis of the 1960 census). In the 1969 legislative districting, it was found that three of Iowa’s largest cities then had precincts ranging in total population from less than 700 to well over 4,000.

The bill permits some flexibility for smaller cities. If a city has no more than four precincts, each precinct may have a population of up to 12/100 of one percent of the total state population (3,307 on the basis of the 1960 census), although the precincts must be of approximately equal population. A city whose total population does not exceed 12/100 of one percent of the total state population need not be divided into more than one precinct if the city council deems it impractical to do so.

Counties are required to redraw election precincts only where the total population of a civil township or other precinct established by the board of supervisors exceeds 1/10 of one percent of the total state population (2,757 by the 1960 census). An entire civil township may continue to be a single election precinct if its total population does not exceed 12/100 of one percent of the total state population (3,307 by the 1960 census). The Code section which now permits small cities and townships to be combined in forming election precincts is amended to specifically include towns, but is otherwise retained in its present form subject to the foregoing population limits.

City councils and, where applicable, county boards of supervisors are required to redraw election precinct boundaries in compliance with this bill by February 15 of the year following each decennial census year. However, there is a clause permitting the Legislature to delay the compliance date by joint resolution if it appears that census data necessary to redraw precinct boundaries will not be available in time to meet the February 15 deadline.

- 1 Amend Senate File 1111 as follows:
- 2 1. Page 1, by striking from line 22 the word "February" and
- 3 inserting in lieu thereof the word "March".
- 4 2. Page 2, by inserting after the period in line 1 the following
- 5 new sentence:
- 6 "Any or all of the publications required by section forty-
- 7 nine point eleven (49.11) of the Code may be made after March
- 8 fifteenth if necessary."
- 9 3. Page 2, by inserting after the period in line 7 the following
- 10 new sentence:
- 11 "Precinct lines shall follow the boundaries of any units
- 12 established by the United States bureau of the census, for the
- 13 purpose of taking the most recent federal decennial census, for
- 14 which population figures have been certified by the bureau of
- 15 the census."
- 16 4. Page 2, by striking from line 21 the word "February" and
- 17 inserting in lieu thereof the word "March".
- 18 5. Page 2, by inserting after the period in line 25 the following
- 19 new sentence:
- 20 "Any or all of the publications required by section forty-nine
- 21 point eleven (49.11) of the Code may be made after March fifteenth
- 22 if necessary."

*Div. 1
adopted
3/24*

Div. 1

Div. 2

Div. 1

Filed - *Div. 1 adopted, Div. 2 withdrawn 3/24*
March 5, 1970

By RIGLER

SENATE FILE 1111

- 1 Be amended in accordance with the Rigler amendment filed March
- 2 5, 1970,
- 3 and found on page 763 of the Senate Journal and when so amended,
- 4 the
- 5 bill do pass.

Filed
March 17, 1970

By COMMITTEE ON COUNTY GOVERNMENT

- 1 Amend Senate File 1111 by adding the following
- 2 new section:
- 3 "Sec. 4. Section forty-nine point three (49.3),
- 4 Code 1966, is hereby amended by adding the following
- 5 new subsection:
- 6 '5. All election precincts shall not have a
- 7 population deviation greater than ten percent.'

Filed and withdrawn
March 24, 1970

By FROMMELT

- 1 Amend the Frommelt amendment, filed March 24,
- 2 1970, to Senate File 1111 by inserting after the
- 3 word "precinct" in line 6 the words "within cities".

