

*Representative*

HOUSE FILE 614  
BY COMMITTEE ON LOCAL GOVERNMENT  
(SUCCESSOR TO HSB 242)

MAR 28 1991  
Place On Calendar

Passed House, Date 3/28/91 (p 950) Passed Senate, Date 5/3/91  
Vote: Ayes 74 Nays 0 Vote: Ayes 44 Nays 0  
Approved May 21, 1991

A BILL FOR

1 An Act relating to the reapportionment of county supervisor  
2 districts.

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

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HOUSE FILE 614

H-3399

1 Amend House File 614 as follows:  
2 1. Page 1, line 15, by inserting after the word  
3 "board." the following: "If the board adopts a  
4 supervisor redistricting plan with a variance in  
5 excess of one percent, the board shall publish the  
6 justification for the variance in one or more official  
7 newspapers as provided in chapter 349 within ten days  
8 after the action is taken."

By HANSON of Delaware

H-3399 FILED MARCH 28, 1991  
ADOPTED (p 950)

HF 614

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1 Section 1. Section 331.209, subsection 1, Code 1991, is  
2 amended to read as follows:

3 1. Before December 15 of the nonelection year following  
4 each federal decennial census the board shall divide the  
5 county into a number of supervisor districts corresponding to  
6 the number of supervisors in the county. However, if the plan  
7 is selected pursuant to section 331.207, the board shall  
8 divide the county before March 15 of the election year. The  
9 supervisor districts shall be drawn, to the extent applicable,  
10 in compliance with the redistricting standards provided for  
11 ~~legislative and congressional~~ senatorial and representative  
12 districts in section 42.4, and if a supervisor redistricting  
13 plan is challenged in court, the requirement of justifying any  
14 variance in excess of one percent contained in section 42.4,  
15 subsection 1, paragraph "c" applies to the board. If more  
16 than one incumbent supervisor resides in the same supervisor  
17 district after the districts have been redrawn following the  
18 federal decennial census, the terms of office of those  
19 supervisors shall expire on the first day of January that is  
20 not a Sunday or a holiday following the next general election.

21 EXPLANATION

22 Under current law, county board of supervisors which have  
23 supervisor districts must draw the districts, to the extent  
24 applicable, in compliance with the redistricting standards  
25 provided for legislative and congressional districts in sec-  
26 tion 42.4. This bill provides that it is the senatorial and  
27 representative population standards which apply to the super-  
28 visor districts rather than the congressional population  
29 standards. Under the senatorial and representative population  
30 standards, no district's population may exceed another  
31 district's population by more than 5 percent, and the average  
32 deviation for the redistricting plan may not exceed 1 percent.  
33 The bill also provides that the statutory burden of proof  
34 shift that currently applies to the general assembly if a plan  
35 is challenged in court also applies to the county boards of

1 supervisors in that the boards would have the burden of  
2 justifying any variance in excess of 1 percent between the  
3 population of a district and the applicable ideal district  
4 population.

5 Some other redistricting standards which apply to the board  
6 of supervisors are that the number of cities divided among  
7 more than one district shall be as small as possible and when  
8 there is a choice between dividing local political  
9 subdivisions, the more populous subdivisions shall be divided  
10 before the less populous. The districts must be composed of  
11 convenient contiguous territory, and the districts shall be  
12 compact in form. A district shall not be drawn for the  
13 purpose of favoring a political party, incumbent legislator or  
14 member of Congress, or other person or group, or for the  
15 purpose of augmenting or diluting the voting strength of a  
16 language or racial minority group. These are unchanged from  
17 current law.

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See Local Code 4/2 to Pass 4/2 (p. 1121)

HOUSE FILE 614  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 242)

(As Amended and Passed by the House March 28, 1991)

Passed House, Date 3/28/91 (p. 95c) Passed Senate, Date 5/2/91 (p. 1633)  
Vote: Ayes 94 Nays 0 Vote: Ayes 44 Nays 0  
Approved May 21, 1991

A BILL FOR

1 An Act relating to the reapportionment of county supervisor  
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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

House Amendments \_\_\_\_\_

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13 plan is challenged in court, the requirement of justifying any  
14 variance in excess of one percent contained in section 42.4,  
15 subsection 1, paragraph "c" applies to the board. If the  
16 board adopts a supervisor redistricting plan with a variance  
17 in excess of one percent, the board shall publish the  
18 justification for the variance in one or more official  
19 newspapers as provided in chapter 349 within ten days after  
20 the action is taken. If more than one incumbent supervisor  
21 resides in the same supervisor district after the districts  
22 have been redrawn following the federal decennial census, the  
23 terms of office of those supervisors shall expire on the first  
24 day of January that is not a Sunday or a holiday following the  
25 next general election.

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HOUSE FILE 614

AN ACT  
RELATING TO THE REAPPORTIONMENT OF COUNTY SUPERVISOR DISTRICTS.

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

Section 1. Section 331.209, subsection 1, Code 1991, is amended to read as follows:

1. Before December 15 of the nonelection year following each federal decennial census the board shall divide the county into a number of supervisor districts corresponding to the number of supervisors in the county. However, if the plan is selected pursuant to section 331.207, the board shall divide the county before March 15 of the election year. The supervisor districts shall be drawn, to the extent applicable, in compliance with the redistricting standards provided for legislative and congressional senatorial and representative districts in section 42.4, and if a supervisor redistricting plan is challenged in court, the requirement of justifying any variance in excess of one percent contained in section 42.4, subsection 1, paragraph "c" applies to the board. If the board adopts a supervisor redistricting plan with a variance in excess of one percent, the board shall publish the justification for the variance in one or more official newspapers as provided in chapter 349 within ten days after the action is taken. If more than one incumbent supervisor resides in the same supervisor district after the districts

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ROBERT C. ARNOULD  
Speaker of the House

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JOE J. WELSH  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 614, Seventy-fourth General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 21, 1991

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TERRY E. BRANSTAD  
Governor

HF 614