

Amend (5501) + B. Pass 4/1 (p. 952)

FEB 28 1986

HOUSE FILE 2370

Place On Calendar

BY COMMITTEE ON LOCAL GOVERNMENT

(Formerly House Study Bill 701)  
Am. O.S. 68

Passed House, Date 2-11-86 (p. 670) Passed Senate, Date 4-3-86 (p. 1042)

Vote: Ayes 78 Nays 21 Vote: Ayes 46 Nays 1

Approved April 28, 1986 (p. 1855)  
Proposed House 4-10-86 (p. 1378)  
81-15

**A BILL FOR**

1 An Act relating to county officers by providing for the combining  
2 of county offices and removing salary restrictions for the  
3 combined offices under section 331.323, by amending the duties  
4 of certain elected county officers, and by making the Act  
5 effective upon publication.

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

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HF 2370

1 Section 1. Section 43.24, subsection 3, unnumbered  
2 paragraph 2, Code 1985, is amended to read as follows:

3 Objections filed with the commissioner shall be considered  
4 by ~~the county auditor, county treasurer, and county attorney~~  
5 three elected county officers whose eligibility is not in  
6 question. However, if the objection is to the nomination  
7 petition, certificate of nomination, or eligibility of one or  
8 more of those officers, their places shall be filled,  
9 respectively, by the county sheriff, county recorder, and The  
10 chairperson of the board of supervisors shall appoint the  
11 three elected officers unless the chairperson is ineligible,  
12 in which case, the appointments shall be made by the county  
13 auditor. In either case, a majority vote shall decide the  
14 issue.

15 Sec. 2. Section 69.8, subsection 4, Code Supplement 1985,  
16 is amended to read as follows:

17 4. Board of supervisors. In the membership of the board  
18 of supervisors, by ~~the treasurer, auditor, and recorder~~ a  
19 committee consisting of all elected county officers of the  
20 county.

21 Sec. 3. Section 331.323, subsection 1, unnumbered  
22 paragraph 5, Code 1985, is amended by striking the unnumbered  
23 paragraph.

24 Sec. 4. Section 331.502, subsection 49, Code 1985, is  
25 amended to read as follows:

26 49. Carry out other duties required by law and duties  
27 assigned pursuant to section 331.323.

28 Sec. 5. Section 331.552, subsection 30, Code 1985, is  
29 amended to read as follows:

30 30. Carry out other duties as required by law and duties  
31 assigned pursuant to section 331.323.

32 Sec. 6. Section 331.602, subsection 44, Code Supplement  
33 1985, is amended to read as follows:

34 44. Carry out other duties as provided by law and duties  
35 assigned pursuant to section 331.323.



SENATE AMENDMENT TO HOUSE FILE 2370

H-5700

1 Amend House File 2370, as passed by the House, as  
2 follows:

3 1. Page 1, by striking lines 18 through 20 and  
4 inserting the following: "of supervisors, by the  
5 treasurer, auditor, and recorder. In the event that  
6 any of these offices have been abolished through  
7 consolidation, the county attorney shall serve on this  
8 committee."

9 2. Page 1, by striking line 23 and inserting the  
10 following: "paragraph and inserting in lieu thereof  
11 the following:

12 When the duties of an officer or employee are  
13 assigned to one or more elected officers, the board  
14 shall set the initial salary for each elected officer  
15 which shall not exceed the recommendation of the  
16 county compensation board. The county auditor shall  
17 call a special meeting of the county compensation  
18 board for this purpose and the county compensation  
19 board shall make a recommendation within thirty days  
20 of the call. The board may reduce the salary  
21 recommendation but not below the existing salary of  
22 the affected elective officer. Thereafter, the salary  
23 shall be determined as provided in section 331.907."

H-5700 FILED APRIL 4, 1986

RECEIVED FROM THE SENATE

*House concurred 4/10 (8-1372)*

## HOUSE FILE 2370

H-3101

1 Amend House File 2370 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. NEW SECTION. 331.221 DEFINITIONS.

5 As used in sections 331.221 through 331.228, unless  
6 the context otherwise requires:

7 1. "Board" means the board of supervisors of a  
8 county.

9 2. "Commission" means a charter commission created  
10 under sections 331.221 through 331.228.

11 3. "County officer" means the county auditor,  
12 sheriff, treasurer, recorder, or attorney.

13 4. "County" means a county having a population of  
14 two hundred fifty thousand or more.

