

MAY 26 1971

HOUSE FILE

713

SIFTING COMMITTEE

Sen. State Government 6/9, By DRAKE and UBAN  
*Pass w/ amendment 6/16*

Passed House, Date 6-4-71 Passed Senate, Date 6-16-71

Vote: Ayes 81 Nays 3 Vote: Ayes 44 Nays 0

Approved June 30, 1971

*Passed House per Senate amendment  
6-17-71*

*ayes 72, nays 8*

# A BILL FOR

1 An Act relating to the election laws.

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

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1 Section 1. Section forty-four point one (44.1), Code 1971,  
2 is amended as follows:

3 44.1 POLITICAL NONPARTY ORGANIZATIONS. Any convention  
4 or caucus of qualified electors representing a political  
5 organization which is not a political party as defined by  
6 law, may, for the state, or for any division or municipality  
7 thereof, or for any county, or for any subdivision thereof,  
8 for which such convention or caucus is held, make one  
9 nomination of a candidate for each office to be filled therein  
10 at the general election. Provided that to qualify for any  
11 nomination made for a statewide elective office by such a  
12 political organization shall require, in attendance, a minimum  
13 of two hundred fifty qualified electors with at least one  
14 elector from each of twenty-five counties. To qualify for  
15 any nomination made for a United States representative shall  
16 require, in attendance, a minimum of fifty qualified electors  
17 who are residents of the congressional district with at least  
18 one from each of at least one-half of the counties of the  
19 congressional district. To qualify for any nomination made  
20 for the general assembly shall require, in attendance, a  
21 minimum of ten qualified electors who are residents of the  
22 district with at least one from one-half of the voting  
23 precincts in the district. The names of all delegates in  
24 attendance at such convention or caucus and such fact shall  
25 be certified to the secretary of state together with the other  
26 certification requirements of this chapter.

27 Sec. 2. Section forty-four point three (44.3), subsection  
28 eight (8), Code 1971, is amended as follows:

29 8. The name and address of each delegate or voter in  
30 attendance at a convention or caucus where a nomination is  
31 made ~~for-a-state-elective-office~~.

32 Sec. 3. Section forty-eight point six (48.6), Code 1971,  
33 is amended by striking the section and inserting in lieu  
34 thereof the following:

35 48.6 FORM OF RECORDS. The form of the registration records

1 shall be substantially as set forth in this section. The  
2 commissioner of registration shall provide suitable forms  
3 for the purpose of registration. The forms shall be large  
4 enough to contain the necessary information required in legible  
5 writing. The registration form shall require the following  
6 information to be provided:

7 1. The name of the applicant, giving surname and Christian  
8 names in full. Maiden names shall not be used as middle  
9 names. Whenever any change of name shall occur due to  
10 marriage, or divorce, or otherwise, the registrant shall not  
11 be allowed to vote until the registrant has reregistered,  
12 and after such reregistration the previous registration record  
13 shall be removed from the files.

14 2. Residence, giving name and number of the street, avenue,  
15 or other location of the dwelling, and such additional clear  
16 and definite description as may be necessary to give the exact  
17 residence of the applicant. Post office box numbers shall  
18 not be used unless no other method of identifying the residence  
19 exists for the community.

20 3. Date of birth.

21 4. Sex.

22 5. Term of residence in the United States, in the state,  
23 in the county.

24 6. Ward, precinct, school district, and such other  
25 districts in which the registrant resides which are empowered  
26 to call special elections.

27 7. Place of birth. If the registrant is not native-born  
28 he shall give the date of his naturalization or of the parent  
29 through whom he claims naturalization, and the place of court,  
30 and any other information necessary to establish citizenship.

31 8. Last previous address if the registrant has resided  
32 at his present address for less than five years.

33 9. Party affiliation. No party affiliation need be stated  
34 if the registrant declines to make such statement.

35 10. Such other data as the commissioner of registration

1 may require for the efficient administration of registration  
2 and elections.

3 11. An oath that all of the data contained upon the record  
4 is true and complete.

5 12. An expressed authorization to cancel all other  
6 registrations to vote.

7 13. The social security number of the registrant, if  
8 available.

9 14. The signature of registrant.

10 Sec. 4. Section forty-eight point seven (48.7), Code 1971,  
11 is amended by striking the section and inserting in lieu  
12 thereof the following:

13 48.7 CHANGE OF ADDRESS NOTICE. Change of address notice  
14 shall be provided for the use of any registered voter moving  
15 to a new location. Change of address notice shall provide  
16 space for the previous address of the voter, the address of  
17 the exact location to which he is moving, and his signature.  
18 Any written notification from the voter containing the required  
19 information and signature shall be sufficient to validate  
20 his registration. If the commissioner of registration receives  
21 written notification of change of address from any registered  
22 voter and the notification does not contain the required  
23 information, the commissioner shall immediately mail to the  
24 voter at his last known address notice that his registration  
25 is defective. Upon receipt of any valid change of address  
26 notice, but not later than fourteen days before any election,  
27 the commissioner of registration shall make entry of any  
28 change on the original and duplicate registration lists and  
29 the voter shall be qualified to vote in the new election  
30 precinct.

31 Sec. 5. Section forty-eight point eight (48.8), Code 1971,  
32 is amended by striking the section and inserting in lieu  
33 thereof the following:

34 48.8 ELECTION REGISTER. The commissioner shall compile  
35 and shall deliver to the judges of election in each precinct

1 the duplicate registration list of the voters in that precinct,  
2 which shall be known as the election register. The election  
3 register shall contain the name and address of every registered  
4 voter in that election precinct, indexed alphabetically by  
5 surname, together with a space following each name in which  
6 shall be recorded the words "voted" or "not voted", the date,  
7 and if a primary election, the party, as the case may be.  
8 A space shall also be provided for remarks in which shall  
9 be recorded any challenges, affidavits or other information  
10 as may be required. The entry of the words "voted" or "not  
11 voted", challenge, affidavit, or other information, shall  
12 be made by the judges of election immediately after approving  
13 the declaration of eligibility. Duplicate registration lists  
14 may be prepared by electrical, mechanical or similar data  
15 processing methods. When the election register is prepared  
16 by data processing methods, symbols may be used for all entries  
17 required by this section, providing a legend explaining all  
18 such symbols is printed upon each page of the election  
19 register.

20 Sec. 6. Section forty-eight point nine (48.9), Code 1971,  
21 is amended by striking unnumbered paragraph three (3) and  
22 inserting in lieu thereof the following:

23 "Upon the return by the post office of any such notice,  
24 the commissioner of registration shall, and at other times  
25 may, direct an authorized clerk to verify the name and address  
26 of any voter, and if the voter is found to have moved from  
27 the address as recorded on the original registration list,  
28 the commissioner shall cause the voter's name to be removed  
29 from the active registration list."

30 Sec. 7. Section forty-eight point ten (48.10), Code 1971,  
31 is amended by striking the section and inserting in lieu  
32 thereof the following:

33 48.10 DECEASED PERSONS--RECORD. It is the mandatory duty  
34 of each local registrar and deputy registrar of vital  
35 statistics to provide the commissioner of registration of

1 his city or county, as the case may be, with a certified list  
2 of the names and last known addresses, and social security  
3 numbers and dates of birth, if known, of all persons eighteen  
4 years of age or over who have died in his county. Such lists  
5 shall be delivered by the tenth day of each month. The  
6 commissioner of registration, shall, upon receipt of such  
7 report, examine the original registration list and shall  
8 remove therefrom, to an inactive file, the registration records  
9 of all registered persons certified by the local registrar  
10 or deputy registrar of vital statistics as deceased.

