

County Government: Schroeder, Chair; Running and Gross.

MAR 20

SENATE FILE 499

BY COMMITTEE ON COUNTY GOVERNMENT

(FORMERLY SSB 376)

Approved 3/26/81 (p. 981)

Passed Senate, Date 2-4-82 (p. 285) Passed House, Date 2-9-82 (p. 710)

Vote: Ayes 48 Nays 0 Vote: Ayes 76 Nays 0

Approved March 26, 1982 (p. 941)

A BILL FOR

1 An Act relating to the election or appointment of the board of
2 trustees of benefited fire districts.

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

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1 Section 1. Section 357B.2, Code 1981, is amended to read
2 as follows:

3 357B.2 BOARD OF TRUSTEES. A benefited fire district shall
4 be governed by a board of trustees consisting of three members
5 who shall serve overlapping, three-year terms. Each trustee
6 shall give bond in an amount to be determined by the board
7 of supervisors, the premium for which shall be paid by the
8 district of the trustee. The members of the board of trustees
9 shall be elected at an election ~~called~~ or, if there are
10 insufficient candidates for the office, appointed by the board
11 of supervisors from among the qualified electors of the
12 district. Notice of the election shall be given by publication
13 in ~~two successive issues of~~ a newspaper having general
14 circulation within the district. The notice shall contain
15 the date, time and location of the election. ~~The final~~
16 ~~publication of the notice of election shall not be less than~~
17 ~~one week before the date of election. It is not mandatory~~
18 ~~for the commissioner of elections to conduct the elections~~
19 ~~held under this chapter, but the~~ The elections shall be
20 conducted in accordance with ~~the provisions of~~ chapter 49
21 when such provisions are not in conflict with this chapter.
22 The precinct election officials shall be appointed by the
23 board of supervisors from among the qualified electors of
24 the district and shall serve without pay. Any vacancy on
25 the board shall be filled ~~by election or~~ by appointment of
26 the board of supervisors for the unexpired term. If a
27 benefited fire district is located in more than one county,
28 joint action of the boards of supervisors of the affected
29 counties is required to appoint the members of the board of
30 trustees, to determine the amount of bond, or to dissolve
31 the district as provided in this chapter.

32 EXPLANATION

33 This bill provides for the election or appointment of the
34 members of the board of trustees of a benefited fire district.
35 The trustees are to be elected if there are sufficient candi-

1. dates to warrant an election, but if there are not, the board
2 of supervisors are to appoint qualified electors of the dis-
3 trict to be trustees. Vacancies on the board of trustees
4 are to be filled by the board of supervisors.

5 This bill takes effect July 1 following its enactment.

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SENATE FILE 499

AN ACT

RELATING TO THE ELECTION OR APPOINTMENT OF THE BOARD OF
TRUSTEES OF BENEFITED FIRE DISTRICTS.

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

Section 1. Section 357B.2, Code 1981, is amended to read
as follows:

357B.2 BOARD OF TRUSTEES. A benefited fire district shall
be governed by a board of trustees consisting of three members
who shall serve overlapping, three-year terms. Each trustee
shall give bond in an amount to be determined by the board
of supervisors, the premium for which shall be paid by the
district of the trustee. The members of the board of trustees
shall be elected at an election ~~called or, if there are~~
insufficient candidates for the office, appointed by the board
of supervisors from among the qualified electors of the
district. Notice of the election shall be given by publication
in ~~two successive issues of~~ a newspaper having general
circulation within the district. The notice shall contain
the date, time and location of the election. ~~The final~~
~~publication of the notice of election shall not be less than~~
~~one week before the date of election. -- it is not mandatory~~
~~for the commissioner of elections to conduct the elections~~
~~held under this chapter, but the~~ The elections shall be
conducted in accordance with ~~the provisions of~~ chapter 49
when such provisions are not in conflict with this chapter.
The precinct election officials shall be appointed by the
board of supervisors from among the qualified electors of
the district and shall serve without pay. Any vacancy on
the board shall be filled ~~by election or~~ by appointment of
the board of supervisors for the unexpired term. If a
benefited fire district is located in more than one county,

joint action of the boards of supervisors of the affected
counties is required to appoint the members of the board of
trustees, to determine the amount of bond, or to dissolve
the district as provided in this chapter.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 499, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved March 26, 1982

ROBERT D. RAY
Governor