15 Sec. 2. NEW SECTION. 331.222 COUNTY CHARTER  
16 AUTHORIZED--LIMITATIONS.

17 1. A county may adopt or amend a charter for the  
18 government of the county subject to the requirements  
19 and limitations provided in sections 331.221 through  
20 331.228.

21 2. A county charter shall provide for the exercise  
22 of home rule power and authority and may include, but  
23 is not limited to, provisions for:

24 a. A board of an odd number of members which may  
25 exceed the number of members specified in section  
26 331.201.

27 b. A supervisor representation plan for the county  
28 which may differ from the supervisor representation  
29 plans specified in sections 331.206, and 331.208  
30 through 331.210.

31 c. The compensation for members of the board and  
32 other elected officers.

33 d. The appointment by the board of one or more of  
34 the county officers otherwise elected as provided in  
35 section 39.17.

36 e. The method of selecting officers of the board  
37 and fixing their terms of office which may differ from  
38 the requirements of section 331.211.

39 f. Determining meetings of the board and rules of  
40 procedure which may differ from the requirements of  
41 section 331.213 except the meetings shall be scheduled  
42 and conducted in compliance with chapter 21.

43 g. The method of combining the duties of elected  
44 county officers which may differ from the requirements  
45 of section 331.323.

46 h. The organization of county departments or  
47 agencies including, but not limited to, the county  
48 commission of veterans affairs organized under chapter  
49 250, a board of county public hospital trustees  
50 established under chapter 347 or 347A, and a county

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1 conservation board established under chapter 111A.  
2 The organization plan may provide for the abolition of  
3 a board or commission and the assumption of its powers  
4 and duties by the board of supervisors or another  
5 officer.

6 3. A county charter or charter amendment shall not  
7 contain a provision which relates to the levy or  
8 collection of a tax.

9 Sec. 3. NEW SECTION. 331.223 CHARTER COMMISSION  
10 CREATED.

11 The board may by resolution, or shall upon petition  
12 of the number of eligible electors of the county equal  
13 to at least two percent of the votes cast in the  
14 county at the preceding election for the office of  
15 president of the United States or governor, create a  
16 county charter commission to study and make  
17 recommendations for the functions, organization, and  
18 structure of county government subject to the  
19 requirements and limitations specified in section  
20 331.222. The recommendations of the commission shall  
21 be presented in the form of a proposed county charter  
22 which shall be submitted to the qualified electors of  
23 the county for approval or disapproval as provided in  
24 sections 331.221 through 331.228.

25 Sec. 4. NEW SECTION. 331.224 APPOINTMENT OF  
26 MEMBERSHIP.

27 1. Within forty-five days after the adoption of  
28 the resolution creating the commission, the membership  
29 of the commission shall be appointed as follows:

30 a. Two members shall be appointed by the board  
31 from each legislative district from a list of three  
32 names submitted to it by each legislator whose  
33 district is located in the county and in which a  
34 majority of the electors reside in the county. Each  
35 legislator shall submit names of persons who reside  
36 within the county in which the charter commission is  
37 being requested and within that legislator's district.

38 b. One member shall be appointed by each member of  
39 the board.

40 2. A vacancy on the commission shall be filled by  
41 appointment in the same manner as the original  
42 appointment. The county auditor shall notify the  
43 appropriate appointing authority of the vacancy.

44 Sec. 5. NEW SECTION. 331.225 ORGANIZATION AND  
45 EXPENSES.

46 1. Within thirty days after appointment of the  
47 members of the commission, the county auditor shall  
48 give written notice of the date, time, and location of  
49 the first meeting of the commission. At its first  
50 meeting the commission shall organize by electing a

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1 chairperson, vice chairperson, and other officers as  
2 necessary. The commission shall adopt rules governing  
3 the conduct of its meetings, subject to chapter 21.

4 2. The members of the commission shall serve  
5 without compensation, but they are entitled to travel  
6 and other necessary expenses relating to their duties  
7 of office, subject to section 79.9.

8 3. The board shall provide office space, rooms,  
9 supplies, and equipment for the commission and shall  
10 pay the necessary expenses of the commission including  
11 compensation for secretarial, clerical, professional,  
12 and consultant services not to exceed one hundred  
13 thousand dollars. The commission may employ staff as  
14 necessary.

15 4. The expenses of the commission may be paid from  
16 the general fund of the county or from any combination  
17 of public or private funds available for that purpose.

