

FEB 5 1999

LOCAL GOVERNMENT

H. 2/22/99 Do Pass  
S. 3/3/99 State Gov.  
S. 3/17/99 amend/Do Pass w/5-3096

HOUSE FILE

**224**

BY DIX

(COMPANION TO LSB 1861SS BY JENSEN)

Passed House, (P.531) Date 3/3/99

Passed Senate, (P.745) Date 3/23/99

Vote: Ayes 96 Nays 0

Vote: Ayes 47 Nays 0

Approved April 16, 1999

**A BILL FOR**

1 An Act relating to qualifications of commissioners for a city,  
2 county, or joint memorial hospital.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

REC 44  
334

1 Section 1. Section 37.10, unnumbered paragraph 1, Code  
2 1999, is amended to read as follows:

3 Each commissioner, except for a memorial hospital, shall be  
4 an honorably discharged soldier, sailor, marine, airman, or  
5 coast guard member and be a resident of the county in which  
6 the memorial hall or monument is located. Each commissioner  
7 for a memorial hospital shall be a resident of the county in  
8 which the memorial hospital is located.

9 EXPLANATION

10 This bill removes the requirement that commissioners for a  
11 city, county, or joint memorial hospital be an honorably  
12 discharged soldier, sailor, marine, airman, or coast guard  
13 member.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

## HOUSE FILE 224

-3064

1 Amend House File 224, as passed by the House, as  
2 follows:

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

5 "Section 1. Section 37.9, unnumbered paragraphs 1  
6 and 5, Code 1999, are amended to read as follows:

7 When the proposition to erect any such building or  
8 monument has been carried by a majority vote, the  
9 board of supervisors or the city council, as the case  
10 may be, shall appoint a commission consisting of five  
11 or seven members, in the manner and with the  
12 qualifications provided in this chapter, which shall  
13 have charge and supervision of the erection of the  
14 building or monument, and when erected, the management  
15 and control of the building or monument.

16 Commencing with the commissioners appointed to take  
17 office after January 1, 1952, ~~one commissioner shall~~  
18 ~~be appointed for a term of one year, two commissioners~~  
19 ~~shall be appointed for a term of two years, and two~~  
20 ~~commissioners shall be appointed for a term of three~~  
21 ~~years, or in each instance until a successor is~~  
22 appointed and qualified the terms of office of the  
23 commissioners shall be staggered so that all  
24 commissioners' terms will not end in the same year.

25 Thereafter, the successors in each instance shall hold  
26 office for a term of three years or until a successor  
27 is appointed and qualified."

28 2. Page 1, by inserting after line 8 the  
29 following:

30 "Sec. \_\_\_\_ . Section 347.9, Code 1999, is amended to  
31 read as follows:

32 347.9 TRUSTEES -- APPOINTMENT -- TERMS OF OFFICE.

33 When it has been determined by the voters of a  
34 county to establish a county public hospital, the  
35 board shall appoint seven trustees chosen from among  
36 the resident citizens of the county with reference to  
37 their fitness for office, and not more than four of  
38 the trustees shall be residents of the city at which  
39 the hospital is located. The trustees shall hold  
40 office until the following general election, at which  
41 time their successors shall be elected, two for a term  
42 of two years, two for four years, and three for six  
43 years, and they shall determine by lot their  
44 respective terms, and thereafter their successors  
45 shall be elected for regular terms of six years each.  
46 A person or spouse of a person with medical or special  
47 staff privileges in the county public hospital or who  
48 receives direct or indirect compensation in an amount  
49 greater than one thousand five hundred dollars in a  
50 calendar year from the county public hospital or

S-3064

S-3064

Page 2

1 direct or indirect compensation in an amount greater  
2 than one thousand five hundred dollars in a calendar  
3 year from a person contracting for services with the  
4 hospital shall not be eligible to serve as a trustee  
5 for that county public hospital.

6 Sec. \_\_\_\_\_. Section 347.12, unnumbered paragraph 3,  
7 Code 1999, is amended to read as follows:

8 The secretary of the hospital board of trustees  
9 shall file monthly on or before the tenth thirtieth  
10 day of each month with such board a complete statement  
11 of all receipts and disbursements from all funds  
12 during the preceding month, and also the balance  
13 remaining on hand in such funds at the close of the  
14 period covered by said statement.