11 Sec. 8. Section forty-eight point eleven (48.11), Code  
12 1971, is amended by striking the section and inserting in  
13 lieu thereof the following:

14 48.11 TIME AND METHOD OF REGISTRATION. The commissioner  
15 of registration or any authorized deputy or clerk working  
16 for him or under his direction and control, shall, up to and  
17 including the fifteenth day next preceding any election,  
18 receive the application for registration of all qualified  
19 voters as shall personally appear before him, or any other  
20 person authorized to register voters, who will be entitled  
21 to vote on the day of the next known election to be held in  
22 the registrant's precinct after the day of registration.

23 An affidavit in substantially the following form shall be  
24 executed by the registrant during the process of registration:

25 "I do solemnly swear or affirm, under penalty of law, that  
26 I have been a resident of the state of Iowa for at least six  
27 months, of said county for at least sixty days, and of said  
28 precinct for at least ten days, that I am lawfully eligible  
29 to vote in said state, county, and precinct, and that all  
30 of the information which I have given upon this voter  
31 registration record is true and complete, and I hereby  
32 authorize the cancellation of any and all of my previous  
33 registrations to vote in this or any other place."

34 If any application form is used, it may be merged with  
35 and made an integral part of the registration record, or may

1 be incorporated by reference or otherwise made a part of the  
2 registration record, and need not retain a separate identity.  
3 No data need appear upon any merged application and  
4 registration record more than once.

5 Upon being sworn, the applicant shall answer such ques-  
6 tions as are required, as hereinbefore set forth, and the  
7 clerk shall fill out the form which the applicant shall sign,  
8 and he shall not be required to register again for any elec-  
9 tion; provided, however, that failure to vote at least once  
10 in four calendar years wherein elections are held shall oper-  
11 ate as a challenge and shall require the applicant to rereg-  
12 ister. In case a qualified voter is unable to write his name,  
13 he shall be required to make a cross, which shall be certi-  
14 fied by the signing of the name of the applicant by the regis-  
15 tration clerk taking the application. A qualified voter who  
16 is unable to sign his name shall not be permitted to mail  
17 or hand in removal notices as is in this chapter provided,  
18 but must appear in person to secure a removal of his name  
19 to his new voting precinct.

20 Sec. 9. Section forty-eight point twelve (48.12), Code  
21 1971, is amended by striking the section and inserting in  
22 lieu thereof the following:

23 48.12 DISABLED OR ABSENT VOTERS. Any person entitled  
24 to register who is permanently disabled by sickness or  
25 otherwise, or who will be absent from the election precinct  
26 until after the next succeeding election, may apply in writing  
27 to the commissioner of registration, who shall forward to  
28 such person the necessary forms for permanent registration,  
29 which shall be executed before a notary public by the applicant  
30 and returned to the commissioner of registration. If a form  
31 is properly executed and shows that the voter is duly  
32 qualified, and is returned during the period when registrants  
33 are allowed to register in person, then the applicant's name  
34 shall be placed on the registration list.

35 Sec. 10. Section forty-eight point thirteen (48.13), Code

1 1971, is amended as follows:

2 48.13 ELECTION REGISTERS. The commissioner of registration  
3 shall have nine fourteen full days between the last day of  
4 registration and election day to perfect his election registers  
5 and, for that purpose, nine fourteen days before any election  
6 day shall be days upon which voters may not register. During  
7 these nine fourteen days the commissioner shall complete the  
8 election registers and, on the day before election day, he  
9 shall deliver them as required by law to each election  
10 precinct.

11 Sec. 11. Section forty-eight point twenty-two (48.22),  
12 Code 1971, is amended by striking the section and inserting  
13 in lieu thereof the following:

14 48.22 PERMISSIVE ADOPTION. The city council of any city  
15 having a population of two thousand or more or the board of  
16 supervisors of any other county having a population under  
17 fifty thousand in which registration of voters is not required,  
18 may, by ordinance or resolution, adopt the plan for registra-  
19 tion provided in this chapter. Also, any county may, by  
20 resolution by the board of supervisors, require registration  
21 of voters in any township having a population of fifteen  
22 hundred or more. When the city council of any such city or  
23 the board of supervisors of any such county adopts an ordinance  
24 or resolution establishing such plan, all the provisions of  
25 this chapter shall apply to such city or county.

26 Sec. 12. Chapter forty-seven (47), Code 1971, is repealed.

27 Sec. 13. Section forty-nine point nine (49.9) is amended  
28 as follows:

29 49.9 PROPER PLACE OF VOTING. No person shall vote in  
30 any precinct but that of his residence ~~except-as-provided~~  
31 ~~in-section-363-24~~.

32 Sec. 14. Section forty-nine point seventy-three (49.73),  
33 Code 1971, is amended by striking the section and inserting  
34 in lieu thereof the following:

35 49.73 TIME OF OPENING AND CLOSING POLLS. At all elections

1 in precincts in which permanent registration is not required  
2 the polls shall be opened at eight o'clock a.m. At all  
3 elections in precincts in which permanent registration is  
4 required the polls shall be opened at seven o'clock a.m.,  
5 or in each case as soon thereafter as vacancies in the places  
6 of judges or clerks of election have been filled. In all  
7 cases the polling places shall be closed at eight o'clock  
8 p.m.

9 Sec. 15. Section forty nine point eighty-one (49.81) Code  
10 1971, is amended by adding the following new paragraph:

11 "This section shall not apply to precincts in which  
12 permanent registration is required."

13 Sec. 16. Section forty-nine point eighty-three (49.83),  
14 Code 1971, is amended by striking the section and inserting  
15 in lieu thereof the following:

16 49.83 NAMES TO BE ENTERED ON POLLBOOK OR ELECTION REGISTER.  
17 In precincts in which permanent registration is not required  
18 the name of each person, when a ballot is delivered to him,  
19 shall be entered by each of the clerks of election in the  
20 pollbook kept by him in the place provided therefor. In  
21 precincts in which permanent registration is required, the  
22 name of each voter shall be marked on the election register  
23 by a clerk of election when the voter's declaration of  
24 eligibility has been approved by the judges of election.

25 Sec. 17. Section forty-nine point one hundred twenty-four  
26 (49.124), Code 1971, is amended as follows:

27 49.124 TRAINING COURSE BY AUDITOR. It shall be the duty  
28 of the county auditor to conduct, not less than ~~seven~~ three  
29 days before each primary and general election, a training  
30 course of not more than two hours for all election personnel.  
31 Such personnel shall include judges, clerks, special police,  
32 constables, and any other persons who will be employed in  
33 or around the polling places on election day.

