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Place On Calendar

Sen. State Govt. 2/14/72

By COMMITTEE ON STATE GOVERNMENT  
(Committee on State Government)

Passed House, Date 2-10-72 Passed Senate, Date \_\_\_\_\_

Vote: Ayes 93 Nays 2 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the election laws and providing penalties  
2 for violations thereof.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. STATE COMMISSIONER OF ELECTIONS. The secre-  
2 tary of state is designated as the state commissioner of elec-  
3 tions and shall supervise the activities of the county com-  
4 missioners of elections. The state commissioner of elections  
5 shall prescribe uniform election practices and procedures  
6 and shall prescribe the necessary forms required for voter  
7 registration and the conduct of elections. The state commis-  
8 sioner of elections may adopt rules and regulations, pursuant  
9 to chapter seventeen A (17A) of the Code, to carry out the  
10 provisions of this section.

11 Sec. 2. COUNTY COMMISSIONER OF ELECTIONS. The county  
12 auditor of each county is designated as the county commis-  
13 sioner of elections in each county. The county commissioner  
14 of elections shall conduct voter registration pursuant to  
15 chapter forty-eight (48) of the Code and conduct all elec-  
16 tions within the county. All election and registration duties  
17 prior to the effective date of this Act imposed upon other  
18 public officials within the county are transferred to the  
19 county commissioner of elections.

20 If a political subdivision is located in more than one  
21 county, the county commissioner of elections of the county  
22 having the greatest taxable base within the political  
23 subdivision shall conduct the election. The county  
24 commissioners of elections of the other counties in which  
25 the political subdivision is located shall cooperate with  
26 the county commissioner of elections who is conducting the  
27 election.

28 Sec. 3. ELECTION EXPENSES. The costs of conducting a  
29 special election, general election, and the primary election  
30 held prior to the general election shall be paid by the county.

31 The cost of conducting other elections shall be paid by  
32 the political subdivision for which the election is held.  
33 The county commissioner of elections shall certify to the  
34 county board of supervisors a statement of cost for an elec-  
35 tion. The cost shall be assessed by the county board of

1 supervisors against the political subdivision for which the  
2 election was held.

3 Costs of registration shall not be charged as a part of  
4 the election costs.

5 Sec. 4. VOTER QUALIFICATIONS.

6 1. Every citizen of the United States of the age of  
7 eighteen years of age or older is presumed to have a residence  
8 some place in the United States for the purpose of voting  
9 for president and vice president of the United States.

10 2. Every citizen of the United States of the age of eigh-  
11 teen years or older who shall have been a resident of this  
12 state for thirty days next preceding the election shall be  
13 entitled to vote, subject to the provisions of chapter forty-  
14 eight (48), if applicable, and chapter forty-nine (49) of  
15 the Code, at all elections which may now or hereafter be  
16 authorized by law.

17 3. Every qualified voter of the state of the age of eigh-  
18 teen years or older shall have only one voting residence some  
19 place in this state or any other state for the purposes of  
20 voting in any given election.

21 4. A person's residence, for voting purposes only, is  
22 the place which he maintains is his home with the intent to  
23 remain there permanently or for a definite or an indefinite  
24 or undeterminable length of time.

25 If a person who meets the above requirements moves to a  
26 new residence, within or without the state, and does not meet  
27 the voter residency requirements at his new residence, he  
28 may vote at his former place of residence in Iowa until he  
29 meets the voter residency requirements of his new residence.

30 Sec. 5. Section thirty-nine point eighteen (39.18), Code  
31 1971, is amended to read as follows:

32 39.18 BOARD OF SUPERVISORS ~~AND-TOWNSHIP-TRUSTEES~~. There  
33 shall be elected, biennially, in counties and-townships,  
34 members of the board of supervisors ~~and-township-trustees~~,  
35 ~~respectively~~, for a term of four years to succeed those whose

1 terms of office will expire on the second secular day of  
2 January following said election. The term of office of any  
3 supervisor ~~or-trustee~~, taking office for a four-year term  
4 one year later than the January next succeeding his election,  
5 shall, at the general election which next precedes by more  
6 than one year the expiration of his term, be refilled by a  
7 member elected to a three-year term or a five-year term to  
8 be specified on the ballot as determined by the board, so  
9 that the terms of no more than a bare majority of the board  
10 will expire in the same year. Thereafter all succeeding mem-  
11 bers shall be elected to four-year terms.

12 Sec. 6. Section forty-three point eleven (43.11), sub-  
13 section one (1), Code 1971, is amended to read as follows:

14 1. For an elective county or city office, in the office  
15 of the county ~~auditer~~ commissioner of elections at least  
16 fifty-five days prior to the day fixed for holding the primary  
17 election.

18 Sec. 7. Section forty-three point eleven (43.11), Code  
19 1971, is amended by striking subsection three (3).

20 Sec. 8. Section forty-three point twenty-six (43.26),  
21 Code 1971, is amended by striking the section and inserting  
22 in lieu thereof the following:

23 43.26 BALLOT--FORM. The official primary election ballot  
24 shall be prepared, arranged, and printed substantially in  
25 the following form:

26 PRIMARY ELECTION BALLOT

27 (Name of Party)

28 of

29 \_\_\_\_\_ Township or Precinct, \_\_\_\_\_ Ward, City or Town  
30 of \_\_\_\_\_, County of \_\_\_\_\_, State of Iowa.

31 Primary election held on the \_\_\_\_\_ day of June, 19\_\_\_\_.

32 FOR UNITED STATES SENATOR

33 (Vote for one.)

34 \_\_\_\_\_ William K. Brown

35 \_\_\_\_\_ J. R. Wayne

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\_\_\_\_\_  
FOR UNITED STATES REPRESENTATIVE

(Vote for one.)

\_\_\_\_\_  
John Williams

\_\_\_\_\_  
William Sanders

\_\_\_\_\_  
FOR GOVERNOR

(Vote for one.)

\_\_\_\_\_  
Howard Collins

\_\_\_\_\_  
William Longley

(Followed by other elective state and district officers in order.)

\_\_\_\_\_  
FOR COUNTY AUDITOR

(Vote for one.)

\_\_\_\_\_  
William Strong

\_\_\_\_\_  
Robert Thompson

(Followed by other elective county officers in order.)

Sec. 9. Section forty-three point twenty-nine (43.29), subsection one (1), Code 1971, is amended to read as follows:

1. The county ~~auditer~~ commissioner of elections shall, prior to the day of primary election, publish a list of candidates ~~for each political party~~ to be voted for at such election, ~~except township, city or town officers~~. Such publication shall be, as near as may be, in the form in which such candidates will appear on the official ballot, with the names of the candidates arranged alphabetically. Such publication shall be in ~~not less than two newspapers~~ at least one newspaper within the county, representing, if possible, the political parties which cast at the preceding general election the largest and the next largest number of votes.

Sec. 10. Section forty-three point one hundred twenty (43.120), subsection four (4), Code 1971, is amended by striking the subsection and inserting in lieu thereof the following:

1 4. Willfully voting or offering to vote at a primary  
2 election by a person who has not met the qualifications to  
3 vote.

4 Sec. 11. Section forty-eight point one (48.1), Code 1971,  
5 is amended by striking the section and inserting in lieu  
6 thereof the following new section:

7 48.1 COMMISSIONER OF REGISTRATION. The office of com-  
8 missioner of registration is hereby created in all cities  
9 having a population of more than ten thousand and in counties  
10 having a population of more than fifty thousand. The county  
11 auditor is hereby constituted the commissioner of registra-  
12 tion. Precinct registration may be located in the office  
13 of city clerk. The commissioner of registration shall register  
14 electors of a city having a population of more than ten thou-  
15 sand and of a county having a population of more than fifty  
16 thousand.

17 Sec. 12. Section forty-eight point four (48.4), Code 1971,  
18 is amended to read as follows:

19 48.4 COMMISSIONER OF REGISTRATION--DUTIES. The said com-  
20 missioner of registration shall have complete charge of the  
21 registration of all qualified voters within such city or  
22 county. He shall appoint such deputies and clerks as may  
23 be necessary, from the two political parties receiving the  
24 highest vote at the last general election. The number of  
25 such deputies and clerks for all precinct registration places,  
26 and the central registration office, shall be equally divided  
27 between the members of the two said political parties. These  
28 appointments shall be subject to the approval of the city  
29 council or county board of supervisors as the case may be.  
30 The commissioner of registration shall provide such printed  
31 forms and blanks as may be necessary, together with such other  
32 supplies and equipment as are necessary to properly carry  
33 out the provisions of this chapter. ~~Subject-to-the-previsions~~  
34 ~~of-this-chapter,-the-city-council-or-board-shall-prescribe~~  
35 ~~by-ordinance-such-reasonable-rules-and-regulations-as-to~~

1 office-hours-and-places-and-manner-of-registration-as-may  
2 be-necessary. Registration places shall be established  
3 throughout the city or county in-the-proportion-of-one-to  
4 each-precinct-which-shall-be-open-for-registration-as-pro-  
5 vided-under-this-chapter-during-not-less-than-two-nor-more  
6 than-four-days-between-July-1-and-up-to-and-including-the  
7 tenth-day-prior-to-the-next-election-following-the-adoption  
8 of-the-plan-for-registration-provided-in-this-chapter.--Such  
9 registration-places-shall-be-selected-by-the-commissioner  
10 of-registration-and-shall-be-open-betwen-seven-o'clock-a.m.  
11 and-nine-o'clock-p.m.--The-commissioner-of-registration-shall  
12 appoint-the-two-clerks-of-election-for-each-precinct, who  
13 shall-have-charge-of-the-election-register.

14 Sec. 13. Section forty-eight point five (48.5), Code 1971,  
15 is amended by striking the section and inserting in lieu  
16 thereof the following new section:

17 48.5 REGISTRATION RECORDS. The county commissioner of  
18 registration shall safely maintain at his office the original  
19 registration records of all qualified electors in his county.  
20 The original registration records shall not be removed from  
21 his office except upon court order. One copy of the original  
22 registration records which includes the elector's name, ad-  
23 dress, precinct, and party affiliation shall be prepared be-  
24 fore the primary election preceding the general election,  
25 upon request and without charge, for the county chairman of  
26 each political party. A list of electors who have registered  
27 between the primary and the general election shall be pre-  
28 pared, upon demand and without charge on August first prior  
29 to the general election and at least every two weeks there-  
30 after until the close of registration, for the county chair-  
31 man of each political party. Additional copies may be pro-  
32 vided to political parties at cost. Duplicate registration  
33 records shall be open to inspection by the public at reasonable  
34 times.

35 Sec. 14. Section forty-eight point six (48.6), Code 1971,

1 as amended by chapter ninety-eight (98), section three (3),  
2 Acts of the Sixty-fourth General Assembly, First Session,  
3 is amended by striking subsection ten (10) and inserting in  
4 lieu thereof the following new subsection:

5 10. An affidavit in such form as prescribed by the state  
6 commissioner of elections which states that the registrant  
7 is a qualified elector.

8 Sec. 15. Section forty-eight point eight (48.8), Code  
9 1971, as amended by chapter ninety-eight (98), section five  
10 (5), Acts of the Sixty-fourth General Assembly, First Ses-  
11 sion, is amended by striking the section and inserting in  
12 lieu thereof the following new section:

13 48.8 ELECTION REGISTERS. The county commissioner of reg-  
14 istration shall prepare an election register for each county  
15 precinct between the time of the closing of registration and  
16 election day. The election register shall be a copy of the  
17 list of all qualified electors of the precinct and shall be  
18 in a form prescribed by the state commissioner of elections.

19 If the name of a registered elector does not appear in  
20 the election register, the county commissioner of elections  
21 may authorize a correction to the election register by the  
22 judges of election at the precinct. Authorization to cor-  
23 rect the election register need not be in writing and may  
24 be transmitted by telephone. The authorization must verify  
25 the registration in question and be made by the county com-  
26 missioner of elections who shall make a written record  
27 verifying every authorized correction.

28 Sec. 16. Section forty-eight point eleven (48.11), Code  
29 1971, as amended by chapter ninety-eight (98), section eight  
30 (8), Acts of the Sixty-fourth General Assembly, First Ses-  
31 sion, is amended by striking the section and inserting in  
32 lieu thereof the following new section:

33 48.11 REGISTRATION TIME LIMITS. The county commissioner  
34 of registration shall register, on forms prescribed by the  
35 state commissioner of elections, electors for elections in

1 a precinct until the close of registration in the precinct.  
2 An elector may register during the time registration is closed  
3 in the elector's precinct but the registration shall not be-  
4 come effective until registration opens again in his precinct.

5 Registration shall close in a precinct ten days before  
6 an election.

7 Sec. 17. Section forty-eight point fifteen (48.15), Code  
8 1971, is amended to read as follows:

9 48.15 CHALLENGES. Any person may challenge a registra-  
10 tion at any time by filing a written challenge with the com-  
11 missioner of registration. The commissioner of registra-  
12 tion shall immediately give five days notice of a hearing  
13 by registered or certified mail to the challenger and the  
14 person challenged. If the person challenged fails to appear,  
15 his name shall be removed from the registration list. How-  
16 ever, if the person challenged notifies the commissioner prior  
17 to the date set for the hearing that he is unable to appear  
18 on the date specified, the commissioner may reschedule the  
19 hearing. At such hearing the commissioner shall hear such  
20 evidence as he deems to have probative value. The person  
21 challenged shall be required to sign an affidavit as pro-  
22 vided in section ~~48.44~~ 48.6, subsection 10, of the Code and  
23 may then be questioned concerning his voting residence and  
24 qualifications. In all cases the commissioner shall decide  
25 the right to the entry under the evidence. Either party may  
26 appeal to the district court of the county in which the  
27 challenge is made, and a date for the hearing shall be fixed  
28 and the decision of such court shall be final.

29 Sec. 18. Section forty-eight point twenty-seven (48.27),  
30 Code 1971, is amended to read as follows:

31 48.27 MOBILE DEPUTY REGISTRARS. The commissioner of  
32 registration shall appoint at least six persons for each ten  
33 thousand inhabitants, or major fraction thereof, within his  
34 jurisdiction as mobile deputy registrars. An equal number  
35 of these appointees shall be appointed from lists supplied

1 for that purpose from the county chairmen of the two political  
2 parties polling the highest vote in the jurisdiction in the  
3 last preceding general election. The list shall be filed  
4 with the commissioner of registration not later than August  
5 first of each year and the commissioner of registration shall  
6 make the appointments from these lists no later than thirty  
7 days from the date of filing. Said list of appointees as  
8 submitted to the commissioner of registration shall be made  
9 available to the party chairmen of the two parties receiving  
10 the highest votes at the preceding election for secretary  
11 of state. If a county chairman of a political party does  
12 not submit a list of appointees, the county commissioner of  
13 registration shall appoint, before September first, persons  
14 known to be members of that political party. Mobile deputy  
15 registrars are authorized to secure registration of eligible  
16 voters anywhere in the jurisdiction of the commissioner of  
17 registration and shall make such reports of new registrations  
18 and changes as the commissioner of registration requests and  
19 shall take an oath of office administered by the commissioner  
20 of registration. ~~Mobile-deputy-registrars-shall-be-appointed~~  
21 ~~before-the-first-of-August-preceding-any-general-election~~  
22 ~~and-the~~ The appointments shall expire when ~~registration-closes~~  
23 ~~for-that-election~~ the commissioner of registration makes new  
24 appointments. Mobile deputy registrars shall serve without  
25 compensation from any source. The commissioner of registration  
26 shall furnish to each mobile deputy registrar proper  
27 registration forms which shall be numbered and accounted for  
28 by the mobile deputy registrar to the commissioner of  
29 registration. There shall be provided on said form a space  
30 for the signature of the mobile deputy registrar who shall  
31 sign same and identify himself with appropriate identity  
32 papers or badge provided by the commissioner of registration  
33 in the presence of the voter and ~~a-copy-of-said-voter~~  
34 ~~registration-form-shall-be-given-to-the-voter-as~~ a receipt  
35 ~~of-the-fact-that-he~~ signed by the mobile deputy registrar

1 stating that such person is duly registered. The mobile  
 2 deputy registrar shall be a person of known good character  
 3 ~~who has-reached-the-age-of-majority~~ is at least eighteen years  
 4 of age and who is familiar with the registration laws of the  
 5 state and shall be trained by the commissioner of registration  
 6 in a manner he deems adequate. It shall be unlawful for any  
 7 mobile deputy registrar or any registrar to refuse to register  
 8 any eligible voter and any such refusal is a criminal offense  
 9 punishable as provided by law. The mobile deputy registrar  
 10 must be a resident of the county wherein he is appointed.  
 11 It shall be the duty of the secretary of state to designate  
 12 a suitable voter registration form for the purpose of this  
 13 section. A list of the persons registered under this section  
 14 shall be made available weekly to the county chairman of each  
 15 of the two major political parties for the purpose of  
 16 challenge.