Filed and withdrawn
March 24, 1970

By FROMMELT

1 Amend Senate File 1111 as follows:
2 1. Page 2, by striking from lines 5 and 6 the words "availability
3 of suitable polling places and of".
4 2. By adding the following new section:
5 Sec. 4. Section forty-nine point ten (49.10), Code 1966, is
6 hereby amended by adding thereto the following new subsection:
7 "The city council of any city in which precinct lines have
8 been changed to comply with section forty-nine point five (49.5)
9 of the Code, as amended by this Act, may fix the polling place for
10 any precinct outside the boundaries of the precinct if there is no
11 building or facility within the precinct suitable and available
12 for use as a polling place. In so doing, the council shall fix
13 the polling place at the point nearest the precinct which is
14 suitable and available for use as a polling place and is reasonably
15 accessible to voters of the precinct. No single room or area of
16 any building or facility shall be fixed as the polling place for
17 more than one precinct unless there are separate entrances thereto
18 each clearly marked on the days on which elections are held as
19 the entrance to the polling place of a particular precinct, and
20 suitable arrangements are made within such room or area to prevent
21 direct access from the polling place of any precinct to the polling
22 place of any other precinct. When the council has fixed such a
23 polling place for any precinct it shall remain the polling place
24 at all subsequent primary, general and special elections until
25 the boundaries of the precinct are changed or the council fixes a
26 new polling place, except that the polling place shall be changed
27 to a point within the boundaries of the precinct at any time not
28 less than sixty days before the next succeeding primary, general
29 or special election that a building or facility suitable for such
30 use becomes available within the precinct."

Filed and adopted
March 24, 1970

By RIGLER

March 24, 1970

SENATE FILE 1111

By RIGLER
(AS PASSED BY THE SENATE)

Passed Senate, Date.....3-24-70..... Passed House, Date.....4-13-70.....

Vote: Ayes.....58..... Nays.....0..... Vote: Ayes.....95..... Nays.....1.....

Approved.....

A BILL FOR

1 An Act relating to election precincts.
2 *Be It Enacted by the General Assembly of the State of Iowa:*
3 Section 1. Section forty-nine point four (49.4), Code
4 1966, is hereby amended by adding thereto the following:
5 "No election precinct shall have a total population in
6 excess of one-tenth of one percent of the total population
7 of the state, as shown by the most recent federal decennial
8 census, except that a civil township may constitute a single
9 election precinct if its total population is not in excess
10 of twelve-hundredths of one percent of the total population
11 of the state and the board of supervisors deems the divi-
12 sion of such township into two precincts impractical. Where
13 a civil township, or the portion of a civil township outside
14 the corporate limits of any or all cities and towns located
15 wholly or partially within the boundaries of such township,
16 is divided into two or more election precincts, the popula-
17 tions of each such precinct shall be as nearly equal as
18 possible within the limitations of availability of suitable
19 polling places and of reliable data on the populations of
20 various parts of such township. The board of supervisors
21 shall make any changes necessary to comply with this section
22 not later than *March* fifteenth of each year immediately
23 following a year in which the federal decennial census is
24 taken, unless the general assembly by joint resolution

1 establishes a later date for such compliance due to unavail-
2 ability of necessary census data. *Any or all of the*
3 *publications required by section forty-nine point eleven (49.11)*
4 *of the Code may be made after March fifteenth if necessary."*

5 Sec. 2. Section forty-nine point five (49.5), Code 1966,
6 is hereby amended by adding thereto the following:

7 "Election precincts shall be of as nearly equal population
8 as possible within the limitations of
9 reliable data on the populations of
10 various parts of such city. No election precinct shall
11 have a total population in excess of one-tenth of one per-
12 cent of the total population of the state, as shown by the
13 most recent federal decennial census, except that:

14 1. A city whose total population permits may be divided
15 into not more than four precincts of as nearly equal popula-
16 tion as possible, none of which shall have a total population
17 in excess of twelve-hundredths of one percent of the total
18 population of the state.

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20 hundredths of one percent of the total population of the
21 state need be divided into more than one precinct if the
22 council deems such division impractical.

23 The council shall make any changes necessary to comply with
24 this section not later than *March* fifteenth of each year
25 immediately following a year in which the federal decennial
26 census is taken, unless the general assembly by joint resolu-
27 tion establishes a later date for such compliance due to
28 unavailability of necessary census data. *Any or all*
29 *of the publications required by section forty-nine point*
30 *eleven (49.11) of the Code may be made after March*
31 *fifteenth if necessary."*

32 Sec. 3. Section forty-nine point six (49.6), Code 1966,
33 is hereby amended as follows:

34 1. By inserting in line two (2) after the word "any" the
35 words "town or".