34 Sec. 18. Section forty-nine point one hundred twenty-seven  
35 (49.127), Code 1971, is amended as follows:

1        49.127 AUDITOR ~~AND-CLERK~~ TO EXAMINE MACHINES. It shall  
2 be the duty of each county auditor ~~or-city-or-town-clerk~~ to  
3 determine that all voting machines are operational and  
4 functioning properly and that all materials necessary for  
5 the conduct of the election are in his possession and are  
6 correct. Such auditor ~~or-city-or-town-clerk~~ shall verify  
7 such facts on the forms provided by the secretary of state  
8 and shall send such completed forms by registered mail to  
9 the secretary of state not less than forty-eight hours before  
10 the election.

11        Sec. 19. Chapter forty-nine A (49A), Code 1971, is amended  
12 by adding the following new section:

13        "Notwithstanding any other law to the contrary, every  
14 citizen of the United States of the age of twenty-one years,  
15 who shall have been a resident of this state for six months  
16 next preceding the election, and of the county in which he  
17 claims his vote sixty days, and of the precinct in which he  
18 claims his vote ten days, shall be entitled to vote at all  
19 elections which may now or hereafter be authorized by law  
20 and held on or before July 1, 1972. Provided that persons  
21 eighteen years of age or over and under twenty-one years of  
22 age may vote in any election for federal offices.

23        Sec. 20. Section fifty-three point thirty-eight (53.38),  
24 Code 1971, is amended as follows:

25        53.38 AFFIDAVIT CONSTITUTES REGISTRATION. Whenever regis-  
26 tration is required in order to vote at either the primary  
27 election or general election, in the case of voters in the  
28 armed forces of the United States, the affidavit upon the  
29 ballot envelope of such voter, otherwise qualified, shall  
30 constitute a sufficient registration, ~~whether-the~~ if regis-  
31 tration is required ~~be~~ under the provisions of ~~chapter-47~~  
32 ~~or~~ chapter 48.

33        Sec. 21. Section fifty-three point twenty-eight (53.28),  
34 Code 1971, is hereby amended as follows:

35        53.28 AFFIDAVIT ENVELOPE CONSTITUTES REGISTRATION. The

1 affidavit upon the ballot envelope shall constitute a  
2 sufficient registration of the voter ~~in-precincts-where~~  
3 ~~registration-is-required~~ except in precincts where permanent  
4 registration is required.

5 Sec. 22. Section forty-eight point twenty (48.20), Code  
6 1971, is repealed.

7 EXPLANATION

8 Section 1 of the bill provides that for any candidate of  
9 a political nonparty organization to qualify for a nomination  
10 for the office of United States Representative, there shall  
11 be at least fifty qualified electors who are residents of  
12 the Congressional district with at least one elector from  
13 each of at least half of the counties in the Congressional  
14 district. To qualify for a nomination for the General Assembly  
15 requires a minimum of ten electors who are residents of the  
16 district representing at least one-half of the precincts in  
17 the district.

18 Section 2 requires that a certificate be filed with the  
19 Secretary of State listing the name of each delegate or voter  
20 attending a convention or caucus where a nomination is made.  
21 Present law requires this list only when a nomination is made  
22 for a state elective office.

23 Section 3. Forms instead of index cards. Because it is  
24 required to give the registrant a copy of his registration,  
25 and for simplification of procedures in offices using data  
26 processing, and for other reasons associated with using multi-  
27 copy registration forms, removing the "card" will allow  
28 commissioners to use lighter weight stock for registration  
29 records where index stock is impractical.

30 The data required is renumbered in this section. The re-  
31 dundant descriptions of data for males and females are  
32 eliminated, and clauses dealing with names are consolidated.

33 Term of residence: Because registration books close a  
34 set number of days before the next election, any person  
35 registered will have been a resident of the precinct for those

1 days preceding the election.

2 Last previous address: This moves the previous address  
3 from the application to the permanent form, thus simplifying  
4 the application and eliminating some redundance. The five-  
5 year limitation is a practical matter, since a person not  
6 voting within four years is purged from the rolls anyway,  
7 it is unnecessary to go back farther to cancel any registration  
8 at the previous residence.

9 Section 4. This changes the name of removal notice to  
10 change of address form. The term "removal notice" is confusing  
11 to the voter. Change of address form is a more precise  
12 description of the activity involved in this section.

13 Section 5. This changes the terminology to reflect changes  
14 made by SF 665 of the 63rd General Assembly and allows election  
15 officials using data processing methods to prepare the election  
16 register to save money by eliminating rubber stamps made anew  
17 for each election when same are not required, or used, by  
18 data processing.

19 Section 6. The commissioner of elections is empowered  
20 to send postcards to persons whom he suspects are no longer  
21 living at the address shown on his records. This section  
22 allows the commissioner to purge his list of moved voters  
23 when he discovers they have moved instead of carrying them  
24 as challenged voters for four years.

25 Section 7. This section is designed to provide the commis-  
26 sioner of registration with the name of registrants 18 years  
27 and older who have died, and to eliminate the possibility  
28 of pulling the wrong person from the voter file through  
29 confusion of similar names by having the registrar of vital  
30 statistics certify some additional information on the deceased  
31 person, which additional information the registrar has on  
32 the death certificate anyway.

33 Section 8. This section permits the merger of application  
34 and registration records and is only to remove duplicate work.  
35 The attorney general has said there is no authority to merge

1 these records without specific legislation.

2 Section 9. This section eliminates references to cards  
3 for registration, allowing commissioners to use more practical  
4 weights of paper in some circumstances, as explained in the  
5 amendment to section 48.6.

6 Section 10. The change of time allows commissioners of  
7 registration the intended working day time allowance. When  
8 errors are made through rushed clerical work the law does  
9 not allow a change.

10 Section 11 provides that cities with a population of 2,000  
11 or more, counties with a population of under 50,000, or town-  
12 ships with a population of 1,500 or more may require voter  
13 registration and the provisions of Chapter 48 shall govern  
14 voter registration. This eliminates the necessity of Chapter  
15 47 which is repealed in section 12.

16 Section 13. Section 363.21 was repealed by the 63rd General  
17 Assembly.

18 Section 14. This section provides for uniform opening  
19 and closing of polls.

20 Section 15. Several attorney general's opinions have held  
21 that section 49.81 is inoperative in precincts where registra-  
22 tion under Chapter 48 is required, although it is operative  
23 in precincts in which (nonpermanent) registration under Chapter  
24 47 is in effect. This amendment simply puts the construction  
25 into the statute so that officials not having access to  
26 previous interpretations of the statutes will have guidance.

27 Section 16. This section simply clarifies the provisions  
28 of section 49.83.

29 Section 17 provides that the training course for election  
30 workers shall be conducted not less than three days prior  
31 to the election.

32 Section 18 provides that the county auditors shall check  
33 all voting machines.

34 Section 19. This new language establishes temporary  
35 residency requirements for voting. The residency requirements

1 are 6 months in the state, 60 days in the county, and 10 days  
2 in the precinct.

3 Section 20. This section codifies numerous attorney  
4 general's opinions holding that this section does not apply  
5 when Chapter 48 is effective.

6 Sec. 21. This section provides simplified registration  
7 in precincts where permissive registration is allowed (see  
8 section 11).

9 Section 22 repeals section 48.20.

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22 1 Amend House File 713, page 9, line 7, by striking  
23 2 the word "eight" and inserting in lieu thereof the  
24 3 word "ten".

25 Filed - *W.D.* 6/4  
26 May 27, 1971

By KINLEY of Polk  
District 66

27  
28 1. Amend House File 713, page 9 and 10, by striking  
29 2. all of section 18, and by renumbering the following  
30 3. sections.