15 Sec. \_\_\_\_\_. Section 347.13, subsection 7, Code 1999,  
16 is amended by striking the subsection.

17 Sec. \_\_\_\_\_. Section 347.13, subsection 11, Code  
18 1999, is amended by striking the subsection and  
19 inserting in lieu thereof the following:

20 11. Make available to the board of supervisors a  
21 statement of all receipts and expenditures from the  
22 preceding fiscal year.

23 Sec. \_\_\_\_\_. Section 347.14, subsection 11, Code  
24 1999, is amended to read as follows:

25 11. Do all things necessary for the management,  
26 control and government of said hospital and exercise  
27 all the rights and duties pertaining to hospital  
28 trustees generally, including but not limited to  
29 authorizing delivery of any health care service,  
30 assisted or independent living service, or other  
31 ancillary service, unless such rights of hospital  
32 trustees generally are specifically denied by this  
33 chapter, or unless such duties are expressly charged  
34 by this chapter.

35 Sec. \_\_\_\_\_. Section 347.14, Code 1999, is amended by  
36 adding the following new subsection:

37 NEW SUBSECTION. 16. Borrow moneys to be secured  
38 solely by hospital revenues for the purposes of  
39 improvement, maintenance, or replacement of the  
40 hospital or for hospital equipment.

41 Sec. \_\_\_\_\_. Section 347.30, Code 1999, is amended to  
42 read as follows:

43 347.30 NOTICE AND HEARING.

44 A county or city hospital shall serve notice and  
45 hold a public hearing before selling or leasing any  
46 real property pursuant to sections 347.28 and 347.29.  
47 The notice shall definitely describe the property,  
48 indicate the date and location of the hearing, and  
49 shall be published by at least one insertion each week  
50 for two consecutive weeks in a newspaper having

S-3064

-2-

S-3064

Page 3

1 general circulation in the county where the property  
2 is located. The hearing shall not take place prior to  
3 two weeks after the second publication.

4 Sec. \_\_\_\_ Section 347A.1, unnumbered paragraph 1,  
5 Code 1999, is amended to read as follows:

6 A county having a population less than one hundred  
7 fifty thousand may issue revenue bonds for a county  
8 hospital as provided in section 331.461, subsection 2,  
9 paragraph "e". The administration and management of  
10 the hospital shall be vested in a board of hospital  
11 trustees consisting of five or seven members  
12 appointed. Appointments for a five-member board shall  
13 be made by the board of supervisors from among the  
14 resident citizens of the county with reference to  
15 their fitness for office, and not more than two of the  
16 trustees shall be residents of the same township.  
17 Expansion from a five-member to a seven-member board  
18 of trustees shall occur only on approval of a majority  
19 of the five-member board of trustees. The five-member  
20 board of trustees shall appoint members to the  
21 additional vacancies; one appointee shall serve until  
22 the succeeding general election and the other  
23 appointee shall serve until the second succeeding  
24 general election at which times successors shall be  
25 elected.

26 Sec. \_\_\_\_ Section 392.6, unnumbered paragraph 2,  
27 Code 1999, is amended to read as follows:

28 Cities maintaining an institution as provided for  
29 in this section which have a board of trustees  
30 consisting of three members may by ordinance increase  
31 the number of members to five or seven and provide for  
32 the appointment of one ~~of the~~ additional member in the  
33 expansion to a five-member board or two additional  
34 members in the expansion to a seven-member board until  
35 the next succeeding general or city election, and for  
36 the appointment of the one or two other additional  
37 member members until the second succeeding general or  
38 city election. Thereafter, the terms of office of  
39 such additional members shall be four years. However,  
40 if a city has adopted an ordinance which increases the  
41 number of members of the board of trustees to five or  
42 seven members and the terms of office of four of the  
43 five members or six of the seven members end in the  
44 same year, the date of expiration of the term of one  
45 of the four members or two of the six members, to be  
46 determined by lot, shall be extended by an additional  
47 two years."