1 2. By adding thereto the following:

2 "No precinct so created shall have a total population in
3 excess of one-tenth of one percent of the total state popula-
4 tion, as shown by the most recent federal decennial census,
5 except that if the entire town or city and township are to
5a constitute a single election precinct, the total population
6 shall not exceed twelve-hundredths of one percent of the
7 total state population."

8 *Sec. 4. Section forty-nine point ten (49.10), Code 1966, is*
9 *hereby amended by adding thereto the following new subsection:*

10 *"The city council of any city in which precinct lines have*
11 *been changed to comply with section forty-nine point five (49.5)*
12 *of the Code, as amended by this Act, may fix the polling place for*
13 *any precinct outside the boundaries of the precinct if there is no*
14 *building or facility within the precinct suitable and available*
15 *for use as a polling place. In so doing, the council shall fix*
16 *the polling place at the point nearest the precinct which is*
17 *suitable and available for use as a polling place and is reasonably*
18 *accessible to voters of the precinct. No single room or area of*
19 *any building or facility shall be fixed as the polling place for*
20 *more than one percent unless there are separate entrances thereto*
21 *each clearly marked on the days on which elections are held as*
22 *the entrance to the polling place of a particular precinct, and*
23 *suitable arrangements are made within such room or area to prevent*
24 *direct access from the polling place of any precinct to the polling*
25 *place of any other precinct. When the council has fixed such a*
26 *polling place for any precinct it shall remain the polling place*
27 *at all subsequent primary, general and special elections until*
28 *the boundaries of the precinct are changed or the council fixes a*
29 *new polling place, except that the polling place shall be changed*
30 *to a point within the boundaries of the precinct at any time not*
31 *less than sixty days before the next succeeding primary, general*
32 *or special election that a building or facility suitable for such*
33 *use becomes available within the precinct."*

EXPLANATION

The objectives of this bill are (1) to facilitate voting by limiting the size of election precincts, and (2) to make election precincts better "building blocks" for legislative districting by requiring that the precincts within individual cities be of generally equal size. The bill primarily affects larger cities, which are required by the bill to redraw precinct lines immediately after every decennial census so as to create precincts of approximately equal size, and no larger in total population than 1/10 of one percent of the total state population (2,757 on the basis of the 1960 census). In the 1969 legislative districting, it was found that three of Iowa's largest cities then had precincts ranging in total population from less than 700 to well over 4,000.

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City councils and, where applicable, county boards of supervisors are required to redraw election precinct boundaries in compliance with this bill by February 15 of the year following each decennial census year. However, there is a clause permitting the Legislature to delay the compliance date by joint resolution if it appears that census data necessary to redraw precinct boundaries will not be available in time to meet the February 15 deadline.

1 Amend Senate File 1111 by adding thereto the following new
2 section:

3 Sec. 5. Chapter eighty-nine (89), section four (4), Acts
4 of the Sixty-third General Assembly, First Session, is hereby
5 amended as follows:

6 1. By striking from line one hundred fifty-one (151) the
7 words "that portion of Nevada township lying within the city of
8 Nevada" and inserting in lieu thereof the words "those portions
9 of Grant and Nevada townships lying within the city of Nevada".

10 2. By striking from line one hundred fifty-seven (157) the
11 word "Grant,".

12 3. By striking from lines one hundred fifty-eight (158) and
13 one hundred fifty-nine (159) the words "that portion of Nevada
14 township lying outside the city of Nevada" and inserting in lieu
15 thereof the words "those portions of Grant and Nevada townships
16 lying outside the city of Nevada".

Filed *Withdrawn 4/13*
April 8, 1970

VAN DRIE of Story

EXPLANATION OF AMENDMENT

At the time of drafting House File 781 of the Sixty-third General Assembly, establishing legislative districts for the 1970 elections, it was not realized that approximately 17½ acres of land in Grant Township, Story County, had been annexed to the City of Nevada in August, 1968. The city was previously located entirely within Nevada Township. This amendment clarifies the intent to place all of the City of Nevada as it existed on January 1, 1969, within the thirty-third representative district.

House