

*Reprinted*

# REPRINTED

1-24-96 State Gov.  
1-29-96 Do Pass  
2-15-96 Deferral  
FILED JAN 23 1996

SENATE FILE 2074  
BY HAMMOND

(COMPANION TO LSB 3607HH  
BY BURNETT)

Passed Senate, Date <sup>(p.346)</sup> 2/15/96 Passed House, Date <sup>(p.1297)</sup> 4/2/96  
Vote: Ayes 49 Nays 0 Vote: Ayes 98 Nays 0  
Approved April 4, 1996

## A BILL FOR

1 An Act relating to the dates on which city hospital or health  
2 care facility trustees take and depart from office.

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

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S.F. 2074

REPRINTED

1 Section 1. Section 392.6, unnumbered paragraph 3, Code  
2 1995, is amended to read as follows:

3 Terms of office of trustees elected pursuant to general or  
4 city elections shall begin at noon on the first day in January  
5 which is not a Sunday or legal holiday. Terms of office of  
6 trustees elected pursuant to special elections shall begin at  
7 noon on the tenth day after the special election which is not  
8 a Sunday or legal holiday. The trustees shall within-ten-days  
9 after-their-election-qualify begin their terms of office by  
10 taking the oath of office, and organize as a board by the  
11 election of one of their number as chairperson and one as  
12 secretary, but no bond shall be required of them. Terms of  
13 office of trustees shall extend to noon on the first day in  
14 January which is not a Sunday or legal holiday or until their  
15 successors are elected and qualified. Trustees who are  
16 elected at special elections shall serve the unexpired terms  
17 of office or until their successors are elected and qualified.

18 EXPLANATION

19 Existing law requires that city hospital or health care  
20 facility trustees take office within 10 days after their  
21 election. This bill amends the law by making the dates on  
22 which trustees take office dependent on the type of election  
23 the trustees win. The terms of office of trustees elected  
24 pursuant to general or city elections begin at noon on the  
25 first day in January which is not a Sunday or legal holiday.  
26 The terms of office of trustees elected pursuant to special  
27 elections begin at noon on the 10th day after the special  
28 election which is not a Sunday or legal holiday. The terms of  
29 office of trustees shall extend to noon on the first day in  
30 January which is not a Sunday or legal holiday or until their  
31 successors are elected and qualified. Trustees who are  
32 elected at special elections shall serve the unexpired terms  
33 of office or until their successors are elected and qualified.

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S-5080

1 Amend the amendment, S-5034, to Senate File 2074 as  
2 follows:

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

5 "Section 1. Section 347.9, Code 1995, is amended  
6 to read as follows:

7 347.9 TRUSTEES -- APPOINTMENT -- TERMS OF OFFICE.

8 When it has been determined by the voters of a  
9 county to establish a county public hospital, the  
10 board shall appoint seven trustees chosen from among  
11 the resident citizens of the county with reference to  
12 their fitness for office, and not more than four of  
13 the trustees shall be residents of the city at which  
14 the hospital is located. The trustees shall hold  
15 office until the following general election, at which  
16 time their successors shall be elected, two for a term  
17 of two years, two for four years, and three for six  
18 years, and they shall determine by lot their  
19 respective terms, and thereafter their successors  
20 shall be elected for regular terms of six years each.  
21 If county supervisors of the county are elected from  
22 equal-population districts under section 331.206,  
23 subsection 1, paragraph "b", or single-member equal-  
24 population districts under section 331.206, subsection  
25 1, paragraph "c", at least one trustee shall be  
26 elected from the election district of each county  
27 supervisor. A person or spouse of a person with  
28 medical or special staff privileges in the county  
29 public hospital or who receives direct or indirect  
30 compensation from the county public hospital or direct  
31 or indirect compensation from a person contracting for  
32 services with the hospital shall not be eligible to  
33 serve as a trustee for that county public hospital."

34 2. By renumbering as necessary.

By BERL E. PRIEBE

S-5080 FILED FEBRUARY 15, 1996

ADOPTED

(p. 346)

SENATE FILE 2074

S-5034

1 Amend Senate File 2074 as follows:

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

4 "Section 1. Section 392.6, unnumbered paragraph 2,  
5 Code 1995, is amended to read as follows:

6 Cities maintaining an institution as provided for  
7 in this section which have a board of trustees  
8 consisting of three members may by ordinance increase  
9 the number of members to five and provide for the  
10 appointment of one of the additional members until the  
11 next succeeding general or city election, and for the  
12 appointment of the other additional member until the  
13 second succeeding general or city election.

14 Thereafter, the terms of office of such additional  
15 members shall be four years. However, if a city has  
16 adopted an ordinance which increases the number of  
17 members of the board of trustees to five members and  
18 the terms of office of four of the five members end in  
19 the same year, the date of expiration of the term of  
20 one of the four members, to be determined by lot,  
21 shall be extended by an additional two years."