18 Sec. 6. NEW SECTION. 331.226 COMMISSION

19 PROCEDURES AND REPORTS.

20 1. Within sixty days after its organization, the  
21 commission shall hold at least one public hearing for  
22 the purpose of receiving information and materials  
23 which will assist in the drafting of a county charter.  
24 Notice of the date, time, and place of the hearing  
25 shall be given as provided in chapter 21.

26 2. Within nine months after the organization of  
27 the commission, the commission shall submit a  
28 preliminary report to the board, which report shall  
29 include the text of the proposed county charter.  
30 Sufficient copies of the proposed charter shall be  
31 made available for distribution to residents of the  
32 county who request a copy. The commission shall hold  
33 at least one public hearing after submission of the  
34 preliminary report to obtain public comment on the  
35 report.

36 3. Within fifteen months after its organization,  
37 the commission shall submit its final report to the  
38 board. The final report shall include the full text  
39 and an explanation of the proposed charter, any  
40 comments deemed desirable by the commission, a written  
41 opinion by the attorney general of this state, stating  
42 that the proposed charter is not in conflict with  
43 constitutional or statutory law of this state, and any  
44 minority reports. The final report shall be made  
45 available to the residents of the county upon request.

46 4. The commission is dissolved on the date of the  
47 general election at which the proposed county charter  
48 is submitted to the electorate.

49 Sec. 7. NEW SECTION. 331.227 AMENDMENT TO  
50 CHARTER.

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Page Four

1 1. The board, by resolution, may submit a proposed  
2 charter amendment to the county electorate at a  
3 general election and the proposed amendment becomes  
4 effective if approved by a majority of those voting on  
5 the proposal.

6 2. If a petition signed by eligible electors of  
7 the county equal in number to at least ten percent of  
8 the votes cast in the county for the office of  
9 president of the United States or governor at the  
10 preceding general election is filed with the board  
11 proposing an amendment to the charter, the board shall  
12 submit the proposed amendment to the voters at the  
13 next general election and the amendment becomes  
14 effective if approved by a majority of those voting on  
15 the proposal.

16 3. The submission of an amendment to the county  
17 electorate is subject to the restrictions of section  
18 331.228, subsection 3.

19 Sec. 8. NEW SECTION. 331.228 REFERENDUM--  
20 EFFECTIVE DATE.

21 1. Upon receipt of a proposed charter or charter  
22 amendment, the board shall direct the county  
23 commissioner of elections to submit to the qualified  
24 electors of the county at the next general election  
25 the question of whether the proposed charter or  
26 amendment shall be adopted. If a majority of the  
27 votes cast on the question is in favor of the  
28 proposal, the proposal is adopted.

29 2. If a county charter or charter amendment is  
30 adopted:

31 a. The proposed charter or amendment shall take  
32 effect January 1 following the general election at  
33 which it is approved unless the charter or amendment  
34 provides a later effective date. If the adopted  
35 charter or charter amendment provides for a special  
36 election, the board shall direct the county  
37 commissioner of elections to conduct the election.

38 b. The adoption of the charter does not alter any  
39 right or liability of the county in effect at the time  
40 of the election at which the charter was adopted.

41 c. All departments and agencies shall continue to  
42 operate until replaced.

43 d. All ordinances or resolutions in effect remain  
44 effective until amended or repealed, unless they are  
45 irreconcilable with the charter.

46 e. Upon the effective date of the charter, the  
47 county shall adopt the charter by ordinance, and shall  
48 file a copy of its charter with the secretary of  
49 state, and maintain copies available for public  
50 inspection.

H-5301  
Page Five

1 3. If a county charter is adopted by the  
2 electorate, a county charter or charter amendment  
3 proposing a change in the number of supervisors shall  
4 not be submitted to the electorate for three years.

5 Sec. 9. Section 39.17, Code 1985, is amended by  
6 adding the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. If a county charter  
8 provides for the appointment of any of the elective  
9 county officers as authorized in section 331.222, this  
10 section does not apply to that county officer. An  
11 elected county officer whose office is made appointive  
12 or combined under a county charter may serve the  
13 remainder of the officer's unexpired term. If two  
14 elective offices are combined or made appointive and  
15 the terms of office of the incumbents do not expire  
16 simultaneously, the officer whose term expires first  
17 may seek reelection to a shorter term which will  
18 expire simultaneously with the term of the other  
19 officer."

