

REPRINTED

FILED JAN 15 1998

SENATE FILE 2037

BY DOUGLAS, McKIBBEN, McCOY,
McLAREN, RIFE, GETTINGS,
FRAISE, SCHUERER, and
JENSEN

Passed Senate, ^(p. 569) Date 3/4/98 Passed House, ^{p. 1387} Date 4-8-98
Vote: Ayes 50 Nays 0 Vote: Ayes 96 Nays 1
Approved April 17, 1998

A BILL FOR

1 An Act relating to the Iowa state fair convention by providing
2 for its membership and the election of members to the Iowa
3 state fair board.

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

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6

SENATE FILE 2037

S-5051

- 1 Amend Senate File 2037 as follows:
- 2 1. Page 1, by striking lines 23 through 27.

By COMMITTEE ON STATE GOVERNMENT
SHELDON RITTNER, Chairperson

Adopted 3/2/98 (p. 470)

S-5051 FILED FEBRUARY 19, 1998

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1 Section 1. Section 173.1, subsection 2, Code 1997, is
2 amended to read as follows:

3 2. Two board congressional directors from each
4 congressional district to be elected at a convention as
5 provided in section ~~173.2~~ 173.4.

6 Sec. 2. Section 173.2, subsections 4 through 14, Code
7 1997, are amended by striking the subsections.

8 Sec. 3. Section 173.4, Code 1997, is amended to read as
9 follows:

10 173.4 VOTING POWER -- ELECTION OF BOARD CONGRESSIONAL
11 DIRECTORS.

12 1. On all questions arising for determination by the
13 convention Except as provided in this subsection, each member
14 present at the convention shall be entitled to but not more
15 than one vote, and no proxies shall be recognized by the
16 convention. However, a A member shall not vote by proxy.

17 2. A successor to a board congressional director shall be
18 elected by a majority of convention members from the same
19 congressional district as the director, according to rules
20 adopted by the convention. A member who is also a board
21 congressional director shall not be entitled to vote for a
22 successor to each a board congressional director on the board.
23 If two or more persons have an equal and the highest number of
24 votes, the election shall be determined by a majority vote
25 cast by the governor, the secretary of agriculture, and the
26 president of Iowa state university of science and technology
27 or their qualified representatives.

28 Sec. 4. Section 173.5, subsection 2, Code 1997, is amended
29 to read as follows:

30 2. The Each year, the convention shall elect a successor
31 to each one of the two district board congressional directors
32 on the board whose term expires at noon on the day following
33 the adjournment of the convention, as provided in section
34 173.4.

35 Sec. 5. Section 173.6, unnumbered paragraph 2, Code 1997,

1 is amended to read as follows:

2 A member of the board who is a director, elected as
3 provided in section 173.1, shall serve a term of two years.
4 The term of a director shall begin ~~at-noon-on-the-day~~
5 following the adjournment of the convention at which the
6 director was elected and shall continue until a successor is
7 elected and qualified as provided in this chapter. ~~However,--a~~
8 ~~person-elected-as-a-director-pursuant-to-section-173-1-shall~~
9 ~~not-serve-for-more-than-five-consecutive-terms.--A-director~~
10 ~~who-has-ever-served-five-consecutive-terms-is-again-eligible~~
11 ~~to-serve-for-an-additional-five-consecutive-terms-after-not~~
12 ~~-serving-as-a-director-for-at-least-one-term-~~

13 EXPLANATION

14 This bill amends Iowa Code chapter 173, which provides for
15 the administration of the Iowa state fair. The Iowa state
16 fair is administered by the Iowa state fair board. Each year
17 the fair board must organize a convention to elect members to
18 the state fair board and conduct other business of the board.
19 The board is partly composed of two persons from each
20 congressional district elected by the convention.

21 This bill eliminates a number of delegates to the
22 convention, including the president or an accredited
23 representative of the state horticultural society, the Iowa
24 state dairy association, the Iowa beef cattle producers
25 association, the Iowa crop improvement association, the Iowa
26 pork producers council, the Iowa horse industry council, the
27 Iowa sheep and wool promotion board, the Iowa home economists
28 association, the Iowa dietetics association, and the state
29 board of education. The bill also eliminates the chairperson
30 or an accredited representative of the Iowa arts council.