17 Sec. 19. Chapter forty-eight (48), Code 1971, is amended  
 18 by adding the following new sections:

19 1. "REMOVAL OF REGISTRATION. The county commissioner  
 20 of registration who registers an elector who has changed his  
 21 residence shall notify the county commissioner of registra-  
 22 tion of the registrant's former residence that the registrant  
 23 has become a qualified elector at his present residence.  
 24 The registrant shall execute an authorization to the county  
 25 commissioner of registration of his former residence to re-  
 26 move the registrant's registration. The county commissioner  
 27 of registration of the former residence shall cause the reg-  
 28 istrant's record to be removed from his file of valid regis-  
 29 trations."

30 2. "NOTIFICATION OF CHANGES IN REGISTRATION. The clerk  
 31 of the district court shall promptly notify the county com-  
 32 missioner of registration of changes of name and of convic-  
 33 tions of infamous crimes or felonies of persons of voting  
 34 age. The clerk of the district court shall also notify the  
 35 county commissioner of registration of the restoration of

1 citizenship of a person who has been convicted of an infamous  
2 crime or felony and of the finding that a person is of good  
3 mental health. The notice will not restore voter registration.  
4 The county commissioner of registration shall notify the  
5 person whose citizenship has been restored or who has been  
6 declared to be in good mental health that his registration  
7 to vote was canceled and he must register again to become  
8 a qualified elector."

9 3. "CANCELLATION OF REGISTRATION. The registration of  
10 a qualified elector shall be canceled in any of the follow-  
11 ing instances:

- 12 1. The elector fails to vote once in four calendar years.
- 13 2. The elector registers to vote in another place.
- 14 3. The elector does not record a change of address.
- 15 4. The elector dies.
- 16 5. The clerk of district court sends notification of an  
17 elector's conviction of an infamous crime or felony.
- 18 6. The clerk of district court sends notification of a  
19 legal determination that the elector is an idiot or insane  
20 person or mentally ill.
- 21 7. The elector does not record a change of name.
- 22 8. When first class mail, which is designated 'not to  
23 be forwarded', was addressed to the elector at the address  
24 shown on the registration records and is returned by the  
25 postal service.

26 Whenever a registration is canceled, notice of the can-  
27 cellation shall be sent to the registrant at his last known  
28 address shown upon the registration records. However, notice  
29 is not necessary when the cancellation is due to death or  
30 if an authorization for the removal of his registration is  
31 received as provided in this chapter."

32 4. "ANNUAL REPORT. The county commissioner of elections  
33 shall make reports as required by the state commissioner of  
34 elections. On August first of each year the state commis-  
35 sioner of elections shall report the number of persons reg-

1 istered in each political party in each county."

2 Sec. 20. Section forty-nine point five (49.5), Code 1971,  
3 as amended by chapter ninety-eight (98), section twenty-two  
4 (22) and chapter ninety-nine (99), section two (2), Acts of  
5 the Sixty-fourth General Assembly, First Session, is amended  
6 to read as follows:

7 49.5 CITY PRECINCTS. The council of a city may, from  
8 time to time, by ordinance definitely fixing the boundaries,  
9 divide the city into such number of election precincts as  
10 will best serve the convenience of the voters.

11 Election precincts shall be of as nearly equal population  
12 as possible within the limitations of reliable data on the  
13 populations of various parts of such city, and the boundaries  
14 of each precinct shall follow the boundaries of areas for  
15 which official population figures are available from the most  
16 recent federal decennial census. A city having a population  
17 of more than three thousand five hundred shall cause the  
18 federal decennial census to be taken on a block-by-block basis  
19 and shall preserve block statistics. Every precinct shall  
20 be contained wholly within an existing legislative district.  
21 No election precinct shall have a total population in excess  
22 of three thousand five hundred, as shown by the most recent  
23 federal decennial census, except that:

24 1. If in any area of the city it is not possible to devise  
25 a contiguous precinct having a population of less than three  
26 thousand five hundred by the most recent federal decennial  
27 census, because one or more of the smallest population units  
28 for which census data are available are composed of  
29 noncontiguous territory, the city council may utilize other  
30 reliable and documented indicators of population distribution  
31 in establishing precincts within that area.

32 2. Where an unavoidable conflict arises between the re-  
33 quirements of this section relating to population of precincts  
34 and the requirement that each precinct be contained wholly  
35 within an existing legislative district, the latter require-

1 ment shall take precedence.

2 The council shall make any changes necessary to comply  
3 with this section no earlier than July first and not later  
4 than December thirty-first of each year immediately following  
5 a year in which the federal decennial census is taken, unless  
6 the general assembly by joint resolution establishes differ-  
7 ent dates for such compliance. Any or all of the publications  
8 required by section 49.11 may be made after December thirty-  
9 first if necessary.

10 If the council fails to fix election precinct boundaries  
11 by the deadlines established pursuant to this section, the  
12 state commissioner of elections shall fix the boundaries as  
13 soon as possible. Expenses incurred by the state commissioner  
14 of elections shall be assessed to the city and paid by the  
15 city.

16 Nothing in this section shall prohibit a city council which  
17 has complied with the applicable requirements of this section  
18 by December thirty-first of any year following a year in which  
19 the federal decennial census is taken, from thereafter chang-  
20 ing the boundaries of any precinct in the manner and within  
21 the limitations provided by this section, at any time prior  
22 to or during the year in which the next federal decennial  
23 census is taken, if the council concludes that the changes  
24 in precinct boundaries are necessary to best serve the voters  
25 affected.

26 The ~~secretary-of~~ state commissioner of elections shall  
27 be notified when precinct boundary lines are changed and a  
28 map delineating the new boundary lines supplied.

29 Sec. 21. Section forty-nine point thirty (49.30), Code  
30 1971, is amended to read as follows:

31 49.30 ALL CANDIDATES ON ONE BALLOT--EXCEPTION. The names  
32 of all candidates to be voted for in such election precinct,  
33 except presidential electors, shall be printed on one ballot,  
34 except that at any election where voting machines are used,  
35 and it is impossible to place the names of all candidates

1 on the machine ballot, the county auditor, city clerk, or  
 2 town clerk, may provide a separate printed ballot for the  
 3 candidates for judge of district court where there is no  
 4 contest, ~~and the township ticket, or either;~~ one of each of  
 5 said printed ballots to be furnished each qualified voter.

6 Sec. 22. Section forty-nine point forty-two (49.42), Code  
 7 1971, is amended by striking the section and inserting in  
 8 lieu thereof the following:

9 49.42 FORM OF OFFICIAL BALLOT. Said ballot shall be sub-  
 10 stantially in the following form:

11	REPUBLICAN	DEMOCRATIC	PROHIBITION	UNION LABOR
12	For President	For President	For President	For President
13	A.... B....,	N.... O....,	A.... B....,	N.... O....,
14	of Ohio.	of Virginia.	of Maine.	of Idaho.
15	For Vice-Pres-	For Vice-Pres-	For Vice-Pres-	For Vice-Pres-
16	ident,	ident,	ident,	ident,
17	C.... B....,	P.... Q....,	C.... D....,	P.... Q....,
18	of New York.	of Indiana.	of Illinois.	of Ohio.
19	For	For	For	For
20	United States	United States	United States	United States
21	Senator.	Senator.	Senator.	Senator.
22	E.... F....,	R.... S....,	E.... F....,	R.... S....,
23	of...County.	of...County.	of...County.	of...County.
24	For	For	For	For
25	United States	United States	United States	United States
26	Representative,	Representative,	Representative,	Representative,
27	G.... H....,	T.... U....,	G.... H....,	T.... U....,
28	of...County.	of...County.	of...County.	of...County.
29	For Governor,	For Governor,	For Governor,	For Governor,
30	I.... J....,	V.... W....,	I.... J....,	V.... W....,
31	of...County.	of...County.	of...County.	of...County.
32	For Lieutenant	For Lieutenant	For Lieutenant	For Lieutenant
33	Governor,	Governor,	Governor,	Governor,
34	K.... L....,	X.... Y....,	K.... L....,	X.... Y....,
35	of...County.	of...County.	of...County.	of...County.

1 Sec. 23. Section forty-nine point seventy-seven (49.77),  
2 Code 1971, is amended to read as follows:

3 49.77 BALLOT FURNISHED TO VOTER.

4 The judges of election of their respective precincts shall  
5 have charge of the ballots and furnish them to the voters.  
6 Any person desiring to vote shall give his name and address  
7 to the judges, and shall sign a voter's declaration provided  
8 by the judges of the election, in substantially the follow-  
9 ing form:

10 VOTER'S DECLARATION OF ELIGIBILITY

11 I do solemnly swear or affirm that I am a resident of  
12 the ..... precinct, ..... ward or  
13 township, city or town of ....., county  
14 of ....., Iowa.

15 ~~I have been a resident of the state of Iowa for at least~~  
16 ~~six months, of said county for at least sixty days, and of~~  
17 ~~said precinct for at least ten days. I am lawfully eligible~~  
18 ~~to vote in said precinct and county in the .....~~  
19 ~~election to be held on ..... 19.....~~ am a quali-  
20 fied elector. I have not voted and will not vote in any  
21 other precinct in said election.

22 (For primary election only:) I am affiliated with the  
23 ..... party.

24 I understand that any false statement in this declaration  
25 is a criminal offense punishable as provided by law.

26 .....  
27 Signature of Voter

28 .....  
29 Address

30 Approved:  
31 .....  
32 Judge or Clerk of the Election

33 In precincts where the judges of the election are furnished  
34 computerized registration lists, ~~the person desiring to vote,~~  
35 ~~except a person legally blind, shall also provide some form~~

1 of an election judge may require of an elector unknown to  
2 the judge, identification upon which the elector's signature  
3 or mark of such person appears. If identification is estab-  
4 lished to the satisfaction of the judges of the election,  
5 the person may then be allowed to vote.

6 ~~If the voter has no identification, his identity may be~~  
7 ~~attested to by a judge of the election.~~

8 All voters' declarations may then be seen by the chal-  
9 lengers of each political party, at the request of such chal-  
10 lengers.

11 Sec. 24. Section forty-nine point eighty-one (49.81),  
12 Code 1971, as amended by chapter ninety-eight (98), section  
13 fourteen (14), Acts of the Sixty-fourth General Assembly,  
14 First Session, is amended by striking the section and inserting  
15 in lieu thereof the following new section:

16 49.81 OATH IN CASE OF CHALLENGE. If the elector is chal-  
17 lenged when offering to vote in a precinct where registration  
18 is not required, if the elector insists that he is qualified  
19 to vote, and if the challenge is not withdrawn, one of the  
20 election judges shall tender to the challenged elector an  
21 affidavit prescribed by the state commissioner of elections  
22 which reaffirms the challenged elector's eligibility.

23 Sec. 25. Section fifty-three point two (53.2), Code 1971,  
24 is amended to read as follows:

25 53.2 APPLICATION FOR BALLOT. Any voter, under the circum-  
26 stances specified in section 53.1, may, on any day not Sunday,  
27 election day, or a holiday and not more than forty days prior  
28 to the date of election, make written application in per-  
29 son or by mail to the county auditor, or to the city or town  
30 clerk, as the case may be, for an official ballot to be voted  
31 at such election. -- Such application may be made in person  
32 or in writing as provided in section 53.40 commissioner of  
33 elections on forms prescribed by the state commissioner of  
34 elections. Each application form shall have a serial number  
35 and shall have postage prepaid.

1 The county commissioner of elections shall keep a list  
2 of all application forms distributed, to whom each application  
3 was distributed, and the date on which the application was  
4 distributed.

5 Sec. 26. Section fifty-three point seven (53.7), Code  
6 1971, is amended by striking the section and inserting in  
7 lieu thereof the following new section:

8 53.7 PENALTY. It shall be unlawful for any employee of  
9 the state or any political subdivision thereof to solicit  
10 any application or request for application for an absentee  
11 ballot, or to administer an oath or take an affidavit in con-  
12 nection with any absentee ballot. However, any such employee  
13 may administer such oath and take such affidavit in connec-  
14 tion with an absentee ballot which is cast by the voter in  
15 person in the office where such employee is employed in ac-  
16 cordance with section 53.11. This section shall not apply  
17 to any elected official.

18 Wherever used in this chapter the words "absentee ballot"  
19 include any ballot authorized by this chapter.

20 Sec. 27. Section fifty-three point thirteen (53.13), Code  
21 1971, is amended by striking the section and inserting in  
22 lieu thereof the following new section:

23 53.13 VOTER'S AFFIDAVIT ON ENVELOPE. On the reverse side  
24 of the unsealed envelope shall be printed an affidavit form  
25 prescribed by the state commissioner of elections.

26 Sec. 28. Section fifty-three point twenty-five (53.25),  
27 Code 1971, is amended by adding the following new paragraph:

28 "If the absentee ballot is rejected prior to the opening  
29 of the ballot envelope, the voter casting the ballot shall  
30 be notified by an election judge by the time the canvass is  
31 completed of the reason for the rejection on a form prescribed  
32 by the state commissioner of elections."

33 Sec. 29. Section fifty-three point forty-nine (53.49),  
34 Code 1971, is amended by adding the following new paragraph:

35 "Notwithstanding the provisions of this section,

1 servicemen's ballots may be counted in the same manner as  
2 absentee ballots under section thirty (30) of this Act in  
3 counties, cities or towns, or school districts adopting this  
4 plan."

5 Sec. 30. Chapter fifty-three (53), Code 1971, is amended  
6 by adding the following new section:

7 "ABSENTEE BALLOT COUNTING BOARDS. There is created a  
8 special precinct in each county in which all absentee ballots  
9 cast at any general election in this state shall be counted.

10 The county commissioner of elections may create a special  
11 precinct for counting absentee ballots in any other election.

12 The election board of the special precinct shall be known  
13 as the absentee ballot counting board. The county board of  
14 supervisors shall appoint the absentee ballot counting board  
15 in the manner prescribed in sections forty-nine point twelve  
16 (49.12) and forty-nine point fifteen (49.15) of the Code.

17 The board's powers and duties shall be the same as provided  
18 in this chapter for judges and clerks in polling places,  
19 except that the board shall receive and count all absentee  
20 ballots for all precincts in the county upon receipt from  
21 the county auditor.

22 The tally list shall be recorded on forms prescribed by  
23 the state commissioner of elections.

24 Within thirty days from the date of the official canvass  
25 of the votes, the county commissioner of elections shall  
26 correct the precinct pollbooks and registration lists to  
27 indicate that the persons casting absentee ballots have voted  
28 in the preceding election.

29 The absentee ballot counting board shall not release the  
30 results of the balloting until the polls have been closed  
31 and the final results have been tabulated."

32 Sec. 31. Section sixty-nine point eight (69.8), subsection  
33 seven (7), Code 1971, is amended to read as follows:

34 7. TOWNSHIP OFFICES. ~~In-township-offices, including~~  
35 ~~trustees, by the trustees, but where the offices of the three~~

1 ~~trustees-are-all-vacant,~~ the The county board of supervisors  
2 shall have the power to either appoint township officers or  
3 instruct the county auditor to fill the vacancies or adopt  
4 a resolution stating that the board will exercise all powers  
5 and duties assigned by law to the trustees of the township  
6 in which such vacancies exist,~~-until-such-time-as-the-vacancies~~  
7 ~~may-be-filled-by-election.~~

8 Sec. 32. Section sixty-nine point twelve (69.12), Code  
9 1971, is amended by striking the section and inserting in  
10 lieu thereof the following:

11 69.12 OFFICERS ELECTED TO FILL VACANCIES--TENURE. If  
12 a vacancy occurs in an elective office ten days or more before  
13 the filing date prior to a general election, it shall be  
14 filled at such election if the remainder of the term of office  
15 is greater than ninety days after the date of the election.  
16 If the unexpired term is less than ninety days after the elec-  
17 tion day at which the vacancy is filled, the person elected  
18 to the office for the next regular term shall take office  
19 as soon as he qualifies.

20 Sec. 33. Section three hundred fifty-nine point ten  
21 (359.10), Code 1971, is amended by striking the section and  
22 inserting in lieu thereof the following new section:

23 359.10 APPOINTMENT OF TOWNSHIP TRUSTEES. The county board  
24 of supervisors may appoint a successor to each township trustee  
25 as a vacancy occurs or his term expires. The appointment  
26 shall be for a term of four years. If a new township is  
27 formed, the county board of supervisors may appoint the first  
28 township trustees as follows: one trustee shall be appointed  
29 for a term of two years, one trustee shall be appointed for  
30 a term of three years, and one trustee shall be appointed  
31 for a term of four years. If a vacancy occurs, the appointment  
32 shall be for the unexpired term.

33 Sec. 34. Section three hundred fifty-nine point eleven  
34 (359.11), Code 1971, is amended by striking the section and  
35 inserting in lieu thereof the following new section:

1 359.11 TOWNSHIP CLERK--VACANCIES. Commencing July 1,  
2 1972, the county board of supervisors may appoint a  
3 successor to each township clerk as a vacancy occurs or his  
4 term expires. The appointment shall be for a term of two  
5 years.