31 Filed  
32 Adopted 6/4/71

UBAN of Black Hawk, District 38

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House 4  
June 7, 1971

HOUSE FILE 713

- 1 Amend House File 713 as follows:  
2 1. Page 11, by inserting after line 4 the following  
3 new section:  
4 "Sec. 22. The nomination petition of a person seeking  
5 to be a candidate in any at-large election, for any  
6 seat or office of the state or any political subdivision  
7 of the state, where more than one seat or office on  
8 the same governing body is to be filled shall state  
9 the specific seat or office he is seeking election to.  
10 The ballot shall be prepared in a manner that informs  
11 the electors of which candidates are seeking election  
12 to each seat or office. No candidate's name shall be  
13 placed on the ballot as a candidate for any seat or  
14 office other than that specified in his nomination  
15 petition. No candidate shall file nomination petitions  
16 for more than one seat or office to be filled at the  
17 same election."  
18 2. By renumbering the bill sections.

Offered from the floor  
and lost  
June 4, 1971

By TAYLOR of Dubuque  
District 51

EXPLANATION OF AMENDMENT

This amendment provides that in all at-large elections the candidates shall be seeking a specific seat where more than one seat is to be filled at the election.

HOUSE FILE 713

- 1 Amend House File 713, page 3, by striking all  
2 after the period in line 8 and the following from  
3 line 9: "names."

Offered from the floor  
and adopted  
June 4, 1971

By LIPSKY of Linn  
District 46

House 3  
June 7, 1971

HOUSE FILE 713

1 Amend House File 713 as follows:  
2 1. Page 8, by striking lines 11 through 25, inclusive.  
3 2. Page 11, by inserting after line 6 the following  
4 new section:  
5 "Sec. 23. Section forty-eight point one (48.1), Code  
6 1971, is amended by striking the section and inserting in  
7 lieu thereof the following new section:  
8 The office of commissioner of registration is hereby  
9 established in each city and county of the state. The city  
10 clerk of each city shall be the commissioner of registra-  
11 tion. The auditor of each county shall be the commissioner  
12 of registration in each county. The commissioner of regis-  
13 tration in each county may, when practicable, establish  
14 permanent registration offices within towns in the county  
15 or other areas of concentrated population under the juris-  
16 diction of the commissioner."  
17 3. Renumber sections and correct internal references in  
18 accordance with this amendment.

Offered from the floor  
and lost  
June 4, 1971

By SMALL of Johnson  
District 69

HOUSE FILE 713

1 Amend House File 713 as follows:  
2 1. Page 9, line 7, by inserting after the word "cases"  
3 the words ", except as herein provided,".  
4 2. Page 9, by inserting after line 8 the following  
5 new paragraph:  
6 "At all elections in counties with a population of  
7 one hundred thousand or more inhabitants, the polling  
8 places shall be closed at ten o'clock p.m."

Offered from the floor  
and lost  
June 4, 1971

By KINLEY of Polk  
District 66

HOUSE FILE 713

1 Amend House File 713, page 9, line 4, by striking  
2 the word "seven" and inserting in lieu thereof the word  
3 "eight", and in line 7 by striking the word "eight" and  
4 inserting in lieu thereof the word "nine".

Offered from the floor  
and lost  
June 4, 1971

By EWELL of Black Hawk  
District 39

House 4  
June 4, 1971

HOUSE FILE 713

1 Amend House File 713 as follows:

2 1. Page 2, by inserting after line 31 the following  
3 new section:

4 Section forty-eight point one (48.1), Code 1971, is  
5 amended as follows:

6 48.1 COMMISSIONER OF REGISTRATION. The office of  
7 commissioner of registration is hereby created in all  
8 cities having a population of more than ten thousand  
9 inhabitants, located in counties having a population of  
10 less than fifty thousand. The city clerk of each such city  
11 is hereby constituted such commissioner of registration.  
12 There is further created the office of commissioner of  
13 registration in all counties that have a population of  
14 fifty thousand or more. The county auditor of each such  
15 county is hereby constituted the commissioner of registra-  
16 tion in his county. The county auditor shall register only  
17 those all residents of his county who-reside-outside-of  
18 the-corporate-limits-of-all-cities-in-his-county-with-a  
19 population-of-ten-thousand-or-more. The city clerk of all  
20 cities located in a county having a population of less than  
21 fifty thousand with a population of ten thousand or more,  
22 shall register the residents of his city.

23 2. Page 8, by inserting after line 25 the following  
24 new section:

25 Section forty-eight point twenty-six (48.26),  
26 unnumbered paragraph one (1), Code 1971, is amended as  
27 follows:

28 The commissioner of registration shall establish a  
29 permanent registration place in the office of the city  
30 clerk or elsewhere in the city hall except in cities  
31 located in counties having a population of more than fifty  
32 thousand. The permanent registration place shall be open  
33 at all times as are other city offices and at such other  
34 times as the branch registration places are open as pro-  
35 vided in this section. In any county, where permanent  
36 registration applies, the county auditor shall establish  
37 a permanent registration place in the office of the  
38 auditor or elsewhere in the courthouse. The permanent  
39 registration place shall be open at all times when other  
50 county offices are open. The permanent registration  
41 place shall also be open at least two evenings from  
42 five o'clock p.m. until eight o'clock p.m., and at least  
43 one Saturday from eight o'clock a.m. until five o'clock  
44 p.m., during the thirty-day period preceding any election  
45 for which registration is required.

Filed - *Last 6/4*  
June 3, 1971

By KINLEY of Polk  
District 66

101 Date.....  
102 Residence (street and number, if any).....  
103 City or town .....  
104 P. O. Address .....  
105 Subscribed and sworn to before me this ..... day of  
106 ....., A.D. 19.....

107 ....."

108 All applications for absentee ballots shall have a  
109 serial number affixed thereto.

110 Sec. 27. Section seven hundred thirty-eight point ten  
111 (738.10), Code 1971, is amended as follows:

112 738.10 VOTING WHEN NOT RESIDENT OF STATE. If any person  
113 willfully vote who has not been a resident of this state for  
114 ~~six-months~~ sixty days next preceding the election, or who,  
115 at the time of the election, is not twenty-one years of age,  
116 or who is not a citizen of the United States, or who is not  
117 qualified, by reason of other disability, to vote at the  
118 place where and time when the vote is to be given, he shall  
119 be fined in a sum not exceeding three hundred dollars, or  
120 imprisoned in the county jail not exceeding one year.

121 5. Renumber sections and correct internal references as  
122 necessary in accordance with this amendment.

Offered from the floor  
and lost  
June 4, 1971

By GLUBA of Scott  
District 76

1 Amend House File 713 as follows:

2 1. Page 3, by striking line 35: page 4, by  
3 striking lines 1 and 2 and renumbering following  
4 subsections of Section 3.

5 2. Page 4, by striking lines 3 and 4 and  
6 inserting in lieu thereof the following:  
7 "10. The affidavit described in Section 8  
8 of this Act."

9 3. Page 4, by striking line 26 and inserting  
10 in lieu thereof the following:  
11 "notice received not later than ten days  
12 before any election,"

13 4. Page 6, line 17, by striking the word  
14 "fifteenth" and inserting in lieu thereof the  
15 word "tenth".