31 Secondly, the bill provides that congressional board
32 directors must be elected by a majority of convention members
33 from the same congressional district. The bill provides that
34 in case of a tie, the director must be elected by majority
35 vote cast by the governor, the secretary of agriculture, and

1 the president of Iowa state university.

2 Finally, the bill amends provisions relating to the term of
3 office, by providing that a director's term begins following
4 the adjournment of the convention, rather than at noon on the
5 day following the convention's adjournment. The bill also
6 eliminates a provision limiting a director's term of office to
7 five consecutive terms.

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SENATE FILE 2037

S-5141

1 Amend Senate File 2037 as follows:

2 1. Page 1, by striking lines 1 through 5 and
3 inserting the following:

4 "Sec. ____ . Section 173.1, Code 1997, is amended to
5 read as follows:

6 173.1 STATE FAIR AUTHORITY.

7 The Iowa state fair authority is established as a
8 public instrumentality of the state. The authority is
9 not an agency of state government. However, the
10 authority is considered a state agency and its
11 employees state employees for the purposes of chapters
12 17A, 20, 91B, 97B, 509A, and 669. The authority is
13 established to conduct an annual state fair and
14 exposition on the Iowa state fairgrounds and to
15 conduct other interim events consistent with its
16 rules. The powers of the authority are vested in the
17 Iowa state fair board. ~~The Iowa state fair board~~
18 ~~consists of the following:~~

19 ~~1. The governor of the state, the secretary of~~
20 ~~agriculture, and the president of the Iowa state~~
21 ~~university of science and technology or their~~
22 ~~qualified representatives.~~

23 ~~2. Two directors from each congressional district~~
24 ~~to be elected at a convention as provided in section~~
25 ~~173.2.~~

26 ~~3. A president and vice president to be elected by~~
27 ~~the state fair board from the elected directors.~~

28 ~~4. A treasurer to be elected by the board who~~
29 ~~shall serve as a nonvoting member.~~

30 ~~5. A secretary to be elected by the board who~~
31 ~~shall serve as a nonvoting member.~~

32 Sec. ____ . NEW SECTION. 173.1A MEMBERSHIP.

33 The Iowa state fair board consists of eleven
34 members who shall be selected from the citizens of the
35 state at large solely with regard to their
36 qualifications and fitness to discharge the duties of
37 the office. Not more than six members shall be of the
38 same political party. However, two members shall be
39 selected from each congressional district. Ten
40 members shall be nominated for consideration by the
41 governor at a convention as provided in section 173.2.
42 The secretary shall serve as the eleventh member.

43 Sec. ____ . NEW SECTION. 173.1B APPOINTMENT --
44 TERM OF OFFICE.

45 The members of the Iowa state fair board shall be
46 appointed by the governor subject to confirmation by
47 the senate. The term of each member of the board
48 shall be for six years. The terms of three members of
49 the board shall begin and expire in each odd-numbered
50 year as provided in section 69.19.

S-5141

S-5141

Page 2

1 Sec. ____ . NEW SECTION. 173.1C REMOVAL.

2 The governor, with the approval of a majority of
3 the senate during a session of the general assembly,
4 may remove any member of the Iowa state fair board for
5 malfeasance in office, or for any cause which would
6 render the member ineligible for appointment or
7 incapable or unfit to discharge the duties of office,
8 and the member's removal, when so made, shall be
9 final.

10 Sec. ____ . NEW SECTION. 173.1D SUSPENSION.

11 When the general assembly is not in session, the
12 governor may suspend any member disqualified for the
13 reasons set forth in section 173.1C and shall appoint
14 another person to fill the vacancy thus created,
15 subject to the approval of the senate when next in
16 session."

17 2. Page 1, line 10, by striking the word
18 "ELECTION" and inserting the following: "NOMINATION".

19 3. Page 1, line 18, by striking the word
20 "elected" and inserting the following: "nominated to
21 the governor for appointment".

22 4. Page 1, line 28, by striking the word and
23 figure "subsection 2" and inserting the following:
24 "subsections 1 and 2".

25 5. Page 1, line 28, by striking the word "is" and
26 inserting the following: "are".

27 6. Page 1, by inserting after line 29 the
28 following:

29 "~~1. The convention shall establish staggered terms~~
30 ~~of office for the elected directors. Notwithstanding~~
31 ~~section 173-6, the convention may establish terms of~~
32 ~~office for initial elected directors for more or less~~
33 ~~than two years."~~

34 7. Page 1, line 30, by striking the figure "2."
35 and inserting the following: "2-"

36 8. Page 1, line 30, by striking the word "elect"
37 and inserting the following: "elect nominate".