6 Sec. 35. Section three hundred fifty-nine point twenty-  
7 three (359.23), Code 1971, is amended to read as follows:

8 359.23 RECEIPTS AND EXPENDITURES. Each township clerk,  
9 ~~on-the-morning-of-the-day-of-the-general-election-and-before~~  
10 ~~the-hour-for-opening-the-polls,~~ shall ~~post,-at-the-place-where~~  
11 ~~such-election-is-to-be-held-in-his-township,-a-statement~~  
12 in-writing, file a financial statement with the county board  
13 of supervisors not later than December 1, 1972 and each two  
14 years thereafter, showing all receipts of money and disburse-  
15 ments in his office for the preceding two years, which shall  
16 be certified as correct by the trustees of the township.

17 Sec. 36. Section seven hundred thirty-eight point eight  
18 (738.8), Code 1971, is amended to read as follows:

19 738.8 VOTING WHEN NOT QUALIFIED. If any person, knowing  
20 himself not to be qualified, vote at any election authorized  
21 by law, he shall be fined not exceeding two three hundred  
22 dollars, or be imprisoned in the county jail not exceeding  
23 six-months one year.

24 Sec. 37. Sections thirty-nine point twenty-two (39.22),  
25 thirty-nine point twenty-three (39.23), forty-three point  
26 twenty-one (43.21), forty-three point fifty-three (43.53),  
27 forty-eight point nine (48.9), as amended by chapter ninety-  
28 eight (98), section six (6), Acts of the Sixty-fourth General  
29 Assembly, forty-eight point thirteen (48.13), forty-eight  
30 point fourteen (48.14), forty-eight point twenty-one (48.21),  
31 forty-eight point twenty-six (48.26), forty-eight point twenty-  
32 eight (48.28), forty-nine point twenty-seven (49.27), forty-  
33 nine point fifty-two (49.52), forty-nine point seventy-eight  
34 (49.78), forty-nine point one hundred eighteen (49.118),  
35 fifty-three point three (53.3), fifty-three point four (53.4),

1 fifty-three point five (53.5), fifty-three point six (53.6),  
2 fifty-three point nine (53.9), fifty-three point ten (53.10),  
3 sixty-nine point thirteen (69.13), three hundred fifty-nine  
4 point eleven (359.11), three hundred fifty-nine point twelve  
5 (359.12), three hundred fifty-nine point thirteen (359.13),  
6 three hundred fifty-nine point twenty-two (359.22), seven  
7 hundred thirty-eight point nine (738.9), seven hundred thirty-  
8 eight point ten (738.10), and chapter forty-nine A (49A),  
9 Code 1971, and chapter ninety-eight (98), section seventeen  
10 (17), Acts of the Sixty-fourth General Assembly, First Session,  
11 are repealed.

12 Sec. 38. This Act, being deemed of immediate importance,  
13 shall take effect and be in force from and after its publica-  
14 tion in the Times-Democrat, a newspaper published in Daven-  
15 port, Iowa, and in The Muscatine Journal, a newspaper pub-  
16 lished in Muscatine, Iowa.

17 EXPLANATION

18 Section 1 designates the Secretary of State as the State  
19 Commissioner of Elections.

20 Section 2 designates the county auditor as the county com-  
21 missioner of elections and he is responsible for conducting  
22 all elections. When an election is called by a political  
23 subdivision of the state, the election is to be conducted  
24 by the commissioner of elections and the costs of the election  
25 is billed back to the political subdivision.

26 Section 3 provides for the payment of election costs.

27 Section 4 sets out residency requirements of thirty days  
28 in the state and defines residency for voting purposes.

29 Section 5 removes township officers from the list of elected  
30 officials. The bill provides that township officers be ap-  
31 pointive rather than elective.

32 Sections 8 and 22 change the order in which the names of  
33 candidates appear on the election ballot so that the names  
34 of candidates for Congressional office appear immediately  
35 following the names of candidates for the office of United

1 States Senator.

2 Sections 11 through 19, inclusive, amend the voter reg-  
3 istration law to provide that in counties in which permanent  
4 countywide registration is required or in which a city with  
5 a population of ten thousand or more is located, the county  
6 auditor shall be designated the commissioner of registration  
7 for the entire county and he shall be responsible for the  
8 registration of all of the voters in the county required to  
9 be registered.

10 Section 18 amends the provision on mobile deputy registrars  
11 and provides that the list of persons recommended by the  
12 county chairman must be filed with the commissioner of regis-  
13 tration not later than August first of each year and appoint-  
14 ments by the commissioner of registration shall be made within  
15 thirty days. The section also provides that if a county  
16 chairman fails to file a list with the commissioner of  
17 registration, the commissioner shall appoint persons whom  
18 he knows are members of that political party.

19 Section 19 requires the commissioner of registration to  
20 send notification to election officials in another jurisdic-  
21 tion when a new resident registers and lists another jurisdic-  
22 tion as his former residence. This section also provides  
23 for cancellation of registration and the filing of annual  
24 reports by the county commissioners of elections.

25 Section 20 amends the provision restricting the size of  
26 city precincts to not more than 3,500 persons per precinct.  
27 The bill provides that any city with a population of more  
28 than 3,500 shall cause the federal decennial census to be  
29 taken on a block-by-block basis and further provides that  
30 if the city council fails to set precinct boundaries within  
31 the time allowed, the State Commissioner of Elections shall  
32 do it and all costs incurred to be paid by the city.

33 Section 28 provides that when an absentee ballot is re-  
34 jected because of some defect on the ballot envelope, the  
35 judges of the election shall notify the person whose ballot

1 was rejected within thirty days from the date set for the  
2 canvassing of all votes indicating the reason the absentee  
3 ballot was rejected.

4 Section 30 creates a special precinct in each county for  
5 the counting of absentee ballots in the general election.

6 An absentee ballot counting board is created in the same  
7 manner as an election board and provides that the duties of  
8 the absentee ballot counting board shall be the same as those  
9 of an election board. The absentee ballot counting board  
10 may be created for other elections.

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HOUSE CLIP SHEET  
Friday, February 11, 1972

HOUSE FILE 1147

- 1 Amend House File 1147 as follows:
- 2 1. Page 4, line 34, by striking the name
- 3 "William K. Brown" and inserting in lieu thereof
- 4 the name "Sally K. Brown."
- 5 2. Page 5, line 4, by striking the name
- 6 "John Williams" and inserting in lieu thereof
- 7 the name "Betty Williams."
- 8 3. Page 5, line 9, by striking the name
- 9 "Howard Collins" and inserting in lieu thereof
- 10 the name "Patricia Collins."
- 11 4. Page 5, line 15, by striking the name
- 12 "William Strong" and inserting in lieu thereof
- 13 the name "Gladys Strong."

Offered from the floor and adopted By FRANKLIN of Polk  
February 10, 1972 JOHNSTON of Johnson

HOUSE FILE 1147

- 1 Amend the Ewell amendment to House File 1147,
- 2 filed February 10, 1972, line 3, by inserting after
- 3 the word "person" the words "who has filed for or has
- 4 been nominated or".

Offered from the floor and lost By SMALL of Johnson  
February 10, 1972 GLUBA of Scott

HOUSE FILE 1147

- 1 Amend the Taylor, et al., amendment filed February 9,
- 2 1972 as follows:
- 3 Line 19, by adding after the word "elections"
- 4 the words ", or his designee".

Offered from the floor and adopted By SCHROEDER of Pottawattamie  
February 10, 1972

House 7  
February 10, 1972

HOUSE FILE 1147

- 1 Amend House File 1147 as follows:  
2 1. Page 19, by adding after line 16 the follow-  
3 ing new paragraph:  
4 "The county commissioner of elections shall set  
5 the convening time for the absentee ballot counting  
6 board allowing a reasonable amount of time to com-  
7 plete counting the absentee ballots prior to closing  
8 of the polls."  
9 2. Page 19, by adding after line 21, the follow-  
10 ing new paragraph:  
11 "The room occupied by the absentee ballot count-  
12 ing board shall be policed in such manner as to pre-  
13 vent any person from obtaining information regarding  
14 the progress of the count before the polls are closed.  
15 No person shall be admitted into the room where such  
16 ballots are being counted until the polls are closed  
17 except the absentee ballot counting board, one chall-  
18 enger representing each political party, and the  
19 county commissioner of elections."  
20 3. Page 19, by inserting after the word "closed"  
21 in line 30 a period and quotation marks.  
22 4. Page 19, by striking all of line 31.

Filed - *Adopted as amended 2/10/72* By TAYLOR of Dubuque  
February 9, 1972 MONROE of Des Moines  
DRAKE of Muscatine

HOUSE FILE 1147

- 1 Amend House File 1147 as follows:  
2 1. Page 2, line 18, after the word "county"  
3 insert the words ", including registration records,".  
4 2. Page 14, line 12, by inserting after the word  
5 "fix" the words "or cause to be fixed".  
6 3. Page 14, line 15, by inserting after the period  
7 the following:  
8 "The state commissioner of elections may request the  
9 services of personnel of the legislative service  
10 bureau and material available to the legislative  
11 service bureau for the purpose of fixing the boundar-  
12 ies of election precincts as provided in this section."

Filed - *Adopted 2-10-72 (396)* By DRAKE of Muscatine  
February 9, 1972

HOUSE FILE 1147

- 1 Amend House File 1147 as follows:  
2 Page 2, line 4, by inserting after the period the  
3 following:  
4 There is established within the office of the secre-  
5 tary of state a division of elections which shall be  
6 under the direction of the state commissioner of elec-  
7 tions. The state commissioner of elections may appoint  
8 a person to be in charge of the division of elections  
9 who shall perform such duties as may be assigned to  
10 him by the state commissioner of elections.

House 2  
February 11, 1972

HOUSE FILE 1147

- 1 Amend House File 1147 as follows:  
2 1. Page 3, by striking lines 30 through 35, inclusive.  
3 2. Page 4, by striking lines 1 through 11, inclusive.  
4 3. Page 14, by striking lines 29 through 35, inclusive.  
5 4. Page 15, by striking lines 1 through 5, inclusive.  
6 5. Page 19, by striking lines 32 through 35, inclusive.  
7 6. Page 20, by striking lines 1 through 7, inclusive.  
8 7. Page 20, by striking lines 20 through 35, inclusive.  
9 8. Page 21, by striking lines 1 through 16, inclusive.  
10 9. Page 21, by striking from lines 24, 25, and 26, the  
11 words and figures "thirty-nine point twenty-two (39.22),  
12 thirty-nine point twenty-three (39.23), forty-three point  
13 twenty-one (43.21), forty-three point fifty-three (43.53),".  
14 10. Page 21, by striking from lines 32 and 33 the words  
15 and figures "forty-nine point twenty-seven (49.27), forty-  
16 nine point fifty-two (49.52),".  
17 11. Page 22, by striking from lines 3, 4, 5, and 6, the  
18 words and figures "three hundred fifty-nine point eleven  
19 (359.11), three hundred fifty-nine point twelve (359.12),  
20 three hundred fifty-nine point thirteen (359.13), three  
21 hundred fifty-nine point twenty-two (359.22),".  
22 12. Renumber sections and correct internal references  
23 in accordance with this amendment.

Offered from the floor and adopted By SKINNER of Polk  
February 10, 1972

HOUSE FILE 1147

- 1 Amend House File 1147 as follows:  
2 1. Page 2, line 19, after the period insert  
3 thereof the following:  
4 In cities where permanent registration is re-  
5 quired, the clerk of said city shall be appointed as a  
6 deputy county commissioner of elections for said  
7 city.  
8 2. Page 6, line 13. after the period insert  
9 the following:  
10 In cities where permanent registration is re-  
11 quired, the clerk of said city shall be appointed as a  
12 deputy county commissioner of registration for said  
13 city.

Offered from the floor and lost  
February 10, 1972

By HANSEN of Black Hawk  
KELLY of Woodbury  
KREAMER of Polk

House 3  
February 11, 1972

HOUSE FILE 1147

1 Amend House File 1147, page 20, by adding after  
2 line 19 the following new paragraphs:  
3 "A person elected to a public office of the  
4 state or its political subdivisions shall, upon  
5 application to his employer, be granted a leave  
6 of absence from his regular employment. Upon  
7 receiving proof of election or reelection, the  
8 employer shall grant the leave of absence for  
9 the period of time that is required to carry out  
10 the duties of public office. The leave of absence  
11 shall be granted without a loss of position or  
12 status.  
13 The leave of absence for a person regularly  
14 employed pursuant to the provisions of Chapter  
15 nineteen A (19A), of the Code, shall be according  
16 to the provisions of section nineteen A point  
17 eighteen (19A.18), of the Code."

Offered from the floor and lost By EWELL of Black Hawk  
February 10, 1972

1 Amend House File 1147 as follows:  
2 1. Page 8, by striking all of line 7 and  
3 inserting in lieu thereof the following: "will be a  
4 qualified elector on the day of the next known  
5 election."  
6 2. Page 10, line 34, by striking the words "a  
7 receipt" and inserting in lieu thereof the words "a  
8 receipt".  
9 3. Page 11, line 34, by inserting after the  
10 word "age" the following: ", or the finding of  
11 mental illness in a person or voting age".  
12 4. Page 14, line 33, by inserting a period  
13 after the word "ballot".  
14 5. Page 14, by striking all of lines 34 and 35.  
15 6. Page 15, by striking all of lines 1 through  
16 5.  
17 7. Page 16, line 34, by striking the word  
18 "computerized" and inserting in lieu thereof the  
19 word "~~computerized~~".  
20 8. Page 18, by striking from lines 23 and 24  
21 the words "the reverse side of".  
22 9. Page 21, line 20, by striking the word  
23 "vote" and inserting in lieu thereof the word "votes".

Filed - *Adopted 2-10-72 (397)* By DRAKE of Muscatine  
February 8, 1972

1 Amend House File 1147 as follows:  
2 1. Page 19, by adding after line 16 the follow-  
3 ing new paragraph:  
4 "The county commissioner of elections shall set  
5 the convening time for the absentee ballot counting  
6 board prior to closing of the polls allowing a  
7 reasonable amount of time to complete counting the  
8 absentee ballots."  
9 2. Page 19, by inserting after the word  
10 "closed" in line 30 a period and quotation marks.  
11 3. Page 19, by striking all of line 31.

Filed - *Withdrawn 2-10-72*  
February 8, 1972

By TAYLOR of Dubuque  
MONROE of Des Moines  
DRAKE of Muscatine

1 Amend the Senate amendment to House File 1147 as  
2 follows:  
3 1. By striking from lines 12 and 13 the following:  
4 "delivered by such city to the county commissioner of  
5 registration" and inserting in lieu thereof the  
6 following: "under the jurisdiction of the county  
7 commissioner of registration who shall designate the  
8 location of such records".  
9 2. Further amend the ~~senate~~ amendment by adding  
10 thereto the following:  
11 24. Page 7, line 18, after the word "office"  
12 insert the words "or other designated locations".  
13 25. Page 7, line 21, after the word "office"  
14 insert the words "or other designated locations".

Filed  
March 9, 1972 *adopted 3/10*

By DRAKE of Muscatine  
HANSEN of Black Hawk  
UBAN of Black Hawk

1 Amend amendment 16 of the Senate amendment to  
2 House File 1147 by striking all after the word "age"  
3 in line 114 and through the word "qualifications" in  
4 line 115.

Offered from the floor  
and adopted.  
March 9, 1972

By KENNEDY of Chickasaw

February 14, 1972

HOUSE FILE 1147

*See State Ind. Pass 2/25* By COMMITTEE ON STATE GOVERNMENT  
(Committee on State Government)  
(AS AMENDED AND PASSED  
BY THE HOUSE)

Passed House, Date 3-10-72 Passed Senate, Date 3-2-72

Vote: Ayes ... 81 Nays ... 2 Vote: Ayes 42 Nays 7

Approved March 29, 1972 3-10-72  
- 38 Nays 2

## A BILL FOR

- 1 An Act relating to the election laws and providing penalties
- 2 for violations thereof.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. STATE COMMISSIONER OF ELECTIONS. The  
2 tary of state is designated as the state commissioner of elec-  
3 tions and shall supervise the activities of the county com-  
4 missioners of elections. *There is established within*  
5 *the office of the secretary of state a division of*  
6 *elections which shall be under the direction of the state*  
7 *commissioner of elections. The state commissioner of*  
8 *elections may appoint a person to be in charge of the*  
9 *division of elections who shall perform such duties as*  
10 *may be assigned to him by the state commissioner of*  
11 *elections. The state commissioner of elections*  
12 *shall prescribe uniform election practices and procedures*  
13 *and shall prescribe the necessary forms required for voter*  
14 *registration and the conduct of elections. The state commis-*  
15 *sioner of elections may adopt rules and regulations, pursuant*  
16 *to chapter seventeen A (17A) of the Code, to carry out the*  
17 *provisions of this section.*

18 Sec. 2. COUNTY COMMISSIONER OF ELECTIONS. The  
19 auditor of each county is designated as the county commis-  
20 sioner of elections in each county. The county commissioner  
21 of elections shall conduct voter registration pursuant to  
22 chapter forty-eight (48) of the Code and conduct all elec-  
23 tions within the county. All election and registration duties  
24 prior to the effective date of this Act imposed upon other  
25 public officials within the county, *including registration*  
26 *records, are transferred to the*  
27 *county commissioner of elections.*

28 If a political subdivision is located in more than one  
29 county, the county commissioner of elections of the county  
30 having the greatest taxable base within the political  
31 subdivision shall conduct the election. The county  
32 commissioners of elections of the other counties in which  
33 the political subdivision is located shall cooperate with  
34 the county commissioner of elections who is conducting the  
35 election.