16 5. Page 7 and 8 by striking Section 10, and  
17 renumbering the following sections.

18 6. Page 10, line 22, by inserting after the  
19 word "age" the words "who satisfy the above  
20 residency requirements".

Filed - *Adopted 6/4*  
June 3, 1971

By HILL of Polk  
District 62  
UBAN of Black Hawk  
District 38

HOUSE FILE 713

1 Amend House File 713, pages 9 and 10, by striking  
2 all of Section 18, and by renumbering the following  
3 sections.

Filed - *Adopted 6/4*  
June 3, 1971

By UBAN of Black Hawk  
District 38

51 Code 1971, is amended as follows:

52 49.81 OATH IN CASE OF CHALLENGE. If the person chal-  
53 lenged be duly registered, or if such person is offering  
54 to vote in a precinct where registration is not required,  
55 and insists that he is qualified, and the challenge be not  
56 withdrawn, one of the judges shall tender to him the follow-  
57 ing affidavit and such person shall read and sign the same:

58 I do solemnly swear or affirm that I am a citizen of the  
59 United States, a resident of Iowa ~~for six months, a resident~~  
60 ~~of and~~ this county for sixty days, and a resident of this  
61 precinct for ten days next preceding this election, and that  
62 I am at least twenty-one years of age, and I have not voted  
63 in this election. I am lawfully eligible to vote in Iowa  
64 and in this county and precinct.

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

67 .....

68 Signature of Voter

69 .....

70 Address

71 If such person signs the affidavit and is examined by the  
72 judges concerning his qualifications, his vote shall then be  
73 received unless further challenged.

74 Sec. 26. Section fifty-three point five (53.5), Code  
75 1971, is amended as follows:

76 53.5 FORM OF BLANK APPLICATION. Applications for ballots  
77 shall be made on blanks substantially in the following form:

78 "APPLICATION FOR BALLOT TO BE VOTED AT THE .....

79 ELECTION ON ..... }  
80 STATE OF IOWA ..... } ss.  
81 COUNTY OF .....

82 I, ....., do solemnly swear that I have been  
83 a resident of the state of Iowa for ~~six months~~ sixty days,  
84 of the county of .....  
85 and of the ..... precinct of ..... ward  
86 of the city, town, or township of ..... ten days next  
87 preceding this election, and that I am a duly qualified  
88 voter entitled to vote at said election; that my occupation  
89 is ....., and that on account of .....

90 (Business,

91 ..... I cannot be at the polls  
92 illness, or physical disability)

93 on election day, and I hereby make application for an of-  
94 ficial ballot or ballots to be voted by me at such election,  
95 and that I will return said ballot or ballots to the officer  
96 issuing same, before the day of said election. I am affili-  
97 ated with the .....

98 (Fill out only in case of primary election)

99 party.

100

Signed.....

HOUSE FILE 713

- 1 Amend House File 713 as follows:  
2 1. Page 6, by striking from lines 26 and 27 the words  
3 "of Iowa for at least six months, of said" and inserting  
4 in lieu thereof the word "and".  
5 2. Page 10, line 15, by striking the words "for six  
6 months" and inserting in lieu thereof the words "and  
7 county for sixty days".  
8 3. Page 10, by striking from lines 16 and 17 the words  
9 "and of the county in which he claims his vote sixty days,".  
10 4. Page 11, by inserting after line 6 the following  
11 new sections:

12 "Sec. 23. Section forty-three point one hundred twenty  
13 (43.120), subsection four (4), Code 1971, is amended as  
14 follows:

15 4. Willfully voting or offering to vote at a primary  
16 election by one who has not been a resident of this state  
17 for ~~six-months~~ sixty days next preceding said primary  
18 election, or who is not twenty-one years of age, or who is  
19 not a citizen of the United States.

20 Sec. 24. Section ~~forty-nine~~ point ~~seventy-seven~~  
21 (49.77), unnumbered paragraph one (1), Code 1971, is  
22 amended as follows:

23 The judges of election of their respective precincts  
24 shall have charge of the ballots and furnish them to the  
25 voters. Any person desiring to vote shall give his name  
26 and address to the judges, and shall sign a voter's  
27 declaration provided by the judges of the election, in  
28 substantially the following form:

29 VOTER'S DECLARATION OF ELIGIBILITY

30 I do solemnly swear or affirm that I am a resident of  
31 the ..... precinct, ..... ward or township, city or  
32 town of ....., county of ....., Iowa.

33 I have been a resident of the state ~~of Iowa for at least~~  
34 ~~six-months, of said~~ and county for at least sixty days, and  
35 of said precinct for at least ten days. I am lawfully  
36 eligible to vote in said precinct and county in the .....  
37 election to be held on ....., 19..... I have not voted  
38 and will not vote in any other precinct in said election.

39 (For primary election only:) I am affiliated with the  
40 ..... party.

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

43 .....  
44 Signature of Voter  
45 .....  
46 Address

47 Approved:

48 .....  
49 Judge or Clerk of the Election

50 Sec. 25. Section forty-nine point eighty-one (49.81),

HOUSE FILE 713

1 Amend House File 713 as follows:

2 1. Page 8, by striking lines 11 through 25, inclu-  
3 sive.

4 2. Page 11, by inserting after line 6 the following  
5 new sections:

6 "Sec. 23. Section forty-eight point one (48.1),  
7 Code 1971, is amended as follows:

8 48.1 COMMISSIONER OF REGISTRATION. The office of  
9 commissioner of registration is hereby created ~~in all~~  
10 ~~cities having a population of more than ten thousand~~  
11 ~~inhabitants. The city clerk of each such city is hereby~~  
12 ~~constituted such commissioner of registration. There~~  
13 ~~is further created the office of commissioner of~~  
14 registration in all counties that have a population  
15 of fifty thousand or more. The county auditor of each  
16 such county is hereby constituted the commissioner of  
17 registration in his county. The county auditor shall  
18 register ~~only those~~ all residents of his county ~~who~~  
19 ~~reside outside of the corporate limits of all cities~~  
20 ~~in his county with a population of ten thousand or more.~~  
21 ~~The city clerk of all cities with a population of ten~~  
22 ~~thousand or more shall register the residents of his~~  
23 ~~city.~~

24 Sec. 24. Section forty-eight point three (48.3),  
25 Code 1971, is amended as follows:

26 48.3 REGISTRATION REQUIRED. In any such ~~city or~~  
27 county no qualified voter shall be permitted to vote  
28 at any election unless such voter shall register as  
29 provided in this chapter.