38 9. Page 1, line 35, by striking the words and
39 figure "unnumbered paragraph 2,".

40 10. Page 2, by inserting after line 1 the
41 following:

42 "173.6 TERMS OF OFFICE.

43 The term of the president and vice president of the
44 board shall be one year. A person shall not hold the
45 office of president for more than three consecutive
46 years, plus any portion of a year in which the person
47 was first ~~elected by the board~~ appointed to fill a
48 vacancy."

49 11. Page 2, by striking lines 2 and 3 and
50 inserting the following: "~~A member of the board who~~

S-5141

-2-

S-5141

Page 3

~~1 is a director, elected as provided in section 173.17~~
~~2 shall serve a term of two years."~~

3 12. Page 2, line 7, by striking the word
4 "elected" and inserting the following: "elected
5 appointed".

6 13. Page 2, by inserting after line 12 the
7 following:

8 "Sec. _____. Section 173.7, Code 1997, is amended to
9 read as follows:

10 "173.7 VACANCIES.

11 ~~If after the adjournment of the convention, a~~
12 ~~vacancy occurs in the office of any member of the~~
13 ~~board elected by the convention the board governor~~
14 ~~shall fill the vacancy by election. The elected~~
15 ~~member shall qualify at once and serve until noon of~~
16 ~~the day following the adjournment of the next~~
17 ~~convention:--If, by that time, the member elected by~~
18 ~~the board will not have completed the full term for~~
19 ~~which the member's predecessor was elected, the~~
20 ~~convention shall elect a member to serve for the~~
21 ~~unexpired portion of the term:--The member elected by~~
22 ~~the convention shall qualify at the same time as other~~
23 ~~members elected by the convention.~~

24 Sec. _____. Section 173.8, Code 1997, is amended to
25 read as follows:

26 173.8 COMPENSATION AND EXPENSES.

27 A member of the Iowa state fair board elected at
28 the annual convention shall be paid a per diem as
29 specified in section 7E.6 and shall be reimbursed for
30 actual and necessary expenses incurred while engaged
31 in official duties. All per diem and expense moneys
32 paid to a member shall be paid from funds of the state
33 fair board.

34 Sec. _____. Section 173.9, unnumbered paragraph 1,
35 Code 1997, is amended to read as follows:

36 The board governor shall appoint a secretary who
37 shall serve at the pleasure of the board governor.
38 The secretary shall do all of the following:

39 Sec. _____. Section 173.9, subsection 5, Code 1997,
40 is amended to read as follows:

41 5. Perform other duties as the board governor
42 directs.

43 Sec. _____. Section 173.10, Code 1997, is amended to
44 read as follows:

45 173.10 SALARY OF SECRETARY.

46 The secretary shall receive the salary fixed by the
47 board governor."

48 14. Title page, line 2, by striking the word
49 "election" and inserting the following:
50 "appointment".

By MIKE CONNOLLY

S-5141 FILED MARCH 4, 1998
LOST

(p. 568)

3/5/98 Still Gov.
H. 2/17/98 Do Pass
H. 3/26/98 Unfinished Bus - Calendar

SENATE FILE 2037
BY DOUGLAS, MCKIBBEN, MCCOY,
MCLAREN, RIFE, GETTINGS,
FRAISE, SCHUERER, and
JENSEN

(AS AMENDED AND PASSED BY THE SENATE MARCH 4, 1998)

* - Language Stricken by the Senate (p. 1387)

Passed Senate, Date _____ Passed House, Date 4-8-98
Vote: Ayes _____ Nays _____ Vote: Ayes 96 Nays 1
Approved April 17, 1998

A BILL FOR

1 An Act relating to the Iowa state fair convention by providing
2 for its membership and the election of members to the Iowa
3 state fair board.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5

SENATE FILE 2037

H-8548

1 Amend Senate File 2037, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by striking lines 2 through 7 and
4 inserting the following: "elected and qualified as
5 provided in this chapter. However, a person elected
6 as a director pursuant to section 173.1 shall not
7 serve for more than five consecutive terms. A
8 director who has ever served five consecutive terms is
9 again eligible to serve for an additional five
10 consecutive terms after not serving as a director for
11 at least one term."