20 2. Page 1, by inserting after line 20 the  
21 following:

22 "Sec. \_\_\_\_ . Section 69.13, subsection 2, Code 1985,  
23 is amended to read as follows:

24 2. COUNTY OFFICERS. If a vacancy occurs in the  
25 office of county supervisor or in any of the offices  
26 listed in section 39.17 sixty or more days prior to a  
27 general election, and the unexpired term in which the  
28 vacancy exists has more than seventy days to run after  
29 the date of that general election, the vacancy shall  
30 be filled for the balance of the unexpired term at  
31 that general election and the person elected to fill  
32 the vacancy shall assume office as soon as a  
33 certificate of election has been issued and the person  
34 has qualified. However, this subsection does not  
35 apply to any county offices listed in section 39.17  
36 which are appointive under a county charter."

37 3. Page 1, by inserting after line 23 the  
38 following:

39 "Sec. \_\_\_\_ . Section 331.501, subsection 1, Code  
40 1985, is amended to read as follows:

41 1. The office of auditor is an elective office  
42 except ~~that~~ if when a county charter provides for  
43 appointment of the auditor as authorized under section  
44 331.222. If a vacancy occurs in the office, a  
45 successor shall be appointed to the unexpired term as  
46 provided in chapter 69."

47 4. Page 1, by inserting after line 27 the  
48 following:

49 "Sec. \_\_\_\_ . Section 331.551, subsection 1, Code  
50 1985, is amended to read as follows:

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Page Six

1 1. The office of treasurer is an elective office  
2 except ~~that-if~~ when a county charter provides for  
3 appointment of the treasurer as authorized under  
4 section 331.222. If a vacancy occurs in the office, a  
5 successor shall be appointed to the unexpired term as  
6 provided in chapter 69."

7 5. Page 1, by inserting after line 31 the  
8 following:

9 "Sec. \_\_\_\_ . Section 331.601, subsection 1, Code  
10 1985, is amended to read as follows:

11 1. The office of recorder is an elective office  
12 except ~~that-if~~ when a county charter provides for  
13 appointment of the recorder as authorized under  
14 section 331.222. If a vacancy occurs in the office, a  
15 successor shall be appointed to the unexpired term as  
16 provided in chapter 69."

17 6. Page 2, by inserting before line 1 the  
18 following:

19 "Sec. \_\_\_\_ . Section 331.651, subsection 1, Code  
20 1985, is amended to read as follows:

21 1. The office of sheriff is an elective office  
22 except ~~that-if~~ when a county charter provides for  
23 appointment of the sheriff as authorized under section  
24 331.222. If a vacancy occurs in the office, the first  
25 deputy shall assume the office after qualifying as  
26 provided in this section and shall hold the office  
27 until a successor is appointed to the unexpired term  
28 as provided in chapter 69. If a sheriff is suspended  
29 from office, the district court may appoint a sheriff  
30 until a temporary appointment is made by the board as  
31 provided in section 66.19."

32 7. Page 2, by inserting after line 4 the  
33 following:

34 "Sec. \_\_\_\_ . Section 331.751, subsection 1, Code  
35 1985, is amended to read as follows:

36 1. The office of county attorney is an elective  
37 office except ~~that-if~~ when a county charter provides  
38 for appointment of the county attorney as authorized  
39 under section 331.222. If a vacancy occurs in the  
40 office, a successor shall be appointed to the  
41 unexpired term as provided in chapter 69."

42 8. Amend the title, line 1, by inserting after  
43 the word "officers" the following: "by authorizing  
44 the adoption of a county charter,".

45 9. Renumber as necessary.

BY SHERZAN of Polk

HATCH of Polk

H-5301 FILED MARCH 10, 1986

*Filed not germane 3/11 (7610)*

HOUSE FILE 2370

H-5307

1 Amend the amendment, H-5301, to House File 2370 as  
2 follows:

3 1. By striking page 1, line 49 through page 2,  
4 line 1 and inserting the following: "250 and a board  
5 of county hospital trustees established under chapter  
6 347 or 347A."

H-5307 FILED MARCH 11, 1986 BY BLACK of Jasper  
ADOPTED (p. 670)

SENATE 17  
April 2, 1986

HOUSE FILE 2370

S-5519

1 Amend House File 2370, as passed by the House, as  
2 follows:  
3 1. Page 1, by striking lines 18 through 20 and  
4 inserting the following: "of supervisors, by the  
5 treasurer, auditor, and recorder. In the event that  
6 any of these offices have been abolished through  
7 consolidation, the county attorney shall serve on this  
8 committee."