30 Sec. 25. Section forty-eight point four (48.4),  
31 Code 1971, is amended as follows:

32 48.4 COMMISSIONER OF REGISTRATION--DUTIES. The  
33 said commissioner of registration shall have complete  
34 charge of the registration of all qualified voters  
35 within such ~~city or~~ county. He shall appoint such  
36 deputies and clerks as may be necessary, from the two  
37 political parties receiving the highest vote at the  
38 last general election. The number of such deputies  
39 and clerks for all precinct registration places, and  
40 the central registration office, shall be equally divided  
41 between the members of the two said political parties.  
42 These appointments shall be subject to the approval  
43 of the ~~city council or~~ county board of supervisors ~~as~~  
44 ~~the case may be.~~ The commissioner of registration shall  
45 provide such printed forms and blanks as may be  
46 necessary, together with such other supplies and  
47 equipment as are necessary to properly carry out the  
48 provisions of this chapter. Subject to the provisions

49 of this chapter, the ~~city-council-or~~ board shall  
50 prescribe by ordinance such reasonable rules and  
51 regulations as to office hours and places and manner  
52 of registration as may be necessary. Registration  
53 places shall be established throughout the ~~city-or-~~  
54 county in the proportion of one to each precinct which  
55 shall be open for registration as provided under this  
56 chapter during not less than two nor more than four  
57 days between July 1 and up to and including the tenth  
58 day prior to the next election following the adoption  
59 of the plan for registration provided in this chapter.  
60 Such registration places shall be selected by the  
61 commissioner of registration and shall be open between  
62 seven o'clock a.m. and nine o'clock p.m. The  
63 commissioner of registration shall appoint the two  
64 clerks of election for each precinct, who shall have  
65 charge of the election register.

66 Sec. 26. Section forty-eight point eighteen (48.18),  
67 Code 1971, is amended as follows:

68 48.18 EXPENSES. The cost of material, equipment  
69 and labor for the installation and maintenance of the  
70 permanent registration system shall be ~~shared-equally~~  
71 paid by the county ~~and-the-city~~, and the ~~city-council~~  
72 ~~of-such-city-and~~ board of supervisors shall allocate  
73 from the general fund of the ~~city-or~~ county sufficient  
74 funds, based upon the estimate prepared by the com-  
75 missioner of registration and subject to the approval  
76 of the ~~city-council-or~~ board. ~~The-city-council-of-any~~  
77 ~~city-in-which-this-chapter-applies-may, in-its-judgment,~~  
78 ~~compensate-the-commissioner-of-registration-for-the~~  
79 ~~additional-service-required-by-the-performance-of-the~~  
80 ~~duties-herein-described, in-addition-to-any-salary-such~~  
81 ~~commissioner-of-registration-as-city-clerk-may-receive~~  
82 ~~at-the-time-of-the-adoption-of-this-chapter, and~~  
83 ~~notwithstanding-any-provisions-of-the-charter-of-such~~  
84 ~~city, and-the-compensation-so-paid-to-the-commissioner~~  
85 ~~of-registration-may-be-retained-by-him, notwithstanding~~  
86 ~~any-provisions-in-the-charter-or-ordinances-of-such~~  
87 ~~city-to-the-contrary.~~ The ~~city-council-or~~ board shall  
88 by ordinance fix the compensation paid to deputies or  
89 clerks.

90 Sec. 27. Section forty-eight point twenty-one  
91 (48.21), Code 1971, is amended as follows:

92 48.21 CERTIFICATE OF REGISTRATION. In municipalities  
93 counties having permanent registration for elections,  
94 before any person desiring to vote receives a ballot  
95 from the judge or is permitted to enter the voting  
96 machine, he shall sign a voter's declaration of  
97 eligibility as provided in section 49.77, except that  
98 the voter's declaration shall also include the following

99 statement:

100 'I am lawfully registered in said precinct and county  
101 under the Iowa permanent registration law.'

102 The voter's declaration of eligibility shall  
103 constitute a certificate of registration for the purposes  
104 of this chapter provided he has otherwise complied with  
105 section 49.78.

106 The certificate of registration shall be approved  
107 by a judge or clerk of election if the signature of  
108 the voter on the certificate of registration and the  
109 signature on the registry list appear to be the same.  
110 However, ~~in-cities-or~~ counties using duplicate  
111 registration lists prepared by electrical, mechanical  
112 or similar data process the certificate of registration  
113 shall be approved by a judge or clerk of the election  
114 if the person signing the certificate of registration  
115 and the person on the registry list appear to be the  
116 same. The voter shall present this certificate to the  
117 judge in charge of the ballots or voting machine, as  
118 proof of his right to vote. After voting the voter  
119 shall present his certificate of registration to the  
120 judge or clerk in charge of the register of election,  
121 who shall make entry as provided in section 48.8. The  
122 certificates shall be arranged in alphabetical order  
123 after the close of the election, placed in envelope  
124 provided for that purpose, and returned to the ~~city~~  
125 ~~clerk-or~~ county auditor as commissioner of registration.

126 Sec. 28. Section forty-eight point twenty-two  
127 (48.22), Code 1971, is amended as follows:

128 48.22 PERMISSIVE ADOPTION. The ~~city-council-of~~  
129 ~~any-other-city-or~~ board of supervisors of any ~~other~~  
130 county in which registration of voters is required,  
131 may, by ordinance, adopt the plan for registration  
132 provided in this chapter. When the ~~city-council-of~~  
133 ~~any-such-city-or~~ board of supervisors of any such county  
134 enacts an ordinance establishing such plan, all of the  
135 provisions of this chapter shall apply to such ~~city~~  
136 ~~or~~ county.

137 Sec. 29. Section forty-eight point twenty-three  
138 (48.23), Code 1971, is amended as follows:

139 48.23 ORDINANCES. The ~~council-or~~ board may adopt  
140 ordinances necessary to carry into effect the provisions  
141 of this chapter.

142 Sec. 30. Section forty-eight point twenty-six  
143 (48.26), Code 1971, is amended as follows:

144 48.26 PERMANENT REGISTRATION PLACE IN ~~CITY-HALL~~  
145 ~~COURTHOUSE--BRANCH OFFICES~~. The commissioner of regis-  
146 tration shall establish a permanent registration place  
147 in the office ~~of-the-city-clerk-or-elsewhere-in-the~~  
148 ~~city-hall.--The-permanent-registration-place-shall-be~~  
149 ~~open-at-all-times-as-are-other-city-offices-and-at-such~~  
150 ~~other-times-as-the-branch-registration-places-are-open~~

151 ~~as provided in this section. In any county, where~~  
152 ~~permanent registration applies, the county auditor, shall~~  
153 ~~establish a permanent registration place in the office~~  
154 of the auditor or elsewhere in the courthouse. The  
155 permanent registration place shall be open at all times  
156 when other county offices are open. The permanent  
157 registration place shall also be open at least two  
158 evenings from five o'clock p.m. until eight o'clock  
159 p.m., and at least one Saturday from eight o'clock a.m.  
160 until five o'clock p.m., during the thirty-day period  
161 preceding any election for which registration is  
162 required.

163 The county auditor shall further establish at least  
164 one branch registration place in every city, town, and  
165 township under his jurisdiction that has a population  
166 of one thousand or more during the thirty-day period  
167 prior to the closing of the election register for any  
168 election for which registration is required. Such  
169 branch registration places shall be open during the  
170 evening hours upon such days and upon such Saturdays  
171 as the auditor determines will be a convenience to the  
172 eligible voter required to register pursuant to this  
173 chapter.

174 Any person who resides in a town or township in which  
175 a branch registration place is not maintained, may  
176 register at the nearest branch registration place or  
177 the permanent registration place.