36 Sec. 3. ELECTION EXPENSES. The costs of conducting a  
37 special election, general election, and the primary election  
38 held prior to the general election shall be paid by the county.  
39 The cost of conducting other elections shall be paid by  
40 the political subdivision for which the election is held.  
41 The county commissioner of elections shall certify to the  
42 county board of supervisors a statement of cost for an elec-  
43 tion. The cost shall be assessed by the county board of

1 supervisors against the political subdivision for which the  
2 election was held.

3 Costs of registration shall not be charged as a part of  
4 the election costs.

5 Sec. 4. VOTER QUALIFICATIONS.

6 1. Every citizen of the United States of the age of  
7 eighteen years of age or older is presumed to have a residence  
8 some place in the United States for the purpose of voting  
9 for president and vice president of the United States.

10 2. Every citizen of the United States of the age of eigh-  
11 teen years or older who shall have been a resident of this  
12 state for thirty days next preceding the election shall be  
13 entitled to vote, subject to the provisions of chapter forty-  
14 eight (48), if applicable, and chapter forty-nine (49) of  
15 the Code, at all elections which may now or hereafter be  
16 authorized by law.

17 3. Every qualified voter of the state of the age of eigh-  
18 teen years or older shall have only one voting residence some  
19 place in this state or any other state for the purposes of  
20 voting in any given election.

21 4. A person's residence, for voting purposes only, is  
22 the place which he maintains is his home with the intent to  
23 remain there permanently or for a definite or an indefinite  
24 or undeterminable length of time.

25 If a person who meets the above requirements moves to a  
26 new residence, within or without the state, and does not meet  
27 the voter residency requirements at his new residence, he  
28 may vote at his former place of residence in Iowa until he  
29 meets the voter residency requirements of his new residence.

1 Sec. 5. Section forty-three point eleven (43.11), sub-  
2 section one (1), Code 1971, is amended to read as follows:

3 1. For an elective county or city office, in the office  
4 of the county [auditor] *commissioner of elections* at least  
5 fifty-five days prior to the day fixed for holding the primary  
6 election.

7 Sec. 6. Section forty-three point eleven (43.11), Code  
8 1971, is amended by striking subsection three (3).

9 Sec. 7. Section forty-three point twenty-six (43.26),  
10 Code 1971, is amended by striking the section and inserting  
11 in lieu thereof the following:

12 43.26 BALLOT—FORM. The official primary election ballot  
13 shall be prepared, arranged, and printed substantially in  
14 the following form:

15 PRIMARY ELECTION BALLOT

16 (Name of Party)

17 of

18 \_\_\_\_\_ Township or Precinct, \_\_\_\_\_ Ward, City or Town  
19 of \_\_\_\_\_, County of \_\_\_\_\_, State of Iowa.

20 Primary election held on the \_\_\_\_\_ day of June, 19\_\_\_\_.

21 FOR UNITED STATES SENATOR

22 (Vote for one.)

23 \_\_\_\_\_ *Sally K. Brown*

24 \_\_\_\_\_ *J. R. Wayne*

1  
2  
3  
4  
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11

FOR UNITED STATES REPRESENTATIVE

(Vote for one.)

- \_\_\_\_ *Betty Williams*
- \_\_\_\_ William Sanders

FOR GOVERNOR

(Vote for one.)

- \_\_\_\_ *Patricia Collins*
- \_\_\_\_ William Longley

(Followed by other elective state and district officers in order.)

FOR COUNTY AUDITOR

(Vote for one.)

- \_\_\_\_ *Gladys Strong*
- \_\_\_\_ Robert Thompson

(Followed by other elective county officers in order.)

Sec. 8. Section forty-three point twenty-nine (43.29), subsection one (1), Code 1971, is amended to read as follows:

1. The county [auditor] *commissioner of elections* shall, prior to the day of primary election, publish a list of candidates [for each political party] to be voted for at such election[, except township, city or town officers]. Such publication shall be, as near as may be, in the form in which such candidates will appear on the official ballot, with the names of the candidates arranged alphabetically. Such publication shall be in [not less than two newspapers] *at least one newspaper* within the county, representing, if possible, the political parties which cast at the preceding general election the largest and the next largest number of votes.

Sec. 9. Section forty-three point one hundred twenty (43.120), subsection four (4), Code 1971, is amended by striking the subsection and inserting in lieu thereof the following:

1 4. Willfully voting or offering to vote at a primary  
2 election by a person who has not met the qualifications to  
3 vote.

4 Sec. 10. Section forty-eight point one (48.1), Code 1971,  
5 is amended by striking the section and inserting in lieu  
6 thereof the following new section:

7 48.1 COMMISSIONER OF REGISTRATION. The office of com-  
8 missioner of registration is hereby created in all cities  
9 having a population of more than ten thousand and in counties  
10 having a population of more than fifty thousand. The county  
11 auditor is hereby constituted the commissioner of registra-  
12 tion. Precinct registration may be located in the office  
13 of city clerk. The commissioner of registration shall register  
14 electors of a city having a population of more than ten thou-  
15 sand and of a county having a population of more than fifty  
16 thousand.

17 Sec. 11. Section forty-eight point four (48.4), Code 1971,  
18 is amended to read as follows:

19 48.4 COMMISSIONER OF REGISTRATION—DUTIES. The said  
20 missioner of registration shall have complete charge of the com-  
21 registration of all qualified voters within such city or  
22 county. He shall appoint such deputies and clerks as may  
23 be necessary, from the two political parties receiving the  
24 highest vote at the last general election. The number of  
25 such deputies and clerks for all precincts registration places,  
26 and the central registration office, shall be equally divided  
27 between the members of the two said political parties. These  
28 appointments shall be subject to the approval of the city  
29 council or county board of supervisors as the case may be.  
30 The commissioner of registration shall provide such printed  
31 forms and blanks as may be necessary, together with such other  
32 supplies and equipment as are necessary to properly carry  
33 out the provisions of this chapter. [Subject to the provisions  
34 of this chapter, the city council or board shall prescribe  
35 by ordinance such reasonable rules and regulations as to

1 office hours and places and manner of registration as may  
2 be necessary.] Registration places shall be established  
3 throughout the city or county [in the proportion of one to  
4 each precinct which shall be open for registration as pro-  
5 vided under this chapter during not less than two nor more  
6 than four days between July 1 and up to and including the  
7 tenth day prior to the next election following the adoption  
8 of the plan for registration provided in this chapter. Such  
9 registration places shall be selected by the commissioner  
10 of registration and shall be open between seven o'clock a.m.  
11 and nine o'clock p.m. The commissioner of registration shall  
12 appoint the two clerk of election for each precinct, who  
13 shall have charge of the election register].

14 Sec. 12. Section forty-eight point five (48.5), Code 1971,  
15 is amended by striking the section and inserting in lieu  
16 thereof the following new section:

17 48.5 REGISTRATION RECORDS. The county commissioner of  
18 registration shall safely maintain at his office the original  
19 registration records of all qualified electors in his county.  
20 The original registration records shall not be removed from  
21 his office except upon court order. One copy of the original  
22 registration records which includes the elector's name, ad-  
23 dress, precinct, and party affiliation shall be prepared be-  
24 fore the primary election preceding the general election,  
25 upon request and without charge, for the county chairman of  
26 each political party. A list of electors who have registered  
27 between the primary and the general election shall be pre-  
28 pared, upon demand and without charge on August first prior  
29 to the general election and at least every two weeks there-  
30 after until the close of registration, for the county chair-  
31 man of each political party. Additional copies may be pro-  
32 vided to political parties at cost. Duplicate registration  
33 records shall be open to inspection by the public at reasonable  
34 times.

35 Sec. 13. Section forty-eight point six (48.6), Code 1971,

1 as amended by chapter ninety-eight (98), section three (3),  
2 Acts of the Sixty-fourth General Assembly, First Session,  
3 is amended by striking subsection ten (10) and inserting in  
4 lieu thereof the following new subsection:

5 10. An affidavit in such form as prescribed by the state  
6 commissioner of elections which states that the registrant  
7 *will be a qualified elector on the day of the next known*  
8 *election.*

9 *Sec. 14.* Section forty-eight point eight (48.8), Code  
10 1971, as amended by chapter ninety-eight (98), section five  
11 (5), Acts of the Sixty-fourth General Assembly, First Ses-  
12 sion, is amended by striking the section and inserting in  
13 lieu thereof the following new section:

14 48.8 ELECTION REGISTERS. The county commissioner of reg-  
15 istration shall prepare an election register for each county  
16 precinct between the time of the closing of registration and  
17 election day. The election register shall be a copy of the  
18 list of all qualified electors of the precinct and shall be  
19 in a form prescribed by the state commissioner of elections.

20 If the name of a registered elector does not appear in  
21 the election register, the county commissioner of elections  
22 may authorize a correction to the election register by the  
23 judges of election at the precinct. Authorization to cor-  
24 rect the election register need not be in writing and may  
25 be transmitted by telephone. The authorization must verify  
26 the registration in question and be made by the county com-  
27 missioner of elections who shall make a written record  
28 verifying every authorized correction.

29 *Sec. 15.* Section forty-eight point eleven (48.11), Code  
30 1971, as amended by chapter ninety-eight (98), section eight  
31 (8), Acts of the Sixty-fourth General Assembly, First Ses-  
32 sion, is amended by striking the section and inserting in  
33 lieu thereof the following new section:

34 48.11 REGISTRATION TIME LIMITS. The county commissioner  
35 of registration shall register, on forms prescribed by the

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36 state commissioner of elections, electors for elections in

1 a precinct until the close of registration in the precinct.  
2 An elector may register during the time registration is closed  
3 in the elector's precinct but the registration shall not be-  
4 come effective until registration opens again in his precinct.

5 Registration shall close in a precinct ten days before  
6 an election.

7 Sec. 16. Section forty-eight point fifteen (48.15), Code  
8 1971, is amended to read as follows:

9 48.15 CHALLENGES. Any person may challenge a registra-  
10 tion at any time by filing a written challenge with the com-  
11 missioner of registration. The commissioner of registra-  
12 tion shall immediately give five days notice of a hearing  
13 by registered or certified mail to the challenger and the  
14 person challenged. If the person challenged fails to appear,  
15 his name shall be removed from the registration list. How-  
16 ever, if the person challenged notifies the commissioner prior  
17 to the date set for the hearing that he is unable to appear  
18 on the date specified, the commissioner may reschedule the  
19 hearing. At such hearing the commissioner shall hear such  
20 evidence as he deems to have probative value. The person  
21 challenged shall be required to sign an affidavit as pro-  
22 vided in section [48.11] 48.6, subsection 10, of the Code and  
23 may then be questioned concerning his voting residence and  
24 qualifications. In all cases the commissioner shall decide  
25 the right to the entry under the evidence. Either party may  
26 appeal to the district court of the county in which the  
27 challenge is made, and a date for the hearing shall be fixed  
28 and the decision of such court shall be final.

29 Sec. 17. Section forty-eight point twenty-seven (48.27),  
30 Code 1971, is amended to read as follows:

31 48.27 MOBILE DEPUTY REGISTRARS. The commissioner of  
32 registration shall appoint at least six persons for each ten  
33 thousand inhabitants, or major fraction thereof, within his  
34 jurisdiction as mobile deputy registrars. An equal number  
35 of these appointees shall be appointed from lists supplied

1 for that purpose from the county chairmen of the two political  
2 parties polling the highest vote in the jurisdiction in the  
3 last preceding general election. *The list shall be filed*  
4 *with the commissioner of registration not later than August*  
5 *first of each year and the commissioner of registration shall*  
6 *make the appointments from these lists no later than thirty*  
7 *days from the date of filing. Said list of appointees as*  
8 submitted to the commissioner of registration shall be made  
9 available to the party chairmen of the two parties receiving  
10 the highest votes at the preceding election for secretary  
11 of the state. *If a county chairman of a political party does*  
12 *not submit a list of appointees, the county commissioner of*  
13 *registration shall appoint, before September first, persons*  
14 *known to be members of that political party. Mobile deputy*  
15 *registrars are authorized to secure registration of eligible*  
16 *voters anywhere in the jurisdiction of the commissioner of*  
17 *registration and shall make such reports of new registrations*  
18 *and changes as the commissioner of registration requests and*  
19 *shall take an oath of office administered by the commissioner*  
20 *of registration. [Mobile deputy registrars shall be appointed*  
21 *before the first of August preceding any general election*  
22 *and the] The appointments shall expire when [registration closes*  
23 *for that election] the commissioner of registration makes new*  
24 *appointments. Mobile deputy registrars shall serve without*  
25 *compensation from any source. The commissioner of registration*  
26 *shall furnish to each mobile deputy registrar proper*  
27 *registration forms which shall be numbered and accounted for*  
28 *by the mobile deputy registrar to the commissioner of*  
29 *registration. There shall be provided on said form a space*  
30 *for the signature of the mobile deputy registrar who shall*  
31 *sign same and identify himself with appropriate identity*  
32 *papers or badge provided by the commissioner of registration*  
33 *in the presence of the voter and [a copy of said voter*  
34 *registration form shall be given to the voter as] a receipt*  
35 *[of the fact that he] signed by the mobile deputy registrar*

1 *stating that such person is duly registered. The mobile*  
2 *deputy registrar shall be a person of known good character*  
3 *who [has reached the age of majority] is at least eighteen years*  
4 *of age and who is familiar with the registration laws of the*  
5 *state and shall be trained by the commissioner of registration*  
6 *in a manner he deems adequate. It shall be unlawful for any*  
7 *mobile deputy registrar or any registrar to refuse to register*  
8 *any eligible voter and any such refusal is a criminal offense*  
9 *punishable as provided by law. The mobile deputy registrar*  
10 *must be a resident of the county wherein he is appointed.*  
11 *It shall be the duty of the secretary of state to designate*  
12 *a suitable voter registration form for the purpose of this*  
13 *section. A list of the persons registered under this section*  
14 *shall be made available weekly to the county chairman of each*  
15 *of the two major political parties for the purpose of*  
16 *challenge.*

17 *Sec. 18. Chapter forty-eight (48), Code 1971, is amended*  
18 *by adding the following new sections:*

19 1. "REMOVAL OF REGISTRATION. The county commissioner  
20 of registration who registers an elector who has changed his  
21 residence shall notify the county commissioner of registra-  
22 tion of the registrant's former residence that the registrant  
23 has become a qualified elector at his present residence.  
24 The registrant shall execute an authorization to the county  
25 commissioner of registration of his former residence to re-  
26 move the registrant's registration. The county commissioner  
27 of registration of the former residence shall cause the reg-  
28 istrant's record to be removed from his file of valid regis-  
29 trations."

30 2. "NOTIFICATION OF CHANGES IN REGISTRATION. The  
31 of the district court shall promptly notify the county com- **clerk**  
32 missioner of registration of changes of name and of convic-  
33 tions of infamous crimes or felonies of persons of voting  
34 age, *of the finding of mental illness in a person of*  
35 *voting age.*

36 The clerk of the district court shall also notify the  
37 county commissioner of registration of the restoration of

1 citizenship of a person who has been convicted of an infamous  
2 crime or felony and of the finding that a person is of good  
3 mental health. The notice will not restore voter registration.  
4 The county commissioner of registration shall notify the  
5 person whose citizenship has been restored or who has been  
6 declared to be in good mental health that his registration  
7 to vote was canceled and he must register again to become  
8 a qualified elector."

9 3. "CANCELLATION OF REGISTRATION. The registration of  
10 a qualified elector shall be canceled in any of the follow-  
11 ing instances:

- 12 1. The elector fails to vote once in four calendar years.
- 13 2. The elector registers to vote in another place.
- 14 3. The elector does not record a change of address.
- 15 4. The elector dies.
- 16 5. The clerk of district court sends notification of an  
17 elector's conviction of an infamous crime or felony.
- 18 6. The clerk of district court sends notification of a  
19 legal determination that the elector is an idiot or insane  
20 person or mentally ill.
- 21 7. The elector does not record a change of name.
- 22 8. When first class mail, which is designated 'not to  
23 be forwarded', was addressed to the elector at the address  
24 shown on the registration records and is returned by the  
25 postal service.

26 Whenever a registration is canceled, notice of the can-  
27 cellation shall be sent to the registrant at his last known  
28 address shown upon the registration records. However, notice  
29 is not necessary when the cancellation is due to death or  
30 if an authorization for the removal of his registration is  
31 received as provided in this chapter."

32 4. "ANNUAL REPORT. The county commissioner of elections  
33 shall make reports as required by the state commissioner of  
34 elections. On August first of each year the state commis-  
35 sioner of elections shall report the number of persons reg-

1 istered in each political party in each county.”