22 2. By renumbering as necessary.

By ALBERT SORENSEN

S-5034 FILED FEBRUARY 1, 1996

(p. 346)

Adopted  
2/15/96



1 Section 1. Section 347.9, Code 1995, is amended to read as  
2 follows:

3 347.9 TRUSTEES -- APPOINTMENT -- TERMS OF OFFICE.

4 When it has been determined by the voters of a county to  
5 establish a county public hospital, the board shall appoint  
6 seven trustees chosen from among the resident citizens of the  
7 county with reference to their fitness for office, and not  
8 more than four of the trustees shall be residents of the city  
9 at which the hospital is located. The trustees shall hold  
10 office until the following general election, at which time  
11 their successors shall be elected, two for a term of two  
12 years, two for four years, and three for six years, and they  
13 shall determine by lot their respective terms, and thereafter  
14 their successors shall be elected for regular terms of six  
15 years each. If county supervisors of the county are elected  
16 from equal-population districts under section 331.206,  
17 subsection 1, paragraph "b", or single-member equal-population  
18 districts under section 331.206, subsection 1, paragraph "c",  
19 at least one trustee shall be elected from the election  
20 district of each county supervisor. A person or spouse of a  
21 person with medical or special staff privileges in the county  
22 public hospital or who receives direct or indirect  
23 compensation from the county public hospital or direct or  
24 indirect compensation from a person contracting for services  
25 with the hospital shall not be eligible to serve as a trustee  
26 for that county public hospital.

27 Sec. 2. Section 392.6, unnumbered paragraph 2, Code 1995,  
28 is amended to read as follows:

29 Cities maintaining an institution as provided for in this  
30 section which have a board of trustees consisting of three  
31 members may by ordinance increase the number of members to  
32 five and provide for the appointment of one of the additional  
33 members until the next succeeding general or city election,  
34 and for the appointment of the other additional member until  
35 the second succeeding general or city election. Thereafter,

1 the terms of office of such additional members shall be four  
2 years. However, if a city has adopted an ordinance which  
3 increases the number of members of the board of trustees to  
4 five members and the terms of office of four of the five  
5 members end in the same year, the date of expiration of the  
6 term of one of the four members, to be determined by lot,  
7 shall be extended by an additional two years.

8 Sec. 3. Section 392.6, unnumbered paragraph 3, Code 1995,  
9 is amended to read as follows:

10 Terms of office of trustees elected pursuant to general or  
11 city elections shall begin at noon on the first day in January  
12 which is not a Sunday or legal holiday. Terms of office of  
13 trustees elected pursuant to special elections shall begin at  
14 noon on the tenth day after the special election which is not  
15 a Sunday or legal holiday. The trustees shall within-ten-days  
16 after-their-election-qualify begin their terms of office by  
17 taking the oath of office, and organize as a board by the  
18 election of one of their number as chairperson and one as  
19 secretary, but no bond shall be required of them. Terms of  
20 office of trustees shall extend to noon on the first day in  
21 January which is not a Sunday or legal holiday or until their  
22 successors are elected and qualified. Trustees who are  
23 elected at special elections shall serve the unexpired terms  
24 of office or until their successors are elected and qualified.

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SENATE FILE 2074

AN ACT

RELATING TO THE DATES ON WHICH CITY HOSPITAL OR HEALTH CARE  
FACILITY TRUSTEES TAKE AND DEPART FROM OFFICE.

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

Section 1. Section 392.6, unnumbered paragraph 2, Code 1995, is amended to read as follows:

Cities maintaining an institution as provided for in this section which have a board of trustees consisting of three members may by ordinance increase the number of members to five and provide for the appointment of one of the additional members until the next succeeding general or city election, and for the appointment of the other additional member until the second succeeding general or city election. Thereafter, the terms of office of such additional members shall be four years. However, if a city has adopted an ordinance which increases the number of members of the board of trustees to five members and the terms of office of four of the five members end in the same year, the date of expiration of the term of one of the four members, to be determined by lot, shall be extended by an additional two years.

Sec. 2. Section 392.6, unnumbered paragraph 3, Code 1995, is amended to read as follows:

Terms of office of trustees elected pursuant to general or city elections shall begin at noon on the first day in January which is not a Sunday or legal holiday. Terms of office of trustees elected pursuant to special elections shall begin at noon on the tenth day after the special election which is not a Sunday or legal holiday. The trustees shall ~~within ten days after their election~~ qualify begin their terms of office by taking the oath of office, and organize as a board by the election of one of their number as chairperson and one as

secretary, but no bond shall be required of them. Terms of office of trustees shall extend to noon on the first day in January which is not a Sunday or legal holiday or until their successors are elected and qualified. Trustees who are elected at special elections shall serve the unexpired terms of office or until their successors are elected and qualified.

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LEONARD L. BOSWELL  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2074, Seventy-sixth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 10, 1996

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TERRY E. BRANSTAD  
Governor