178 ~~The city clerk of a city where permanent registration~~  
179 ~~applies shall establish at points within such city a~~  
180 ~~sufficient number of branch registration places at least~~  
181 ~~thirty days prior to the close of the election register~~  
182 ~~for any election for which registration is required.~~  
183 ~~Such branch registration places shall be open during~~  
184 ~~the evening hours upon such days and upon such Saturdays~~  
185 ~~as the city clerk determines will be a convenience to~~  
186 ~~the eligible voter required to register pursuant to~~  
187 ~~this chapter.~~

188 The county auditor ~~and city clerk~~ shall give notice  
189 of the places and times such branch registration places  
190 will be open by publication in a newspaper of general  
191 circulation within the respective county or city at  
192 least one week prior to the first time such branch  
193 registration places will be open. If petitioned by  
194 one or by both of the official county chairmen of the  
195 two political parties polling the highest vote in the  
196 jurisdiction at the last preceding general election,  
197 the commissioner of registration shall establish at  
198 least two branch registration places in his jurisdiction,  
199 taking into consideration the convenience of the voters.  
200 If petitioned by one or by both of the official county

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201 chairmen of the two political parties polling the highest  
202 vote in the jurisdiction at the last preceding general  
203 election, the commissioner shall provide for additional  
204 branch registration places for each ten thousand  
205 inhabitants in the jurisdiction in excess of thirty  
206 thousand and for such additional branch registration  
207 places as the commissioner deems necessary. All branch  
208 registration places shall be opened the first Monday  
209 in October preceding any general election and shall  
210 remain open Monday through Friday from noon until 8:00  
211 p.m. and Saturday from 8:00 a.m. until 5:00 p.m. for  
212 one week. The commissioner of registration shall appoint  
213 two persons to act as deputy registrars in each branch  
214 registration place. Such appointments shall be made  
215 from lists supplied for that purpose by the official  
216 county chairmen of the two political parties polling  
217 the highest vote in the jurisdiction at the last  
218 preceding general election. Such lists shall be provided  
219 not later than August 15 preceding the appointments.  
220 The commissioner shall appoint one deputy from each  
221 list for each branch. Where the county chairmen fail  
222 to provide lists by the date specified in this section,  
223 the commissioner shall make such appointments to persons  
224 known to be registered as members of the appropriate  
225 political party.  
226 Sec. 31. Section forty-eight point nineteen (48.19),  
227 Code 1971, is repealed."  
228 3. Renumber sections and correct internal references  
229 in accordance with this amendment.

Filed - *W.D. 6/4*  
June 2, 1971

By KINLEY of Polk  
District 66

1 Amend House File 713 as follows:

2 1. Page 6, line 17, by striking the word "fifteenth" } *w.D. 6/4*  
3 and inserting in lieu thereof the word "tenth".

4 2. Page 6, by inserting after the period in line 22  
5 the following:

6 "After the tenth day, the commissioner of registration  
7 or any authorized deputy or clerk shall receive applica-  
8 tions for registration of all qualified voters appearing  
9 personally before him, or any other person authorized to  
10 register voters. Upon receipt of the application for  
11 registration, the commissioner of registration or his auth-  
12 orized deputy or clerk shall issue a registration receipt  
13 to the qualified voter which the qualified voter shall  
14 present to the judges and clerks of the election on elec-  
15 tion day. The registration receipt shall entitle the  
16 qualified voter to cast his ballot in the election. The  
17 registration receipt shall contain the same information  
18 which appears on the application for registration, and in  
19 addition, shall state the election for which the registra-  
20 tion receipt is valid. The name of the qualified voter  
21 registering after the tenth day shall not appear on the  
22 registration list delivered to the election judges and  
23 clerks of each precinct."

24 3. Page 7, line 33, by striking the words "in person".

25 4. Page 8, line 3, by striking the words "~~nine~~ fourteen"  
26 and inserting in lieu thereof the word "nine".

27 5. Page 8, line 5, by striking the words "~~nine~~ fourteen"  
28 and inserting in lieu thereof the word "nine".

29 6. Page 8, line 6, by inserting after the word  
30 "register" the words ", except as otherwise provided".

31 7. Page 8, line 7, by striking the words "~~nine~~ fourteen"  
32 and inserting in lieu thereof the word "nine".

33 8. Page 9, by inserting after line 8 the following new  
34 section:

35 "Section forty-nine point seventy-eight (49.78), Code  
36 1971, is amended as follows:

37 49.78 VOTING UNDER REGISTRATION. In precincts where  
38 registration is required, if such name is found on the  
39 register of voters by the officer having charge thereof or  
40 the qualified voter presents a registration receipt, the  
41 voter shall sign a voter's declaration as provided in  
42 sections 48.21 and 49.77 and provided to the voters by the  
43 judges of the election. In precincts where the judges of  
44 the election are furnished with computerized voter registra-  
45 tion lists, the person desiring to vote, except a person  
46 legally blind, shall then provide some form of identifica-  
47 tion upon which the signature or mark of such person appears.  
48 If identification is established to the satisfaction of the  
49 judges of the election, the person may then be allowed to  
50 vote.

51 If the voter has no identification, his identity may be  
52 attested to by a judge of the election.

53 All voters' declarations may then be seen by the challen-  
54 gers of each political party, at the request of such  
55 challengers.

56 In precincts where chapter 48 is applicable, if the name  
57 of the person desiring to vote is not found on the register  
58 of voters, his ballot shall not be received until he shall  
59 have complied with the law prescribing the manner and con-  
60 ditions of voting under sections 48.11 and 48.12.

61 9. Renumber sections and correct internal references  
62 in accordance with this amendment.

SENATE AMENDMENT TO HOUSE FILE 713

1 Amend House File 713 as amended and passed by the House as follows:

2 1. Page 10, by striking lines 1 through 3, inclusive, and  
3 inserting in lieu thereof the following: "Sec. 17. Every".

4 2. Page 10, line 8, by inserting after the word "vote" the  
5 following: ", subject to chapter forty-eight (48), if applic-  
6 able, and chapter forty-nine (49),".

7 3. Page 10, line 13, by inserting after the word "offices."  
8 the following:

9 "This section shall be printed in the session laws only,  
10 and shall not be made a permanent part of the Code of Iowa."

11 4. Page 11, by adding after line 6 the following new sections:

12 Sec. \_\_\_ Section forty-nine point four (49.4), unnumbered  
13 paragraph two (2), Code 1971, as amended by House File one hundred  
14 nineteen (119), section one (1), of the Sixty-fourth General  
15 Assembly, First Session, is amended as follows:

16 No election precinct shall have a total population in excess  
17 of three thousand five hundred, as shown by the most recent federal  
18 decennial census. Where a civil township, or the portion of a  
19 civil township outside the corporate limits of any or all cities  
20 and towns located wholly or partially within the boundaries of  
21 such township, is divided into two or more election precincts, the  
22 populations of each such precinct shall be as nearly equal as  
23 possible within the limitations of availability of suitable polling  
24 places and of reliable data on the populations of various parts of  
25 such township, and the boundaries of each precinct so established  
26 shall follow the boundaries of areas for which official population  
27 figures are available from the most recent federal decennial census.  
28 Every precinct shall be contained wholly within an existing legisla-  
29 tive district as established by law, and where an unavoidable conflict  
30 arises between this requirement and the requirement that the pop-  
31 ulations of any two precincts shall be as nearly equal as possible,  
32 the requirement that each precinct shall be contained wholly within  
33 an existing legislative district shall take precedence. The board  
34 of supervisors shall make any changes necessary to comply with this  
35 section no earlier than July first and not later than December  
36 thirty-first of each year immediately following a year in which  
37 the federal decennial census is taken, unless the general assembly  
38 by joint resolution establishes different dates for such compliance.  
39 Any or all of the publications required by section 49.11 may be  
40 made after December thirty-first if necessary.