2 Sec. 19. Section forty-nine point five (49.5), Code 1971,  
3 as amended by chapter ninety-eight (98), section twenty-two  
4 (22) and chapter ninety-eight (98), section two (2), Acts of  
5 the Sixty-fourth General Assembly, First Session, is amended  
6 to read as follows:

7 49.5 CITY PRECINCTS. The council of a city may, from  
8 time to time, by ordinance definitely fixing the boundaries,  
9 divide the city into such number of election precincts as  
10 will best serve the convenience of the voters.

11 Election precincts shall be of as nearly equal population  
12 as possible within the limitations of reliable data on the  
13 populations of various parts of such city, and the boundaries  
14 of each precinct shall follow the boundaries of areas for  
15 which official population figures are available from the most  
16 recent federal decennial census. *A city having a population*  
17 *of more than three thousand five hundred shall cause the*  
18 *federal decennial census to be taken on a block-by-block basis*  
19 *and shall preserve block statistics.* Every precinct shall  
20 be contained wholly within an existing legislative district.  
21 No election precinct shall have a total population in excess  
22 of three thousand five hundred, as shown by the most recent  
23 federal decennial census, except that:

24 1. If in any area of the city it is not possible to devise  
25 a contiguous precinct having a population of less than three  
26 thousand five hundred by the most recent federal decennial  
27 census, because one or more of the smallest population units  
28 for which census data are available are composed of  
29 noncontiguous territory, the city council may utilize other  
30 reliable and documented indicators of population distribution  
31 in establishing precincts within that area.

32 2. Where an unavoidable conflict arises between the re-  
33 quirements of this section relating to population of precincts  
34 and the requirement that each precinct be contained wholly  
35 within an existing legislative district, the latter require-

1 ment shall take precedence.

2 The council shall make any changes necessary to comply  
3 with this section no earlier than July first and not later  
4 than December thirty-first of each year immediately following  
5 a year in which the federal decennial census is taken, unless  
6 the general assembly by joint resolution establishes differ-  
7 ent dates for such compliance. Any or all of the publications  
8 required by section 49.11 may be after December thirty-  
9 first if necessary.

10 *If the council fails to fix election precinct boundaries*  
11 *by the deadlines established pursuant to this section, the*  
12 *state commissioner of elections shall fix or cause to*  
13 *be fixed* *the boundaries as*  
14 *soon as possible. Expenses incurred by the state commissioner*  
15 *of elections shall be assessed to the city and paid by the*  
16 *city.*

17 *The state commissioner of elections may request the*  
18 *services of personnel of the legislative service bureau*  
19 *and material available to the legislative service bureau*  
20 *for the purpose of fixing the boundaries of election*  
21 *precincts as provided in this section.*

22 Nothing in this section shall prohibit a city council which  
23 has complied with the applicable requirements of this section  
24 by December thirty-first of any year following a year in which  
25 the federal decennial census is taken, from thereafter chang-  
26 ing the boundaries of any precinct in the manner and within  
27 the limitations provided by this section, at any time prior  
28 to or during the year in which the next federal decennial  
29 census is taken, if the council concludes that the changes  
30 in precinct boundaries are necessary to best serve the voters  
31 affected.

32 The [secretary of] state *commissioner of elections* shall  
33 be notified when precinct boundary lines are changed and a  
34 map delineating the new boundary lines supplied.

1 Sec. 20. Section forty-nine point forty-two (49.42), Code  
 2 1971, is amended by striking the section and inserting in  
 3 lieu thereof the following:

4 49.42 FORM OF OFFICIAL BALLOT. Said ballot shall be sub-  
 5 stantially in the following form:

	6 —REPUBLICAN	—DEMOCRATIC	—PROHIBITION	—UNION LABOR
7	For President	For President	For President	For President
8	A..... B.....,	N..... O.....,	A..... B.....,	N..... O.....,
9	of Ohio.	of Virginia.	of Maine.	of Idaho.
10	For Vice-Pres-	For Vice-Pres-	For Vice-Pres-	For Vice-Pres-
11	ident,	ident,	ident,	ident,
12	C..... B.....,	P..... Q.....,	C..... D.....,	P..... Q.....,
13	of New York.	of Indiana.	of Illinois.	of Ohio.
14	For	For	For	For
15	United States	United States	United States	United States
16	Senator.	Senator.	Senator.	Senator.
17	E..... F.....,	R..... S.....,	E..... F.....,	R..... S.....,
18	of.....County.	of.....County.	of.....County.	of.....County.
19	For	For	For	For
20	United States	United States	United States	United States
21	Representative,	Representative,	Representative,	Representative,
22	G..... H.....,	T..... U.....,	G..... H.....,	T..... U.....,
23	of.....County.	of.....County.	of.....County.	of.....County.
24	For Governor,	For Governor,	For Governor,	For Governor,
25	I..... J.....,	V..... W.....,	I..... J.....,	V..... W.....,
26	of.....County.	of.....County.	of.....County.	of.....County.
27	For Lieutenant	For Lieutenant	For Lieutenant	For Lieutenant
28	Governor,	Governor,	Governor,	Governor,
29	K..... L.....,	X..... Y.....,	K..... L.....,	X..... Y.....,
30	of.....County.	of.....County.	of.....County.	of.....County.

1 Sec. 21. Section forty-nine point seventy-seven (49.77),  
2 Code 1971, is amended to read as follows:

3 **49.77 BALLOT FURNISHED TO VOTER.**

4 The judges of election of their respective precincts shall  
5 have charge of the ballots and furnish them to the voters.  
6 Any person desiring to vote shall give his name and address  
7 to the judges, and shall sign a voter's declaration provided  
8 by the judges of the election, in substantially the follow-  
9 ing form:

10 **VOTER'S DECLARATION OF ELIGIBILITY**

11 I do solemnly swear or affirm that I am a resident of  
12 the ..... precinct, ..... ward or  
13 township, city or town of ....., county  
14 of ....., Iowa.

15 I [have been a resident of the state of Iowa for at least  
16 six months, of said county for at least sixty days, and of  
17 said precinct for at least ten days. I am lawfully eligible  
18 to vote in said precinct and county in the .....  
19 election to be held on ....., 19.....] *am a quali-*  
20 *fied elector.* I have not voted and will not vote in any  
21 other precinct in said election.

22 (For primary election only:) I am affiliated with the  
23 ..... party.

24 I understand that any false statement in this declaration  
25 is a criminal offense punishable as provided by law.

26 .....  
27 Signature of Voter

28 .....  
29 Address

30 Approved:  
31 .....  
32 Judge or Clerk of the Election

33 In precincts where the judges of the election are furnished  
34 [*computerized*] registration lists, [the person desiring to vote,  
35 except a person legally blind, shall also provide some form

1 of] *an election judge may require of an elector unknown to*  
2 *the judge, identification upon which the elector's signature*  
3 *or mark of such person appears. If identification is estab-*  
4 *lished to the satisfaction of the judges of the election,*  
5 *the person may then be allowed to vote.*

6 [If the voter has no identification, his identity may be  
7 attested to by a judge of the election.]

8 All voters' declarations may then be seen by the chal-  
9 lengers of each political party, at the request of such chal-  
10 lengers.

11 Sec. 22. Section forty-nine point eighty-one (49.81),  
12 Code 1971, as amended by chapter ninety-eight (98), section  
13 fourteen (14), Acts of the Sixty-fourth General Assembly,  
14 First Session, is amended by striking the section and inserting  
15 in lieu thereof the following new section:

16 49.81 OATH IN CASE OF CHALLENGE. If the elector is chal-  
17 lenged when offering to vote in a precinct where registration  
18 is not required, if the elector insists that he is qualified  
19 to vote, and if the challenge is not withdrawn, one of the  
20 election judges shall tender to the challenged elector an  
21 affidavit prescribed by the state commissioner of elections  
22 which reaffirms the challenged elector's eligibility.

23 Sec. 23. Section fifty-three point two (53.2), Code 1971,  
24 is amended to read as follows:

25 53.2 APPLICATION FOR BALLOT. Any voter, under the cir-  
26 stances specified in section 53.1, may, on any day not Sunday,  
27 election day, or a holiday and not more than forty days prior  
28 to the date of election, make *written application in per-*  
29 *son or by mail* to the county [auditor, or to the city or town  
30 clerk, as the case may be, for an official ballot to be voted  
31 at such election. Such application may be made in person  
32 or in writing as provided in section 53.10] *commissioner of*  
33 *elections on forms prescribed by the state commissioner of*  
34 *elections. Each application form shall have a serial number*  
35 *and shall have postage prepaid.*

1     *The county commissioner of elections shall keep a list*  
2 *of all application forms distributed, to whom each application*  
3 *was distributed, and the date on which the application was*  
4 *distributed.*

5     Sec. 24. Section fifty-three point seven (53.7), Code  
6 1971, is amended by striking the section and inserting in  
7 lieu thereof the following new section:

8     53.7 PENALTY. It shall be unlawful for any employee of  
9 the state or any political subdivision thereof to solicit  
10 any application or request for application for an absentee  
11 ballot, or to administer an oath or take an affidavit in con-  
12 nection with any absentee ballot. However, any such employee  
13 may administer such oath and take such affidavit in connec-  
14 tion with an absentee ballot which is cast by the voter in  
15 person in the office where such employee is employed in ac-  
16 cordance with section 53.11. This section shall not apply  
17 to any elected official.

18     Wherever used in this chapter the words "absentee ballot"  
19 include any ballot authorized by this chapter.

20     Sec. 25. Section fifty-three point thirteen (53.13), Code  
21 1971, is amended by striking the section and inserting in  
22 lieu thereof the following new section:

23     53.13 VOTER'S AFFIDAVIT ON ENVELOPE. On  
24 the unsealed envelope shall be printed an affidavit form  
25 prescribed by the state commissioner of elections.

26     Sec. 26. Section fifty-three point twenty-five (53.25),  
27 Code 1971, is amended by adding the following new paragraph:

28     "If the absentee ballot is rejected prior to the opening  
29 of the ballot envelope, the voter casting the ballot shall  
30 be notified by an election judge by the time the canvass is  
31 completed of the reason for the rejection on a form prescribed  
32 by the state commissioner of elections."

33     Sec. 27. Section fifty-three point forty-nine (53.49),  
34 Code 1971, is amended by adding the following new paragraph:

35     "Notwithstanding the provisions of this section,

1 servicemen's ballots may be counted in the same manner as  
2 absentee ballots under section *twenty-eight (28)* of this Act in  
3 counties, cities or towns, or school districts adopting this  
4 plan."

5 Sec. 28. Chapter fifty-three (53), Code 1971, is amended  
6 by adding the following new section:

7 "ABSENTEE BALLOT COUNTING BOARDS. There is created a  
8 special precinct in each county in which all absentee ballots  
9 cast at any general election in this state shall be counted.  
10 The county commissioner of elections may create a special  
11 precinct for counting absentee ballots in any other election.

12 The election board of the special precinct shall be known  
13 as the absentee ballot counting board. The county board of  
14 supervisors shall appoint the absentee ballot counting board  
15 in the manner prescribed in sections forty-nine point twelve  
16 (49.12) and forty-nine point fifteen (49.15) of the Code.

17 *The county commissioner of elections shall set the*  
18 *convening time for the absentee ballot counting board*  
19 *allowing a reasonable amount of time to complete*  
20 *counting the absentee ballots prior to the closing of the*  
21 *polls.*

22 The board's powers and duties shall be the same as provided  
23 in this chapter for judges and clerks in polling places,  
24 except that the board shall receive and count all absentee  
25 ballots for all precincts in the county upon receipt from  
26 the county auditor.

27 *The room occupied by the absentee ballot counting*  
28 *board shall be policed in such manner as to prevent any*  
29 *person from obtaining information regarding the progress*  
30 *of the count before the polls are closed. No person*  
31 *shall be admitted into the room where such ballots are*  
32 *being counted until the polls are closed except the*  
33 *absentee ballot counting board, one challenger*  
34 *representing each political party, and the county*  
35 *commissioner of elections, or his designee.*

36 The tally list shall be recorded on forms prescribed by  
37 the state commissioner of elections.

38 Within thirty days from the date of the official canvass  
39 of the votes, the county commissioner of elections shall  
40 correct the precinct pollbooks and registration lists to  
41 indicate that the persons casting absentee ballots have voted  
42 in the preceding election.

43 The absentee ballot counting board shall not release the  
44 results of the balloting until the polls have been closed.”

1 Sec. 29. Section sixty-nine point twelve (69.12), Code  
2 1971, is amended by striking the section and inserting in  
3 lieu thereof the following:

4 69.12 OFFICERS ELECTED TO FILL VACANCIES—TENURE. If  
5 a vacancy occurs in an elective office ten days or more before  
6 the filing date prior to a general election, it shall be  
7 filled at such election if the remainder of the term of office  
8 is greater than ninety days after the date of the election.  
9 If the unexpired term is less than ninety days after the elec-  
10 tion day at which the vacancy is filled, the person elected  
11 to the office for the next regular term shall take office  
12 as soon as he qualifies.



1 fifty-three point five (53.5), fifty-three point six (53.6),  
2 fifty-three point nine (53.9), fifty-three point ten (53.10),  
3 sixty-nine point thirteen (69.13),  
4 seven  
5 hundred thirty-eight point nine (738.9), seven hundred thirty-  
6 eight point ten (738.10), and chapter forty-nine A (49A),  
7 Code 1971, and chapter ninety-eight (98), section seventeen  
8 (17), Acts of the Sixty-fourth General Assembly, First Session,  
9 are repealed.

10 Sec. 32. This Act, being deemed of immediate importance,  
11 shall take effect and be in force from and after its publica-  
12 tion in the Times-Democrat, a newspaper published in Daven-  
13 port, Iowa, and in The Muscatine Journal, a newspaper pub-  
14 lished in Muscatine, Iowa.

#### 15 EXPLANATION

16 Section 1 designates the Secretary of State as the State  
17 Commissioner of Elections.

18 Section 2 designates the county auditor as the county com-  
19 missioner of elections and he is responsible for conducting  
20 all elections. When an election is called by a political  
21 subdivision of the state, the election is to be conducted  
22 by the commissioner of elections and the costs of the election  
23 is billed back to the political subdivision.

24 Section 3 provides for the payment of election costs.

25 Section 4 sets out residency requirements of thirty days  
26 in the state and defines residency for voting purposes.

27 Section 5 removes township officers from the list of elected  
28 officials. The bill provides that township officers be ap-  
29 pointive rather than elective.

30 Sections 8 and 22 change the order in which the names of  
31 candidates appear on the election ballot so that the names  
32 of candidates for Congressional office appear immediately  
33 following the names of candidates for the office of United

1 States Senator.

2 Sections 11 through 19, inclusive, amend the voter reg-  
3 istration law to provide that in counties in which permanent  
4 countywide registration is required or in which a city with  
5 a population of ten thousand or more is located, the county  
6 auditor shall be designated the commissioner of registration  
7 for the entire county and he shall be responsible for the  
8 registration of all of the voters in the county required to  
9 be registered.

10 Section 18 amends the provision on mobile deputy registrars  
11 and provides that the list of persons recommended by the  
12 county chairman must be filed with the commissioner of regis-  
13 tration not later than August first of each year and appoint-  
14 ments by the commissioner of registration shall be made within  
15 thirty days. The section also provides that if a county  
16 chairman fails to file a list with the commissioner of  
17 registration, the commissioner shall appoint persons whom  
18 he knows are members of that political party.

19 Section 19 requires the commissioner of registration to  
20 send notification to election officials in another jurisdic-  
21 tion when a new resident registers and lists another jurisdic-  
22 tion as his former residence. This section also provides  
23 for cancellation of registration and the filing of annual  
24 reports by the county commissioners of elections.

25 Section 20 amends the provision restricting the size of  
26 city precincts to not more than 3,500 persons per precinct.  
27 The bill provides that any city with a population of more  
28 than 3,500 shall cause the federal decennial census to be  
29 taken on a block-by-block basis and further provides that  
30 if the city council fails to set precinct boundaries within  
31 the time allowed, the State Commissioner of Elections shall  
32 do it and all costs incurred to be paid by the city.

33 Section 28 provides that when an absentee ballot is re-  
34 jected because of some defect on the ballot envelope, the  
35 judges of the election shall notify the person whose ballot

1 was rejected within thirty days from the date set for the  
2 canvassing of all votes indicating the reason the absentee  
3 ballot was rejected.  
4 Section 30 creates a special precinct in each county for  
5 the counting of absentee ballots in the general election.  
6 An absentee ballot counting board is created in the same  
7 manner as an election board and provides that the duties of  
8 the absentee ballot counting board shall be the same as those  
9 of an election board. The absentee ballot counting board  
10 may be created for other elections.

SENATE CLIP SHEET  
Thursday, February 17, 1972

HOUSE FILE 1147

1 Amend House File 1147 as amended and passed by the House  
2 as follows:

3 1. Page 3, following line 4, by inserting the following  
4 new sections:

5 "Sec. 4. Section fifty-six point seven (56.7), Code 1971,  
6 is amended to read as follows:

7 "56.7 LIMITATION ON EXPENSES. It shall be unlawful for  
8 any candidate to expend in connection with any primary elec-  
9 tion campaign more than ~~fifty-percent-of~~ the annual salary  
10 applicable to the position for which he is a candidate, and  
11 unlawful for him to expend in connection with his campaign  
12 for election to any office more than ~~fifty-percent-of~~ the  
13 annual salary applicable to the position for which he is a  
14 candidate."