S-5519 Filed April 1, 1986 BY A. MILLER

*W/P 4/3 (j.1042)*

HOUSE FILE 2370

S-5501

1 Amend House File 2370, as passed by the House, as  
2 follows:  
3 1. Page 1, by striking lines 18 through 20 and  
4 inserting the following: "of supervisors, by the  
5 treasurer, auditor, and recorder county attorney."  
6 2. Page 1, by striking line 23 and inserting the  
7 following: "paragraph and inserting in lieu thereof  
8 the following:  
9 When the duties of an officer or employee are  
10 assigned to one or more elected officers, the board  
11 shall set the initial salary for each elected officer  
12 which shall not exceed the recommendation of the  
13 county compensation board. The county auditor shall  
14 call a special meeting of the county compensation  
15 board for this purpose and the county compensation  
16 board shall make a recommendation within thirty days  
17 of the call. The board may reduce the salary  
18 recommendation but not below the existing salary of  
19 the affected elective officer. Thereafter, the salary  
20 shall be determined as provided in section 331.907."

S-5501 Filed April 1, 1986

BY COMM. ON LOCAL GOV'T, A. MILLER, CHAIR

*Adopted as amended by S-5531 4/3 (j.1041)*

HOUSE FILE 2370

S-5531

1 Amend the amendment S-5501 to House File 2370, as  
2 passed by the House, as follows:  
3 1. Page 1, by striking line 5 and inserting the  
4 following: "treasurer, auditor, and recorder. In the  
5 event that any of these offices have been abolished  
6 through consolidation, the county attorney shall serve  
7 on this committee."

S-5531 Filed April 2, 1986

BY A. MILLER

*Adopted 4/3 (j.1041)*

Beatty  
Baxter  
O'Kane  
Renken  
Royer

*Hand*  
*HF 2370*

NSR 568

LOCAL GOVERNMENT

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL)

Study Bill 568

Local Government: Beatty, Chair, Baxter, O'Kane, Renken and Royer.

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the combining of county offices.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 331.323, subsection 1, unnumbered  
2 paragraph 5, Code 1985, is amended by striking the unnumbered  
3 paragraph.

4 EXPLANATION

5 This bill strikes specific requirements for salary  
6 increases for an elective county officer who receives the  
7 duties of another county officer or employee and would allow  
8 the dividing of the powers and duties of a combined or  
9 abolished office among more than one other county officer.

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Beatty  
Baxter  
O'Kane  
Renken  
Royer

*None*  
*HF 2370*

NSB 701

LOCAL GOVERNMENT

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL)

Study Bill 701

Local Government: Beatty, Chair; Baxter, O'Kane, Renken and Royer.

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to county officers by providing for the combining  
2 of county offices and removing salary restrictions for the  
3 combined offices under section 331.323, by amending the duties  
4 of certain elected county officers, and by making the Act  
5 effective upon publication.

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

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1 Section 1. Section 43.24, subsection 3, unnumbered  
2 paragraph 2, Code 1985, is amended to read as follows:

3 Objections filed with the commissioner shall be considered  
4 ~~by the county auditor, county treasurer, and county attorney~~  
5 three elected county officers whose eligibility is not in  
6 question. However, if the objection is to the nomination  
7 petition, certificate of nomination, or eligibility of one or  
8 more of those officers, their places shall be filled,  
9 respectively, by the county sheriff, county recorder, and The  
10 chairperson of the board of supervisors shall appoint the  
11 three elected officers unless the chairperson is ineligible,  
12 in which case, the appointments shall be made by the county  
13 auditor. In either case, a majority vote shall decide the  
14 issue.

15 Sec. 2. Section 69.8, subsection 4, Code Supplement 1985,  
16 is amended to read as follows:

17 4. Board of supervisors. In the membership of the board  
18 of supervisors, ~~by the treasurer, auditor, and recorder a~~  
19 committee consisting of all elected county officers of the  
20 county.

21 Sec. 3. Section 331.323, subsection 1, unnumbered  
22 paragraph 5, Code 1985, is amended by striking the unnumbered  
23 paragraph.

24 Sec. 4. Section 331.502, subsection 49, Code 1985, is  
25 amended to read as follows:

26 49. Carry out other duties required by law and duties  
27 assigned pursuant to section 331.323.

28 Sec. 5. Section 331.552, subsection 30, Code 1985, is  
29 amended to read as follows:

30 30. Carry out other duties as required by law and duties  
31 assigned pursuant to section 331.323.