41 Sec. \_\_\_ Section forty-nine point five (49.5), unnumbered  
42 paragraph two (2) and subsection one (1), Code 1971, as amended  
43 by House File one hundred nineteen (119), section two (2), of the  
44 Sixty-fourth General Assembly, First Session, are amended as follows:

45 Election precincts shall be of as nearly equal population as  
46 possible within the limitations of reliable data on the populations  
47 of various parts of such city, and the boundaries of each precinct  
48 shall follow the boundaries of areas for which official population  
49 figures are available from the most recent federal decennial census.

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June 17, 1971

50 Every precinct shall be contained wholly within an existing legis-  
51 lative district. No election precinct shall have a total population  
52 in excess of three thousand five hundred, as shown by the most  
53 recent federal decennial census, except that:

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

61 Sec. \_\_\_ Section forty-nine point six (49.6), Code 1971, as  
62 amended by House File one hundred nineteen (119), section three (3),  
63 of the Sixty-fourth General Assembly, First Session, is amended as  
64 follows:

65 49.6 POWER TO COMBINE TOWNSHIP AND CITY PRECINCTS. The board  
66 of supervisors and the council of any town or city of less than  
67 thirty-five hundred inhabitants, not including the inmates of any  
68 state institution, may combine any part of the township outside of  
69 such city with any or all the wards or precincts thereof as one  
70 election precinct, or change ~~or~~ abolish such precinct. No precinct  
71 so created shall have a total population in excess of three thousand  
72 five hundred, as shown by the most recent federal decennial census.

Received from the Senate.  
June 16, 1971

*House concurred 6/17*

HOUSE FILE 713

1 Amend House File 713, as amended and passed by the House,  
2 page 11, by adding after line 6 the following new sections:  
3 Sec. \_\_\_ Section forty-nine point four (49.4), unnumbered  
4 paragraph two (2), Code 1971, as amended by House File one hundred  
5 nineteen (119), section one (1), of the Sixty-fourth General  
6 Assembly, First Session, is amended as follows:

7 No election precinct shall have a total population in excess  
8 of three thousand five hundred, as shown by the most recent federal  
9 decennial census. Where a civil township, or the portion of a  
10 civil township outside the corporate limits of any or all cities  
11 and towns located wholly or partially within the boundaries of  
12 such township, is divided into two or more election precincts, the  
13 populations of each such precinct shall be as nearly equal as  
14 possible within the limitations of availability of suitable polling  
15 places and of reliable data on the populations of various parts of  
16 such township, and the boundaries of each precinct so established  
17 shall follow the boundaries of areas for which official population  
18 figures are available from the most recent federal decennial census.  
19 Every precinct shall be contained wholly within an existing legisla-  
20 tive district as established by law, and where an unavoidable conflict  
21 arises between this requirement and the requirement that the pop-  
22 ulations of any two precincts shall be as nearly equal as possible,  
23 the requirement that each precinct shall be contained wholly within  
24 an existing legislative district shall take precedence. The board  
25 of supervisors shall make any changes necessary to comply with this

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1 section no earlier than July first and not later than December  
2 thirty-first of each year immediately following a year in which  
3 the federal decennial census is taken, unless the general assembly  
4 by joint resolution establishes different dates for such compliance.  
5 Any or all of the publications required by section 49.11 may be  
6 made after December thirty-first if necessary.  
7 Sec. \_\_\_ Section forty-nine point five (49.5), unnumbered  
8 paragraph two (2) and subsection one (1), Code 1971, as amended  
9 by House File one hundred nineteen (119), section two (2), of the  
10 Sixty-fourth General Assembly, First Session, are amended as follows:  
11 Election precincts shall be of as nearly equal population as  
12 possible within the limitations of reliable data on the populations  
13 of various parts of such city, and the boundaries of each precinct  
14 shall follow the boundaries of areas for which official population  
15 figures are available from the most recent federal decennial census.  
16 Every precinct shall be contained wholly within an existing legis-  
17 lative district. No election precinct shall have a total population  
18 in excess of three thousand five hundred, as shown by the most  
19 recent federal decennial census, except that:  
20 1. If in any area of the city it is not possible to devise  
21 a contiguous precinct having a population of less than three thousand

22 five hundred by the most recent federal decennial census, because  
23 one or more of the smallest population units for which census data  
24 are available are composed of noncontiguous territory, the city  
25 council may utilize other reliable and documented indicators of

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1 population distribution in establishing precincts within that area.  
2 . Sec. \_\_\_\_\_ Section forty-nine point six (49.6), Code 1971, as  
3 amended by House File one hundred nineteen (119), section three (3),  
4 of the Sixty-fourth General Assembly, First Session, is amended as  
5 follows:  
6 49.6 POWER TO COMBINE TOWNSHIP AND CITY PRECINCTS. The board  
7 of supervisors and the council of any town or city of less than  
8 thirty-five hundred inhabitants, not including the inmates of any  
9 state institution, may combine any part of the township outside of  
10 such city with any or all the wards or precincts thereof as one  
11 election precinct, or change or abolish such precinct. No precinct  
12 so created shall have a total population in excess of three thousand  
13 five hundred, as shown by the most recent federal decennial census.

Filed - *Adopted 6/16*  
June 16, 1971

By POTGETER

1 Amend House File 713, as amended and passed by the House as  
2 follows:  
3 1. Page 4, by striking lines 26 and 27 and inserting in lieu thereof  
4 the following: "notice, but not later than fourteen days before any  
5 election,".  
6 2. Page 6, line 17, by striking the word "tenth" and inserting in  
7 lieu thereof the word "fifteenth".  
8 3. Page 7, by inserting after line 34 the following new section, and  
9 renumber the remaining sections:  
10 Sec. 10. Section forty-eight point thirteen (48.13), Code 1971,  
11 is amended as follows:  
12 48.13 ELECTION REGISTERS. The commissioner of registration  
13 shall have nine fourteen full days between the last day of registra-  
14 and election day to perfect his election registers and, for that  
15 pose, nine fourteen days before any election day shall be days upon  
16 which voters may not register. During these nine fourteen days the  
17 commissioner shall complete the election registers and, on the day  
18 before election day, he shall deliver them as required by law to  
19 election precinct. each

Filed June 10, 1971 - *Law 6/16*

By NICHOLSON

1 Amend House File 713, page 10 as follows:  
2 1. By striking lines 1 through 3 inclusive and by  
3 inserting in lieu thereof the word "Sec. 17. Every".  
4 2. Line 8, by inserting after the word "vote" the  
5 words ", subject to chapter forty-eight (48), if applicable,  
6 and chapter forty-nine (49),".  
7 3. Line 13, by inserting after the word "offices."  
8 the following:  
9 "This section shall be printed in the session laws,  
10 only, and shall not be made a permanent part of the Code  
11 of Iowa."

Filed and adopted.  
June 16, 1971

By COMMITTEE ON STATE GOVERNMENT