15 Sec. 5. Section fifty-six point eight (56.8), Code 1971,  
16 is repealed.

17 Sec. 6. Chapter fifty-six (56), Code 1971, is amended by  
18 adding the following new section:

19 "DISCLOSURE OF CONTRIBUTIONS AND ELECTION EXPENSES. Every  
20 organization, committee, or corporation which has contributed  
21 funds to the political campaign of any candidate for public  
22 office or expended funds on behalf of any candidate for public  
23 office shall file a statement of expenses as provided in this  
24 chapter.

25 Every individual who has contributed funds in the amount

PAGE 2

1 of one hundred dollars or more to the political campaign of  
2 any candidate for public office or has expended one hundred  
3 dollars or more on behalf of any candidate for public office  
4 shall file a statement of expenses as provided in this  
5 chapter."

6 Sec. 7. Section sixty-six point one (66.1), Code 1971,  
7 is amended by adding the following new subsection:

8 "7. Upon conviction of violating the provisions of chapter  
9 fifty-six (56) of the Code."

10 2. By renumbering the following sections thereafter  
11 in accordance with this amendment.

Filed *w. D. 2/1/72 (613)*  
February 16, 1972

By GLENN, TAPSCOTT and GAUDINEER

EXPLANATION OF AMENDMENT

This amendment repeals the present limitation of campaign expenses at fifty percent of the annual salary of the office and sets the maximum at the full amount. It further provides for the sanction of removal from office in case of any violation.

The amendment also requires public disclosure of all contributions and election expenses by organizations, committees and corporations, or any instance where an individual contributes or spends \$100.00 or more. As is well known, the present election disclosure law permits extensive concealment and camouflage of actual contributions and expenditures. Mandatory disclosure would inform the public who contributes and spends, and the actual amount of money involved in election campaigns.

SENATE CLIP SHEET  
Monday, February 28, 1972

HOUSE FILE 1147

- 1 Amend House File 1147, as amended, passed, and re-  
2 printed by the House, as follows:  
3 1. Page 2A, by striking from lines 25 and 26 the  
4 words "including registration records,".  
5 2. Page 2A, by inserting after the period in line  
6 27 the following new sentences:  
7 "All of the present records of registration, precinct  
8 books, and all other documents and papers pertaining  
9 to the registration of electors or those electors who  
10 are currently registered that are upon the effective  
11 date of this Act, in the care, custody, and control  
12 of a city subject to the provisions of chapter forty-  
13 eight (48) of the Code, shall be delivered by such city  
14 to the county commissioner of registration. Such records  
15 that establish that an elector is currently registered  
16 and all precinct pollbooks shall be valid, and may  
17 be used by the county commissioner of registration in  
18 all subsequent elections as provided in this Act. An  
19 elector who is validly registered to vote upon the  
20 effective date of this Act, shall remain so registered  
21 and shall be entitled to vote in all subsequent elections  
22 as provided in this Act."  
23 3. Page 6, line 12, by striking the word "may" and  
24 inserting in lieu thereof the word "shall".  
25 4. Page 6, line 13, by inserting after the word

accepted  
3/1/72  
(602)

Law  
3/1/72

PAGE 2

- 1 "clerk" the words "in cities with a population of more  
2 than ten thousand".  
3 5. Page 6, by inserting after the period in line  
4 24 the following new sentence:  
5 "Notwithstanding the provisions of this section,  
6 the commissioner of registration may also appoint a  
7 city clerk as a deputy."  
8 6. Page 7, line 3, by striking the words "city or  
9 county" and inserting in lieu thereof the words "cities  
10 and counties".  
11 7. Page 7, line 31, by inserting after the word  
12 "party" the words "polling in excess of two percent  
13 of the popular vote in the county in the last preceding  
14 general election".  
15 8. Page 7, by inserting after the period in line  
16 31 the following new sentences:

accepted  
as  
amended  
3/1/72

PAGE 2

17 "If the county commissioner of registration maintains  
18 a computerized list of qualified electors by precinct,  
19 he shall, upon demand and without charge, on August  
20 first prior to the general election, provide the county  
21 chairman for each political party, a complete list of  
22 all qualified electors, by precinct, within the county.  
23 The county commissioner of registration, if computerized  
24 lists of qualified electors are maintained shall, each  
25 week, upon demand and without charge, from August first

*adopted  
3/1/72*

PAGE 3

1 until October first, prior to the general election and  
2 each day, or on each day thereafter that the computerized  
3 list is updated, until the close of registration, pro-  
4 vide the county chairman of each political party a list  
5 of electors who have registered since the last such  
6 list was provided."

7 9. Page 7, by inserting after line 34 the following  
8 new paragraph:

9 "Such lists shall not be used for any commercial  
10 purpose, advertising, or solicitation; of any kind or  
11 nature, other than to request such person's vote at  
12 a primary or general election, or any other bona fide  
13 political purpose. The commission shall keep a list  
14 of the name, address, telephone number, and social  
15 security number of each person who copies or duplicates  
16 such lists. Any person, firm, or corporation that uses  
17 such lists in violation of this section shall, upon  
18 conviction, be imprisoned in the county jail, not to  
19 exceed one year, or be fined not to exceed one thousand  
20 dollars, or by both such fine and imprisonment, for  
21 each violation."

*adopted  
3/1/72*

22 10. Page 12, line 12, by striking the word "four"  
23 and inserting in lieu thereof the words "the last  
24 preceding four consecutive".

*adopted  
3/1/72*

25 11. Page 12, lines 19 and 20, by striking the words

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1 "an idiot or insane person or mentally ill" and inserting  
2 in lieu thereof the words "currently mentally retarded,  
3 mentally ill, or under conservatorship or guardianship  
4 by reason of incompetency. Certification by the super-  
5 intendent of a mental health hospital or other  
6 institution upon the discharge of any such person that  
7 he is, at that time, restored to good mental health  
8 or gained normal intelligence, shall qualify such person  
9 to again be an elector, subject to the other provisions  
10 of this chapter. Termination by the court of any such  
11 conservatorship or guardianship shall qualify any such

*adopted  
as amended  
3/1/72*

PAGE 4

12 ward to again be an elector, subject to the other  
13 provisions of this chapter".  
14 12. Page 18, line 16, by striking the figure "53.11"  
15 and inserting in lieu thereof the words and figure  
16 "fifty-three point eleven (53.11) of the Code".  
17 13. Page 19B, line 40, by striking the words "pre-  
18 cinct pollbooks and".  
19 14. Page 19B, by inserting after line 42 the follow-  
20 ing new paragraph:  
21 "In nonregistration areas, not later than thirty  
22 days from the date of the official canvass, the affi-  
23 davits of absentee voters shall be cross-checked with  
24 the precinct pollbooks to insure that no one has voted  
25 twice, in violation of law."

*Adopted  
3/1/72*

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1 15. Page 19B, by inserting after line 44 the follow-  
2 ing new sections:  
3 "Sec. \_\_\_\_ . Section fifty-six point seven (56.7),  
4 Code 1971, is amended to read as follows:  
5 56.7 LIMITATION ON EXPENSES. It shall be unlawful  
6 for any candidate to ~~exp~~end in connection with any pri-  
7 mary election campaign more than ~~fifty-percent~~ of the  
8 annual salary applicable to the position for which  
9 he is a candidate, and unlawful for him to expend in  
10 connection with his campaign for election to any office  
11 more than ~~fifty-percent~~ of the annual salary applicable  
12 to the position for which he is a candidate.  
13 Sec. \_\_\_\_ . Chapter fifty-six (56), Code 1971, is  
14 amended by adding the following new section:  
15 'DISCLOSURE OF CONTRIBUTIONS AND ELECTION EXPENSES.  
16 Every organization, committee, or corporation which  
17 has contributed funds to the political campaign of any  
18 candidate for public office or expended funds on behalf  
19 of any candidate for public office shall file a state-  
20 ment of expenses as provided in this chapter.  
21 Every individual who has contributed funds in the  
22 amount of one hundred dollars or more to the political  
23 campaign of any candidate for public office or has  
24 expended one hundred dollars or more on behalf of any  
25 candidate for public office shall file a statement of

*Lost  
3/1/72*

*motion  
recovered  
filed 3/1/  
~~3/1/72~~  
Lost  
3/2  
(638)*

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1 expenses as provided in this chapter.'  
2 Sec. \_\_\_\_ . Section sixty-six point one (66.1), Code  
3 1971, is amended by adding the following new subsection:  
4 'Upon conviction of violating the provisions of  
5 chapter fifty-six (56) of the Code.'  
6 16. Page 20, by inserting after line 12 the follow-

PAGE 6

7 ing new sections:  
8 "Sec. \_\_\_\_\_. Section four hundred forty-four point  
9 nine (444.9), subsection two (2), Code 1971, is amended  
10 by striking unnumbered paragraph two (2).  
11 Sec. \_\_\_\_\_. Chapter four hundred forty-four (444),  
12 Code 1971, is amended by adding the following new  
13 section:  
14 'ELECTION EXPENSE FUND. There is created in the  
15 office of the county treasurer of each county a fund  
16 to be known as the election expense fund. Annually,  
17 the board of supervisors shall levy an amount sufficient  
18 to pay the costs of elections and voter registration,  
19 pursuant to chapter forty-eight (48) of the Code,  
20 incurred by the county. The funds deposited in this  
21 account shall be used to pay election and voter  
22 registration costs and shall not be appropriated for  
23 any other purposes or transferred into any other county  
24 fund. Any monies budgeted by any county for the  
25 conducting of elections in the year 1972, shall be

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1 transferred to this fund. If additional funds are  
2 needed to register voters, pursuant to chapter forty-  
3 eight (48) of the Code, after the effective date of  
4 this Act, and until July 1, 1973, such costs shall be  
5 certified by the county commissioner of registration  
6 to the board of supervisors, who shall, after approving  
7 the costs thereof, authorize the issuance of anticipatory  
8 warrants pursuant to section three hundred thirty-four  
9 point five (334.5) of the Code, to pay such additional  
10 costs. The monies necessary to redeem such warrants  
11 shall be part of the levy for the next year.'  
12 Sec. \_\_\_\_\_. Section seven hundred thirty-eight point  
13 seven (738.7), Code 1971, is amended to read as follows:  
14 738.7 VOTING MORE THAN ONCE. If any elector unlaw-  
15 fully vote more than once at any election which may  
16 be held by virtue of any law of this state, he shall  
17 be fined not exceeding ~~two~~ three hundred dollars, or  
18 be imprisoned in the county jail not exceeding one  
19 year."  
20 17. Page 21, line 12, by inserting after the figure  
21 "(48.14)," the words and figure "forty-eight point  
22 eighteen (48.18),".  
23 18. Page 22, line 2, by inserting after the figure  
24 "(53.10)," the words and figure "fifty-six point eight  
25 (56.8),".

PAGE 8

1 19. Renumber sections and correct internal refer-  
2 ences as necessary in accordance with this amendment.

Filed - *adopted as amended with*  
*exception of line* By COMMITTEE ON STATE GOVERNMENT  
February 25, 1972 *1-23 thru 2-2*  
*Page 5; 6-1 " 6-5 which last 3-1-72*

HOUSE FILE 1147

1 Amend House File 1147, as amended, passed, and re-  
2 printed by the House, as follows:  
3 1. Page 3, by inserting after line 20 the follow-  
4 ing new section:  
5 "Sec. \_\_\_\_ . Section thirty-nine point eighteen  
6 (39.18), Code 1971, is amended to read as follows:  
7 39.18 BOARD OF SUPERVISORS ~~AND-TOWNSHIP-TRUSTEES~~.  
8 There shall be elected, biennially, in counties ~~and~~  
9 ~~townships~~, members of the board of supervisors ~~and~~  
10 ~~township-trustees,--respectively~~, for a term of four  
11 years to succeed those whose terms of office will expire  
12 on the second secular day of January following said  
13 election. The term of office of any supervisor ~~or~~  
14 ~~trustee~~, taking office for a four-year term one year  
15 later than the January next succeeding his election,  
16 shall, at the general election which next precedes by  
17 more than one year the expiration of his term, be  
18 refilled by a member elected to a three-year term or  
19 a five-year term to be specified on the ballot as  
20 determined by the board, so that the terms of no more  
21 than a bare majority of the board will expire in the  
22 same year. Thereafter all succeeding members shall  
23 be elected to four-year terms."  
24 2. Page 14, by inserting after line 34 the follow-  
25 ing new section:

PAGE 2

1 "Sec. \_\_\_\_ . Section forty-nine point thirty (49.30),  
2 Code 1971, is amended to read as follows:  
3 49.30 ALL CANDIDATES ON ONE BALLOT--EXCEPTION.  
4 The names of all candidates to be voted for in such  
5 election precinct, except presidential electors, shall  
6 be printed on one ballot, except that at any election  
7 where voting machines are used, and it is impossible  
8 to place the names of all candidates on the machine  
9 ballot, the county auditor, city clerk, or town clerk,  
10 may provide a separate printed ballot for the candidates  
11 for judge of district court where there is no contest,  
12 ~~and-the-township-ticket,--or-either, one of-each~~ of said  
13 printed ballots to be furnished each qualified voter."  
14 3. Page 19B, by inserting after line 44 the follow-  
15 ing new section:  
16 "Sec. \_\_\_\_ . Section sixty-nine point eight (69.8),  
17 subsection seven (7), Code 1971, is amended to read  
18 as follows:  
19 7. TOWNSHIP OFFICES. ~~In-township-offices,--including~~  
20 ~~trustees,--by-the-trustees,--but-where-the-offices-of-~~  
21 ~~the-three-trustees-are-all-vacant, the~~ The county board  
22 of supervisors shall have the power to either appoint  
23 township officers or instruct the county auditor to

PAGE 2

24 fill the vacancies or adopt a resolution stating that  
25 the board will exercise all powers and duties assigned

PAGE 3

1 by law to the trustees of the township in which such  
2 vacancies exist, ~~until such time as the vacancies may~~  
3 ~~be filled by election.~~"

4 4. Page 20, by inserting after line 12 the follow-  
5 ing new sections:

6 "Sec. \_\_\_\_\_. Section three hundred fifty-nine point  
7 ten (359.10), Code 1971, is amended by striking the  
8 section and inserting in lieu thereof the following  
9 new section:

10 359.10 APPOINTMENT OF TOWNSHIP TRUSTEES. The board  
11 of supervisors may appoint a successor to each township  
12 trustee as a vacancy occurs or his term expires. The  
13 appointment shall be for a term of four years. If a  
14 new township is formed, the board of supervisors may  
15 appoint the first township trustees as follows: one  
16 trustee shall be appointed for a term of two years,  
17 one trustee shall be appointed for a term of three  
18 years, and one trustee shall be appointed for a term  
19 of four years. If a vacancy occurs, the appointment  
20 shall be for the unexpired term.

21 Sec. \_\_\_\_\_. Section three hundred fifty-nine point  
22 eleven (359.11), Code 1971, is amended by striking the  
23 section and inserting in lieu thereof the following  
24 new section:

25 359.11 TOWNSHIP CLERK--VACANCIES. Commencing July

PAGE 4

1 1, 1972, the board of supervisors may appoint a suc-  
2 cessor to each township clerk as a vacancy occurs or  
3 his term expires. The appointment shall be for a term  
4 of two years.

5 Sec. \_\_\_\_\_. Section three hundred fifty-nine point  
6 twenty-three (359.23), Code 1971, is amended to read  
7 as follows:

8 359.23 RECEIPTS AND EXPENDITURES. Each township  
9 clerk, ~~on the morning of the day of the general election~~  
10 ~~and before the hour for opening the polls,~~ shall post,  
11 ~~at the place where such election is to be held in his~~  
12 ~~township, a statement in writing,~~ file a financial  
13 statement with the board of supervisors not later than  
14 December 1, 1972 and each two years thereafter, showing  
15 all receipts of money and disbursements in his office  
16 for the preceding two years, which shall be certified  
17 as correct by the trustees of the township."

18 5. Page 21, line 8, by inserting after the word  
19 "Sections" the words and figures "thirty-nine point

PAGE 4

20 twenty-two (39.22), thirty-nine point twenty-three  
21 (39.23), forty-three point twenty-one (43.21), forty-  
22 three point fifty-three (43.53),".  
23 6. Page 21, line 14, by inserting after the comma  
24 the words and figures "forty-nine point twenty-seven  
25 (49.27), forty-nine point fifty-two (49.52),".

PAGE 5

1 7. Page 22, line 3, by inserting after the comma  
2 the words and figures "three hundred fifty-nine point  
3 eleven (359.11), three hundred fifty-nine point twelve  
4 (359.12), three hundred fifty-nine point thirteen  
5 (359.13), three hundred fifty-nine point twenty-two  
6 (359.22),".  
7 8. Renumber sections and correct internal refer-  
8 ences as necessary in accordance with this amendment.