32 Sec. 6. Section 331.602, Code Supplement 1985, is amended  
33 to read as follows:

34 44. Carry out other duties as provided by law and duties  
35 assigned pursuant to section 331.323.

1 Sec. 7. Section 331.653, subsection 71, Code Supplement  
2 1985, is amended to read as follows:

3 71. Carry out other duties required by law and duties  
4 assigned pursuant to section 331.323.

5 Sec. 8. Section 331.756, subsection 85, Code Supplement  
6 1985, is amended to read as follows:

7 85. Perform other duties required by state law and duties  
8 assigned pursuant to section 331.323.

9 Sec. 9. This Act, being deemed of immediate importance,  
10 takes effect from and after its publication in the Bellevue  
11 Herald-Leader, a newspaper published in Bellevue, Iowa, and in  
12 The Jefferson Bee, a newspaper published in Jefferson, Iowa.

13 EXPLANATION

14 This bill strikes specific requirements for a salary  
15 increase for an elective county officer who receives the  
16 duties of another county officer or employee. The bill also  
17 provides procedures for filling a vacancy on the board of  
18 supervisors and selecting elected county officers to decide  
19 objections to nomination petitioners. The combining of  
20 elected county offices will affect current procedures for  
21 filling supervisor vacancies and deciding the nomination  
22 petition objections.

23 The bill is effective upon publication.

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HOUSE FILE 2370

AN ACT

RELATING TO COUNTY OFFICERS BY PROVIDING FOR THE COMBINING OF COUNTY OFFICES AND REMOVING SALARY RESTRICTIONS FOR THE COMBINED OFFICES UNDER SECTION 331.323, BY AMENDING THE DUTIES OF CERTAIN ELECTED COUNTY OFFICERS, AND BY MAKING THE ACT EFFECTIVE UPON PUBLICATION.

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

Section 1. Section 43.24, subsection 3, unnumbered paragraph 2, Code 1985, is amended to read as follows:

Objections filed with the commissioner shall be considered by the county auditor, county treasurer, and county attorney three elected county officers whose eligibility is not in question. However, if the objection is to the nomination petition, certificate of nomination, or eligibility of one or more of these officers, their places shall be filled; respectively, by the county sheriff, county recorder, and the chairperson of the board of supervisors shall appoint the three elected officers unless the chairperson is ineligible, in which case, the appointments shall be made by the county auditor. In either case, a majority vote shall decide the issue.

Sec. 2. Section 69.8, subsection 4, Code Supplement 1985, is amended to read as follows:

4. Board of supervisors. In the membership of the board of supervisors, by the treasurer, auditor, and recorder. In the event that any of these offices have been abolished through consolidation, the county attorney shall serve on this committee.

Sec. 3. Section 331.323, subsection 1, unnumbered paragraph 5, Code 1985, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

When the duties of an officer or employee are assigned to one or more elected officers, the board shall set the initial salary for each elected officer which shall not exceed the recommendation of the county compensation board. The county auditor shall call a special meeting of the county compensation board for this purpose and the county compensation board shall make a recommendation within thirty days of the call. The board may reduce the salary recommendation but not below the existing salary of the affected elective officer. Thereafter, the salary shall be determined as provided in section 331.907.

Sec. 4. Section 331.502, subsection 49, Code 1985, is amended to read as follows:

49. Carry out other duties required by law and duties assigned pursuant to section 331.323.

Sec. 5. Section 331.552, subsection 30, Code 1985, is amended to read as follows:

30. Carry out other duties as required by law and duties assigned pursuant to section 331.323.

Sec. 6. Section 331.602, subsection 44, Code Supplement 1985, is amended to read as follows:

44. Carry out other duties as provided by law and duties assigned pursuant to section 331.323.

Sec. 7. Section 331.653, subsection 71, Code Supplement 1985, is amended to read as follows:

71. Carry out other duties required by law and duties assigned pursuant to section 331.323.

Sec. 8. Section 331.756, subsection 85, Code Supplement 1985, is amended to read as follows:

85. Perform other duties required by state law and duties assigned pursuant to section 331.323.

Sec. 9. This Act, being deemed of immediate importance, takes effect from and after its publication in the Bellevue Herald-Leader, a newspaper published in Bellevue, Iowa, and in The Jefferson Bee, a newspaper published in Jefferson, Iowa.

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DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2370, Seventy-first General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved April 28, 1986

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TERRY E. BRANSTAD  
Governor