W/D 4/8/98 (p. 1387)

By CHURCHILL of Polk
CORMACK of Webster

H-8548 FILED MARCH 23, 1998

S.F. 2037

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1 Section 1. Section 173.1, subsection 2, Code 1997, is
2 amended to read as follows:

3 2. Two board congressional directors from each
4 congressional district to be elected at a convention as
5 provided in section ~~173.2~~ 173.4.

6 Sec. 2. Section 173.2, subsections 4 through 14, Code
7 1997, are amended by striking the subsections.

8 Sec. 3. Section 173.4, Code 1997, is amended to read as
9 follows:

10 173.4 VOTING POWER -- ELECTION OF BOARD CONGRESSIONAL
11 DIRECTORS.

12 1. On-all-questions-arising-for-determination-by-the
13 convention Except as provided in this subsection, each member
14 present at the convention shall be entitled to but not more
15 than one vote, and no proxies shall be recognized by the
16 convention. However, a A member shall not vote by proxy.

17 2. A successor to a board congressional director shall be
18 elected by a majority of convention members from the same
19 congressional district as the director, according to rules
20 adopted by the convention. A member who is also a board
21 congressional director shall not be entitled to vote for a
22 successor to each a board congressional director on-the-board.

* 23 Sec. 4. Section 173.5, subsection 2, Code 1997, is amended
24 to read as follows:

25 2. The Each year, the convention shall elect a successor
26 to each one of the two district board congressional directors
27 on-the-board whose term expires ~~at noon on the day~~ following
28 the adjournment of the convention, as provided in section
29 173.4.

30 Sec. 5. Section 173.6, unnumbered paragraph 2, Code 1997,
31 is amended to read as follows:

32 A member of the board who is a director, elected as
33 provided in section 173.1, shall serve a term of two years.
34 The term of a director shall begin ~~at noon on the day~~
35 following the adjournment of the convention at which the

1 director was elected and shall continue until a successor is
2 elected and qualified as provided in this chapter. However, a
3 ~~person elected as a director pursuant to section 173-1 shall~~
4 ~~not serve for more than five consecutive terms. A director~~
5 ~~who has ever served five consecutive terms is again eligible~~
6 ~~to serve for an additional five consecutive terms after not~~
7 ~~serving as a director for at least one term.~~

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SENATE FILE 2037

AN ACT

RELATING TO THE IOWA STATE FAIR CONVENTION BY PROVIDING FOR ITS MEMBERSHIP AND THE ELECTION OF MEMBERS TO THE IOWA STATE FAIR BOARD.

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

Section 1. Section 173.1, subsection 2, Code 1997, is amended to read as follows:

2. Two board congressional directors from each congressional district to be elected at a convention as provided in section ~~173.2~~ 173.4.

Sec. 2. Section 173.2, subsections 4 through 14, Code 1997, are amended by striking the subsections.

Sec. 3. Section 173.4, Code 1997, is amended to read as follows:

173.4 VOTING POWER -- ELECTION OF BOARD CONGRESSIONAL DIRECTORS.

~~1. On all questions arising for determination by the convention~~ Except as provided in this subsection, each member present at the convention shall be entitled to but not more than one vote, ~~and no proxies shall be recognized by the convention.~~ However, a member shall not vote by proxy.

2. A successor to a board congressional director shall be elected by a majority of convention members from the same congressional district as the director, according to rules adopted by the convention. A member who is also a board congressional director shall not be entitled to vote for a successor to each a board congressional director on-the-board.

Sec. 4. Section 173.5, subsection 2, Code 1997, is amended to read as follows:

2. The Each year, the convention shall elect a successor to each one of the two district board congressional directors on-the-board whose term expires at-noon-on-the-day following the adjournment of the convention, as provided in section 173.4.

Sec. 5. Section 173.6, unnumbered paragraph 2, Code 1997, is amended to read as follows:

~~A member of the board who is a director, elected as provided in section 173.1, shall serve a term of two years. The term of a director shall begin at-noon-on-the-day following the adjournment of the convention at which the director was elected and shall continue until a successor is elected and qualified as provided in this chapter. However, a person elected as a director pursuant to section 173.1 shall not serve for more than five consecutive terms. A director who has ever served five consecutive terms is again eligible to serve for an additional five consecutive terms after not serving as a director for at least one term.~~

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2037, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved 4/17, 1998

TERRY E. BRANSTAD
Governor