Filed - *Lost 3-1-72 (613)*  
February 28, 1972

By POTGETER, RHODES, GLENN,  
GRIFFIN and GAUDINEER

HOUSE FILE 1147

1 Amend House File 1147 as amended, passed and reprinted  
2 by the House as follows:  
3 Page 3, after line 24, insert the following new subsection:  
4 "5. Unless the contrary appears to the satisfaction of  
5 registration or election officials, it shall be a rebuttable  
6 presumption that a person not a voting resident of this state  
7 at the time of matriculation at an institution of learning,  
8 or at the time of enrollment, admission, entrance, or incar-  
9 ceration to or in any other institution within this state  
10 supported, in whole or in part, directly or indirectly, by  
11 taxes imposed or levied by this state, or by any county,  
12 city, or school district within this state, or by the ex-  
13 emption from any lawful tax, and whether or not the support  
14 is received directly or indirectly by the person who matri-  
15 culates, enrolls, is admitted, gains entrance, or is incar-  
16 cerated, has a voting residence elsewhere. This presumption  
17 shall be maintained so long as the person is enrolled and  
18 pursuing a course of study at an institution of learning,  
19 or is an enrollee or inmate of any other institution herein  
20 described."

Filed - *Lost 3-1-72 (620)*  
February 28, 1972

By HILL

HOUSE FILE 1147

1 Amend the amendment to House File 1147 by the Committee  
2 on State Government filed February 25, 1972, page 1, by  
3 striking lines 23 through 25 inclusive and on page 2 by  
4 striking lines 1 and 2 inclusive.

Filed - *w. d. 3-1-72*  
February 28, 1972

By NEU

Senate 7  
March 1, 1972

HOUSE FILE 1147

- 1 Amend House File 1147, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 11 A, line 34, by striking all after the word
- 4 "age", and on line 35, by striking the words "voting age".
- 5 2. Page 12, line 2, by striking all after the word "felony",
- 6 and on line 3 by striking the words "mental health".
- 7 3. Page 12, line 5, by striking the words "or who has been",
- 8 and on line 6, by striking the words "declared to be in good
- 9 mental health".

Filed - *w. s. 3/2 (635)*  
February 29, 1972

By CONKLIN, TAPSCOTT and POTGETER

HOUSE FILE 1147

- 1 Amend the Committee on State Government amendment, filed
- 2 February 25, 1972 to House File 1147 as follows: Page 2, by
- 3 striking lines 8 through 10, inclusive, and insert in lieu
- 4 thereof the following:
- 5 "6. Page 7, line 3, by striking the words 'city or county '
- 6 and insert in lieu thereof the words '~~city-er-county~~
- 7 cities and counties'".

Filed - *Adopted 3/1/72 (603)*  
February 29, 1972

By POTGETER

HOUSE FILE 1147

- 1 Amend House File 1147 as amended, passed and reprinted
- 2 by the House, page 5, by striking lines 28 and 29 and inserting
- 3 in lieu thereof the following: "publication shall be in not
- 4 than two newspapers within the county, representing, if pos- less
- 5 sible,".

Filed - *Adopted 3-1-72 (620)*  
February 29, 1972

By RHODES

HOUSE FILE 1147

- 1 Amend the Hill amendment filed February 28, 1972, to
- 2 House File 1147 as follows:
- 3 1. Line 7, by striking the words "matriculation at"
- 4 and inserting in lieu thereof the words "admission to".
- 5 2. Lines 14 and 15, by striking the word
- 6 "matriculates,".

Filed - *Adopted 3-1-72 (620)*  
February 29, 1972

By HILL

HOUSE FILE 1147

1 Amend the Committee on State Government amendment  
2 filed February 25, 1972, to House File 1147 as follows:  
3 1. Page 5, line 22, by striking the word "one"  
4 and inserting in lieu thereof the words "in excess  
5 of five".  
6 2. Page 5, line 24, by striking the word "one"  
7 and inserting in lieu thereof the words "in excess  
8 of five".

Filed  
March 1, 1972

By RILEY

HOUSE FILE 1147

1 Amend House File 1147, as amended, passed and reprinted  
2 by the House, page 2A, by adding after line 35 the following  
3 new section:  
4 1. "Sec. \_\_\_\_ . Section three hundred forty point one (340.1),  
5 Code 1971, is amended by adding the following new  
6 paragraph:  
7 The county commissioner of elections shall  
8 receive a salary equal to ten percent of the salary  
9 of the county auditor, in addition to his salary  
10 as county auditor."  
11 2. Renumber the subsequent sections accordingly.

Filed - *Lost 3/2/72 (631)*  
March 1, 1972

By DODERER and THORSEN

HOUSE FILE 1147

1 Amend House File 1147 as amended, passed and reprinted by the  
2 House as follows:  
3 Page 3, by inserting after line 24, the following new  
4 subsection  
5 "The registers and election officials, including the  
6 challengers,  
7 may, after the signing of the affidavit, carefully and fully  
8 examine  
9 said applicant relative to all matters of information indicated  
10 by the registry book and, in addition:  
11 1. Whether said applicant came into the precinct for the sole  
12 purpose of voting at said election.  
1 2. How long he intends to reside in said precinct.  
2 3. Such other questions as may tend to test his qualifica-  
3 tions  
4 as a resident of the precinct, citizenship, and right to vote."

Filed - *W.D. 3/2/72 (638)*  
March 1, 1972

By MOWRY

HOUSE FILE 1147

1 Amend House File 1147 as amended, passed and reprinted by the  
2 House as follows:  
3 Page 20, by adding after line 12 the following new paragraph:  
4 "A person elected to a public office of the state or its  
5 political subdivisions shall, upon application to his employer,  
6 be granted a leave of absence from his regular employment. Upon  
7 receiving proof of election or reelection, the employer shall  
8 the leave of absence for the period of time that is required to  
9 out the duties of public office. The leave of absence shall be  
10 without a loss of position or status. The provisions of this  
11 shall not apply to employers employing one hundred (100) or less  
12 employees.  
13 The leave of absence for a person regularly employed pursuant  
14 provisions of chapter nineteen A (19A), of the Code, shall be  
15 to the provisions of section nineteen A point eighteen (19A.18),  
16 Code."

Filed - *Rule Out of Order 3/2/72 (636)* By ROBINSON  
March 1, 1972

HOUSE FILE 1147

1 Amend House File 1147 as amended, passed and reprinted by the  
2 House as follows:  
3 Page 20, by adding after line 12 the following new paragraphs:  
4 "A person elected to a public office of the state or its  
5 political subdivisions shall, upon application to his employer,  
6 be granted a leave of absence from his regular employment. Upon  
7 receiving proof of election or reelection, the employer shall  
8 the leave of absence for the period of time that is required to  
9 out the duties of public office. The leave of absence shall be  
10 without a loss of position or status. This would not apply to  
11 employing one hundred (100) or less.  
12 The leave of absence for a person regularly employed pursuant  
13 provisions of chapter nineteen A (19A), of the Code, shall be  
14 to the provisions of section nineteen A point eight (19A.18), of  
15 Code."

Filed - *w D 3/2/72* By ROBINSON  
March 1, 1972

SENATE CLIP SHEET  
Friday, March 3, 1972

HOUSE FILE 1147

1 Amend House File 1147 by adding the following new  
2 sections:  
3 "Sec. \_\_\_\_ . REGISTRATION OF VOTERS NOT REQUIRED--  
4 POLL LISTS KEPT BY CLERKS OF ELECTIONS. No registra-  
5 tion of voters, by party, shall be required under the  
6 provisions of this act to vote in any primary elec-  
7 tion. The clerks of primary elections shall keep a  
8 list of the names of all persons voting at each pri-  
9 mary election. The clerk shall return one list and  
10 one tally sheet, which shall be part of the records  
11 and filed with other election returns. Each clerk  
12 shall be required to keep only one complete list of  
13 voters whether or not a special election is held  
14 simultaneously with the primary election."  
15 "Sec. \_\_\_\_ . Section forty-three point thirty-four  
16 (43.34), Code 1971, is amended by striking the sec-  
17 tion and inserting in lieu thereof the following:  
18 Sec. \_\_\_\_ . TALLY BOOKS OR SHEETS PROVIDED FOR  
19 ELECTION PRECINCTS. Two talley books or two sets  
20 of tally sheets shall be provided for each precinct.  
21 Such books or sheets shall contain a column for each  
22 political party or principle having candidates to be  
23 voted for at such voting precinct. Such books or  
24 sheets shall be furnished by the county auditor in  
25 the same manner as the poll books and ballots are

PAGE 2

1 furnished. The names of the candidates shall be placed  
2 on the tally books in the order in which they appear  
3 on the official sample ballot."  
4 "Sec. \_\_\_\_ . Section forty-three point thirty-six  
5 (43.36), Code 1971, is amended by striking the section  
6 and inserting in lieu thereof the following:  
7 Sec. \_\_\_\_ . AUSTRALIAN BALLOT. The australian ballot  
8 system as is now used in this state, shall be used at  
9 said primary election. The endorsement of the judges  
10 shall appear upon the ballots, as provided for general  
11 elections."  
12 "Sec. \_\_\_\_ . Sections forty-three point thirty-five  
13 (43.35), forty-three point thirty-eight (43.38), forty-  
14 three point thirty-nine (43.39), forty-three point  
15 forty (43.40), forty-three point forty-one (43.41),  
16 forty-three point forty-two (43.42), forty-three point  
17 forty-three (43.43), and forty-three point forty-four  
18 (43.44), Code 1971, are repealed.

Filed and lost  
March 2, 1972

By TAPSCOTT

HOUSE FILE 1147

1 Amend House File 1147, as amended, passed, and reprinted  
2 by the House, as follows:  
3 1. Page 5, by adding after line 18 the following:  
4 "FOR TOWNSHIP CLERK  
5 (Vote for one.)  
6 Dolores Black  
7 \_\_\_\_\_  
8 John Raymond  
9 \_\_\_\_\_  
10 "FOR TOWNSHIP TRUSTEES  
11 (Vote for two.)  
12 Margaret Jones  
13 \_\_\_\_\_  
14 William Jones  
15 \_\_\_\_\_  
16 H.S. Wilson  
" \_\_\_\_\_  
2. Page 5, by striking line 24 and inserting in lieu thereof  
"election, except township, ~~city or town~~ officers. Such".

Filed - *Adopted 3/2/72 (638)*  
March 1, 1972

By POTGETER

HOUSE FILE 1147

1 Amend House File 1147, as amended, passed, and reprinted by  
2 the House, as follows:  
3 1. Page 11 A, line 33, by striking all after the word  
4 "felonies", and by striking all of line 34 and line 35  
5 and insert in lieu thereof the following words, ", of legal  
6 declarations of mental incompetence and of diagnosis of  
7 severe or profound mental retardation, or of severe psy-  
8 chiatric illness of persons of voting age."  
9 2. Page 12, line 19, by striking all after the word  
10 "is" and by striking all of line 20 and inserting in lieu  
11 thereof the words "severely or profoundly mentally retarded  
12 for severe psychiatric reasons."

*Adopted  
6/3/72*

*W.D.  
3/2/72  
635*

Filed - *Dis. 1 adopted 3/2 (635)*  
March 1, 1972

By CONKLIN, POTGETER and TAPSCOTT

HOUSE FILE 1147

1 Amend House File 1147 as amended, passed and reprinted  
2 by the House as follows:  
3 Page 6, line 12 strike the word "Precinct" and insert  
4 in lieu thereof the word "Branch".

Filed - *W.D. 3/2/72 (635)*  
March 1, 1972

By VAN DRIE

SENATE CLIP SHEET  
Tuesday, February 22, 1972

HOUSE FILE 1147

1 Amend House File 1147 as amended, passed and reprinted by  
2 the House as follows:

- 3 1. Page 3, line 23, by striking the words "a definite or".  
4 2. Page 3, after line 29 by adding the following new

subsections:

5 "5. In determining whether a person is a resident, for  
6 registration and voting purposes only, and whether at the time  
7 of any election or primary he will have been such a resident for  
8 the entire time required by law, registration or election offi-  
9 cials, including challengers, may examine him under oath and  
10 consider the following indicia and such others as may appear  
11 relevant from his answers, notwithstanding any affidavits he  
12 has previously signed with reference thereto:

- 13 a. The factual basis for the person's intent to make a  
14 particular place his home for an indefinite or undetermin-  
15 able length of time; when he moved there, why and how long  
16 he intends to stay if not indefinitely or permanently.  
17 b. When he last claimed another residence and whether he  
18 has abandoned his former residence. Whether he intends to  
19 make his former residence or any other place his home at  
20 any presently known time in the future, and when.  
21 c. Whether he has registered or voted elsewhere. What he  
22 has done pertaining thereto and when.  
23 d. At what place is he best known in and to the community.  
24 e. Where he pays his real, personal and income taxes and  
25 the address shown on such returns.

PAGE 2

- 1 f. Whether he is claimed as a dependent on anyone's income  
2 tax return, withholding tax statement or declaration of  
3 estimated income and, if so, the address of that person.  
4 g. The address shown on his driver's license and other  
5 identification in his possession or control.  
6 h. The location of his real estate, automobile, bank  
7 accounts and other personal property, clothing and poss-  
8 essions and where they are registered or subject to tax.  
9 i. The places where he has membership in clubs and other  
10 organizations and where he is registered for the draft.  
11 j. The places where he pays dues, fees and tuition and  
12 whether such are paid on a resident or nonresident basis.  
13 k. The place where he is employed.  
14 l. The place he most frequently visits on vacations and  
15 how often.

16 m. The place where his spouse resides if other than with  
17 him.  
18 n. Such other facts bearing upon his qualifications as  
19 appear relevant.  
20 Intentionally false affidavits, or false answers under oath,  
21 to any questions propounded relative to such indicia, or to  
22 qualifications as a voter, shall constitute perjury and shall  
23 be punishable as such. Anyone who suborns or attempts to suborn  
24 such perjury shall be punished as provided in chapter seven  
25 hundred twenty-one (721) of the Code. Refusal to answer relevant

PAGE 3

1 questions shall be ground for denying the right to vote.  
2 Where permanent registration is in effect, if the registrar or  
3 mobile deputy registrar concludes from such examination under  
4 oath that a person seeking to register is ineligible to vote  
5 he may refuse to register him provided that any person who is  
6 refused registration may appeal to the district court of the  
7 county wherein he sought to register, and a date for hearing  
8 shall be fixed prior to the date of the next election and the  
9 decision of the district court shall be final.  
10 Where a person's right to vote is challenged at the polls on  
11 election day, after being examined under oath pursuant to the  
12 provisions of this section, his right to vote shall be decided  
13 by majority vote of the election board whose decision shall be  
14 final.  
15 6. The state commissioner of elections shall prepare a list  
16 of questions based upon the foregoing indicia, which questions  
17 shall be printed and a reasonably sufficient number of copies  
18 distributed to the county commissioners of election to be dis-  
19 tributed by them to the judges of election at the several polling  
20 places in their respective jurisdictions. Anyone challenged, who  
21 thereafter insists upon voting, may, in lieu of being questioned  
22 orally as above provided, or in addition thereto or in combination  
23 therewith, be required to answer said questions in writing and  
24 under oath, and his answers shall have the same force, effect and  
25 consequences as if he were questioned orally under oath.

PAGE 4

1 7. Any judge, clerk or challenger who shall intentionally  
2 deny or inhibit the right of any person or persons to vote by  
3 use of these indicia or questions, knowing that such person or  
4 persons is or are qualified to vote, shall be guilty of official  
5 misconduct and punished as provided in section forty-nine point  
6 one hundred thirteen (49.113) of the Code."  
7 3. Page 17, by striking lines 16 through 22, inclusive, and  
8 insert in lieu thereof the following:  
9 "49.81 OATH IN CASE OF CHALLENGE. If the person seeking  
10 to vote is challenged when offering to vote, and if the person

PAGE 4

11 seeking to vote insists that he is qualified to vote, and if  
12 the challenge is not withdrawn, his right to vote shall be de-  
13 cided by majority vote of the election board whose decision,  
14 based on the qualifications and examination under section four  
15 (4) of this Act and under section forty-nine point eighty (49.80),  
16 of the Code, shall be final."  
17 4. Page 5, by striking lines 32 through 35, inclusive, and on  
18 page 6, by striking lines 1 through 3, inclusive, and insert in  
19 lieu thereof the following:  
20 "Sec. 9. Section forty-three point one hundred twenty  
21 (43.120), Code 1971, is amended by striking the section and  
22 insert in lieu thereof the following:  
23 1. Whoever is guilty of any of the following acts shall be  
24 fined not less than one hundred (100) dollars nor more than  
25 five hundred (500) dollars, or be imprisoned in the county

PAGE 5

1 jail not less than thirty (30) days nor more than six (6)  
2 months, to wit:  
3 a. Offering or giving a bribe, either in money or other  
4 consideration, to any elector for the purpose of influ-  
5 encing his vote at a primary election.  
6 b. Receiving and accepting such bribe by an elector  
7 entitled to vote at any primary election.  
8 c. Willfully voting or offering to vote at a primary  
9 election by a person who has not met the qualifications  
10 to vote.  
11 d. Willfully voting or offering to vote at a primary  
12 election by one who knows himself not to be a qualified  
13 elector of the precinct where he votes or offers to vote.  
14 e. Violating any provision of this chapter, or any pro-  
15 vision of law made applicable to this chapter.  
16 f. Knowingly procuring, aiding, or abetting any violation  
17 specified in this section.  
18 2. Whoever makes intentionally false affidavits, or false  
19 answers under oath, to any questions propounded relative to  
20 his qualifications and party affiliations, shall be guilty of  
21 perjury and shall be punished as provided in section seven  
22 hundred twenty-one point one (721.1), of the Code. Whoever  
23 shall procure or induce another to commit such perjury shall  
24 be guilty of subornation of perjury and shall be punished  
25 as provided in section seven hundred twenty-one point one

PAGE 6

1 (721.1), of the Code. Whoever endeavors to incite or  
2 procure another to commit perjury, though no perjury be

PAGE 6

3 committed, shall be guilty of an attempt to suborn  
4 perjury and punished as provided in section seven hundred  
5 twenty-one point three (721.3), of the Code."

Filed - *Last*  
February 21, 1972

By MOWRY

#### EXPLANATION OF AMENDMENT

It is the universal law of the land, even in all of the latest cases pertinent to the subject, that a person who seeks to vote must be a resident of the precinct in which he votes. And it is not enough that he be a resident only on the day he votes; he must be a resident for the entire time required before the election. Moreover, the overwhelming weight of authority, including the Iowa cases, is that a person's residence, for voting purposes, is the place where he maintains his home with the intent to remain there permanently or for an indefinite or undeterminable length of time. Thus, this amendment strikes the words "a definite or" from the definition in this bill because it is inconsistent with the almost universal definition and could mean a short time, such as six weeks, a day or less.

Registrars, judges and clerks of election and challengers at the polls on election day presently have no uniform system for determining the residence of a person seeking to vote, and will have none such under this bill unless this amendment is adopted. The amendment sets forth, in addition to the definition of residence, certain indicia or signs of residence commonly considered by lawyers and judges in determining this factual question of the voter's actual intent. With these indicia, those responsible for conducting elections will have some guidelines for ascertaining the residence qualifications of individual voters. Without them, there will be no uniformity and there will be a possibility that some people will cast votes in more than one place on election day.

This amendment is designed to help make our system of registration and voting work properly and to accomplish the only purposes of registration. (1) ensuring that a voter votes only in the precinct of his residence and (2) that he votes only once. If determination of residence is to be treated lightly and supported by no more than a bare statement that the person seeking to vote is a resident, the necessity for registration has lost its only purposes and might as well be eliminated.

While the right to vote is one of the greatest of all rights, multiple voting by one individual tends to destroy that right for everyone.

This amendment also subjects a voter to punishment for perjury, a felony, for deliberately false answers. But it also provides an appeal for a person who is refused the right to register, and finality of decision by the judges and clerk on election day.

1 Amend House File L147, as amended and passed by the  
2 House and reprinted, page 17, by adding after line 22, the  
3 following new section:

4 1. "Sec. \_\_\_\_ Chapter 49, Code 1971, is hereby  
5 amended by adding the following new section thereto:  
6 In case of all challenges of electors at the time he  
7 is offering to vote in a precinct, an election judge may  
8 place such person under oath and question him as, (1), where  
9 he maintains his home; (2) how long he has maintained his  
10 home at such place; (3) if he maintains a home at any other  
11 location; (4) his age; (5) and any other facts which will  
12 bear upon his qualifications. The election judge may permit  
13 the challenger to participate in such questions. The  
14 challenged elector shall be allowed to present to the judge  
15 such evidence and facts that he feels sustains the fact  
16 that he is qualified to vote. Upon completion thereof,  
17 the election judge hearing the challenge shall determine if  
18 the challenged elector shall be allowed to vote."

19 2. By making internal corrections in conformity  
20 herewith.

Filed and adopted  
March 2, 1972

By GAUDINEER and MOWRY

1 Amend the Committee on State Government amendment filed  
2 February 25, 1972, to House File 1147, as follows:

3 1. Page 4, line 2, by striking the words "currently  
4 mentally retarded," and on line 3, by striking the words  
5 "mentally ill," and inserting in lieu thereof the words  
6 "severely or profoundly mentally retarded, or has been  
7 diagnosed as ill for severe psychiatric reasons,".

8 2. Page 4, line 8, by striking the words "or gained  
9 normal intelligence,".

Filed and adopted  
March 1, 1972

By CONKLIN, POTGETER and TAPSCOTT

1 Amend the Senate amendment to House File 1147 as follows:

2 1. By striking from lines 12 and 13 the following:  
3 "delivered by such city to the county commissioner of  
4 registration" and inserting in lieu thereof the following:  
5 "under the jurisdiction of the county commissioner of  
6 registration who shall designate the location of such  
7 records".

8 2. Lines 114 and 115, by striking all after the word  
9 "age" in line 114 and through the word "qualifications" in  
10 line 115.

11 3. Further amend the Senate amendment by adding  
12 thereto the following:

13 24. Page 7, line 18, after the word "office" insert  
14 the words "or other designated locations".

15 25. Page 7, line 21, after the word "office" insert  
16 the words "or other designated locations".

Received from the House  
March 10, 1972

*Senate Concurred 3-10*

1 Amend House File 1147 as amended, passed and reprinted  
2 by the House as follows:  
3 Page 3, after line 29, insert the following new sub-  
4 section:  
5 "5. Persons not residents of the state of Iowa at the 13  
6 time of matriculation at an institution of learning, or  
7 at the time of enrollment, admission, entrance, or in-  
8 carceration to or in any other institution within the  
9 state supported in whole or in part, directly or indirectly,  
10 by taxes levied within the state by whatever division or  
11 subdivision of state government, and whether or not the  
12 support is received directly by the institution or by  
13 the person who matriculates, enrolls, is admitted, gains  
14 entrance or is incarcerated shall be deemed to have  
15 residence elsewhere so long as they are enrolled and  
16 pursuing a course of study at an institution of learning,  
17 or are enrollees or inmates and are receiving services  
18 from other tax supported institutions."

Filed *w. D. 3/1/72*  
February 16, 1972

By HILL

1 Amend the Mowry amendment filed February 21, 1972 to  
2 House File 1147, page 1, line 4 by striking the figures  
3 "29" and inserting in lieu thereof "24".

Filed - *Adopted 3/1/72 (619)*  
February 22, 1972

By MOWRY

1 Amend House File 1147, as amended, passed, and reprinted  
2 by the House, page 4, line 3, by striking the words "or city".

Filed - *Adopted 3-1-72 (613)*  
February 29, 1972

By POTGETER

1 Amend House File 1147, as amended, passed and  
2 reprinted by the House, page 6, line 12, by striking the  
3 word "Precinct" and inserting in lieu of "A branch  
4 office of".

Filed - *Adopted 3/2/72*  
February 29, 1972

By TAPSCOTT

1 Amend the State Government Committee amendment to  
2 House File 1147, filed February 25, 1972, page 5, as  
3 follows:  
4 Line 17, by adding after the word "funds" the words  
5 "or anything of value".  
6 Line 18, after the word "funds", by adding the  
7 words "or anything of value".  
8 Line 21, by adding after the word "funds" the words  
9 "or anything of value".

Filed and adopted  
March 1, 1972

By SCHABEN

④ House concurred in  
amendments thru 15 & 17 thru 23  
as amended 3/10

① House Concurred in  
Amendments 1 through 15 and  
17 through 23. - 3/9/72  
Amendment 16 - adopted as amended  
3/9/72  
② Motion to reconsider vote concurring  
in amend. 16 - Lost 3/9/72  
③ Motion to reconsider vote on amend 1 thru 15  
and 17 thru 23 - prevailed 3/10

HOUSE CLIP SHEET  
Tuesday, March 7, 1972

SENATE AMENDMENT TO HOUSE FILE 1147

- 1 Amend House File 1147, as amended, passed, and reprinted by  
2 the House as follows:  
3 1. Page 2A, by striking from lines 25 and 26 the words  
4 ", including registration records,".  
5 2. Page 2A, by inserting after the period in line 27 the  
6 following new sentences: "All of the present records of  
7 registration, precinct books, and all other documents  
8 and papers pertaining to the registration of electors or  
9 those electors who are currently registered that are upon  
10 the effective date of this Act, in the care, custody, and  
11 control of a city subject to the provisions of chapter  
12 forty-eight (48) of the Code, shall be delivered by such  
13 city to the county commissioner of registration. Such  
14 records that establish that an elector is currently registered  
15 and all precinct pollbooks shall be valid, and may be used  
16 by the county commissioner of registration in all subsequent  
17 elections as provided in this Act. An elector who is validly  
18 registered to vote upon the effective date of this Act, shall  
19 remain so registered and shall be entitled to vote in all  
20 subsequent elections as provided in this Act."  
21 3. Page 4, line 3, by striking the words "or city".  
22 4. Page 5, by adding after line 18 the following:  
23 "FOR TOWNSHIP CLERK  
24 (Vote for one.)  
25 \_\_\_\_\_ Dolores Black  
26 \_\_\_\_\_ John Raymond  
27  
28 "FOR TOWNSHIP TRUSTEES  
29 (Vote for two.)  
30 \_\_\_\_\_ Margaret Jones  
31 \_\_\_\_\_ William Jones  
32 \_\_\_\_\_ H.S. Wilson  
33  
34 5. Page 5, by striking line 24 and inserting in lieu thereof  
35 the following: "election, except township, ~~city or town~~  
36 officers. Such".  
37 6. Page 5, by striking lines 28 and 29 and inserting in lieu  
38 thereof the following: "publication shall be in not less than  
39 two newspapers within the county, representing, if possible,".  
40 7. Page 6, line 12, by striking the word "Precinct" and  
41 inserting in lieu thereof "A branch office of".

- 42 8. Page 6, by inserting after the period in line 24 the  
43 following new sentence: "Notwithstanding the provisions  
44 of this section, the commissioner of registration may also  
45 appoint a city clerk as a deputy."  
46 9. Page 7, line 3, by striking the words "city or county"  
47 and inserting in lieu thereof the following: "~~city-or-county~~  
48 cities and counties".  
49 10. Page 7, line 31, by inserting after the word "party"  
50 the words "polling in excess of two percent of the popular  
51 vote in the county in the last preceding general election".  
52 11. Page 7, by inserting after the period in line 31 the  
53 following new sentences: "If the county commissioner of  
54 registration maintains a computerized list of qualified  
55 electors by precinct, he shall, upon demand and without  
56 charge, on August first prior to the general election, pro-  
57 vide the county chairman for each political party, a complete  
58 list of all qualified electors, by precinct, within the  
59 county. The county commissioner of registration, if  
60 computerized lists of qualified electors are maintained  
61 shall, each week, upon demand and without charge, from  
62 August first until October first, prior to the general  
63 election and each day, or on each day thereafter that the  
64 computerized list is updated, until the close of  
65 registration, provide the county chairman of each political  
66 party a list of electors who have registered since the  
67 last such list was provided."  
68 12. Page 7, by inserting after line 34 the following new  
69 paragraph:  
70 "Such lists shall not be used for any commercial purpose,  
71 advertising, or solicitation, of any kind or nature, other  
72 than to request such person's vote at a primary or general  
73 election, or any other bona fide political purpose. The  
74 commission shall keep a list of the name, address, telephone  
75 number, and social security number of each person who copies  
76 or duplicates such lists. Any person, firm, or corporation  
77 that uses such lists in violation of this section shall,  
78 upon conviction, be imprisoned in the county jail, not to  
79 exceed one year, or be fined not to exceed one thousand  
80 dollars, or by both such fine and imprisonment, for each  
81 violation."  
82 13. Page 11A, by striking all of line 33 after the word  
83 "felonies", and by striking all of lines 34 and 35 and  
84 inserting in lieu thereof the following: ", of legal  
85 declarations of mental incompetence and of diagnosis of  
86 severe or profound mental retardation, or of severe  
87 psychiatric illness of persons of voting age."  
88 14. Page 12, line 12, by striking the word "four" and  
89 inserting in lieu thereof the words "the last preceding  
90 four consecutive".  
91 15. Page 12, lines 19 and 20, by striking the words  
92 "an idiot or insane person or mentally ill" and inserting

93 in lieu thereof the following: "severely or profoundly  
94 mentally retarded, or has been diagnosed as ill for severe  
95 psychiatric reasons, or under conservatorship or guardian-  
96 ship by reason of incompetency. Certification by the  
97 superintendent of a mental health hospital or other  
98 institution upon the discharge of any such person that  
99 he is, at that time, restored to good mental health shall  
100 qualify such person to again be an elector, subject to  
101 the other provisions of this chapter. Termination by  
102 the court of any such conservatorship or guardianship  
103 shall qualify any such ward to again be an elector, subject  
104 to the other provisions of this chapter".

105 16. Page 17, by adding after line 22, the following new  
106 section:

107 "Sec. \_\_\_\_ . Chapter forty-nine (49), Code 1971, is  
108 hereby amended by adding the following new section thereto:

109 In case of all challenges of electors at the time he  
110 is offering to vote in a precinct, an election judge may  
111 place such person under oath and question him as, (1) where  
112 he maintains his home; (2) how long he has maintained his  
113 home at such place; (3) if he maintains a home at any other  
114 location; (4) his age; (5) and any other facts which will  
115 bear upon his qualifications. The election judge may permit  
116 the challenger to participate in such questions. The  
117 challenged elector shall be allowed to present to the judge  
118 such evidence and facts that he feels sustains the fact  
119 that he is qualified to vote. Upon completion thereof,  
120 the election judge hearing the challenge shall determine  
121 if the challenged elector shall be allowed to vote."

122 17. Page 18, line 16, by striking the figure "53.11" and  
123 inserting in lieu thereof the words and figure "fifty-  
124 three point eleven (53.11) of the Code".

125 18. Page 19B, line 40, by striking the words "precinct  
126 pollbooks and".

127 19. Page 19B, by inserting after line 42 the following  
128 new paragraph:

129 "in nonregistration areas, not later than thirty  
130 days from the date of the official canvass, the affidavits  
131 of absentee voters shall be cross-checked with the  
132 precinct pollbooks to insure that no one has voted  
133 twice, in violation of law."

134 20. Page 20, by inserting after line 12 the following  
135 new sections:

136 "Sec. \_\_\_\_ . Section four hundred forty-four point  
137 nine (444.9), subsection two (2), Code 1971, is amended  
138 by striking unnumbered paragraph two (2).

139 Sec. \_\_\_\_ . Chapter four hundred forty-four (444),  
140 Code 1971, is amended by adding the following new section:  
141 'ELECTION EXPENSE FUND. There is created in the office  
142 of the county treasurer of each county a fund to be known  
143 as the election expense fund. Annually, the board of  
144 supervisors shall levy an amount sufficient to pay the

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145 costs of elections and voter registration, pursuant to  
146 chapter forty-eight (48) of the Code, incurred by the  
147 county. The funds deposited in this account shall be used  
148 to pay election and voter registration costs and shall  
149 not be appropriated for any other purposes or transferred  
150 into any other county fund. Any monies budgeted by any  
151 county for the conducting of elections in the year 1972,  
152 shall be transferred to this fund. If additional funds  
153 are needed to register voters, pursuant to chapter forty-  
154 eight (48) of the Code, after the effective date of this  
155 Act, and until July 1, 1973, such costs shall be certified  
156 by the county commissioner of registration to the board of  
157 supervisors, who shall, after approving the costs thereof,  
158 authorize the issuance of anticipatory warrants pursuant  
159 to section three hundred thirty-four point five (334.5)  
160 of the Code, to pay such additional costs. The monies  
161 necessary to redeem such warrants shall be part of the  
162 levy for the next year.'

163 Sec. \_\_\_\_ . Section seven hundred thirty-eight point  
164 seven (738.7), Code 1971, is amended to read as follows:

165 738.7 VOTING MORE THAN ONCE. If any elector unlaw-  
166 fully vote more than ~~once~~ at any election which may  
167 be held by virtue of any law of this state, he shall  
168 be fined not exceeding ~~two~~ three hundred dollars, or  
169 be imprisoned in the county jail not exceeding one year."

170 21. Page 21, line 12, by inserting after the figure  
171 "(48.14)," the words and figure "forty-eight point  
172 eighteen (48.18),".

173 22. Page 22, line 2, by inserting after the figure  
174 "(53.10)," the words and figure "fifty-six point eight  
175 (56.8),".

176 23. Renumber sections and correct internal references  
177 as necessary in accordance with this amendment.

Received from the Senate By  
March 6, 1972

HOUSE FILE 1147

- 1 Amend the Senate amendment to House File 1147 as
- 2 follows:
- 3 1. Page 5, line 15, by striking the word "home"
- 4 and inserting in lieu thereof the word "residence".
- 5 2. Page 5, line 16, by striking the word "home"
- 6 where it appears in two places, and inserting in lieu
- 7 thereof the word "residence" in both places.

Filed By SMALL of Johnson  
March 6, 1972 *Small*