48 3. Title page, by striking lines 1 and 2 and  
49 inserting the following: "An Act relating to the  
50 qualifications and terms of commissioners and the

S-3064

-3-

S-3064

Page 4

1 management and operation of certain public hospitals."  
2 4. By renumbering as necessary.

By RICHARD F. DRAKE

S-3064 FILED MARCH 15, 1999

*out of order*  
*3/23/99*  
*(p.745)*

## HOUSE FILE 224

S-3096

1 Amend House File 224, as passed by the House, as  
2 follows:

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

5 "Section 1. Section 37.9, unnumbered paragraphs 1  
6 and 5, Code 1999, are amended to read as follows:

7 When the proposition to erect any such building or  
8 monument has been carried by a majority vote, the  
9 board of supervisors or the city council, as the case  
10 may be, shall appoint a commission consisting of five  
11 or seven members, in the manner and with the  
12 qualifications provided in this chapter, which shall  
13 have charge and supervision of the erection of the  
14 building or monument, and when erected, the management  
15 and control of the building or monument.

16 Commencing with the commissioners appointed to take  
17 office after January 1, 1952, ~~one commissioner shall~~  
18 ~~be appointed for a term of one year, two commissioners~~  
19 ~~shall be appointed for a term of two years, and two~~  
20 ~~commissioners shall be appointed for a term of three~~  
21 ~~years, or in each instance until a successor is~~  
22 ~~appointed and qualified the terms of office of the~~  
23 ~~commissioners shall be staggered so that all~~  
24 ~~commissioners' terms will not end in the same year.~~

25 Thereafter, the successors in each instance shall hold  
26 office for a term of three years or until a successor  
27 is appointed and qualified."

28 2. Page 1, by inserting after line 8 the  
29 following:

30 "Sec. \_\_\_\_ . Section 347.9, Code 1999, is amended to  
31 read as follows:

32 347.9 TRUSTEES -- APPOINTMENT -- TERMS OF OFFICE.

33 When it has been determined by the voters of a  
34 county to establish a county public hospital, the  
35 board shall appoint seven trustees chosen from among  
36 the resident citizens of the county with reference to  
37 their fitness for office, and not more than four of  
38 the trustees shall be residents of the city at which  
39 the hospital is located. The trustees shall hold  
40 office until the following general election, at which  
41 time their successors shall be elected, two for a term  
42 of two years, two for four years, and three for six  
43 years, and they shall determine by lot their  
44 respective terms, and thereafter their successors  
45 shall be elected for regular terms of six years each.  
46 A person or spouse of a person with medical or special  
47 staff privileges in the county public hospital or who  
48 receives direct or indirect compensation in an amount  
49 greater than one thousand five hundred dollars in a  
50 calendar year from the county public hospital or

S-3096

S-3096

Page 2

1 direct or indirect compensation in an amount greater  
2 than one thousand five hundred dollars in a calendar  
3 year from a person contracting for services with the  
4 hospital shall not be eligible to serve as a trustee  
5 for that county public hospital.

6 Sec. \_\_\_\_\_. Section 347.12, unnumbered paragraph 3,  
7 Code 1999, is amended to read as follows:

8 The secretary of the hospital board of trustees  
9 shall file monthly on or before the tenth thirtieth  
10 day of each month with such board a complete statement  
11 of all receipts and disbursements from all funds  
12 during the preceding month, and also the balance  
13 remaining on hand in such funds at the close of the  
14 period covered by said statement.

15 Sec. \_\_\_\_\_. Section 347.13, subsection 7, Code 1999,  
16 is amended by striking the subsection.

17 Sec. \_\_\_\_\_. Section 347.13, subsection 11, Code  
18 1999, is amended by striking the subsection and  
19 inserting in lieu thereof the following:

20 11. Make available to the board of supervisors a  
21 statement of all receipts and expenditures from the  
22 preceding fiscal year.

23 Sec. \_\_\_\_\_. Section 347.14, subsection 11, Code  
24 1999, is amended to read as follows:

25 11. Do all things necessary for the management,  
26 control and government of said hospital and exercise  
27 all the rights and duties pertaining to hospital  
28 trustees generally, including but not limited to  
29 authorizing delivery of any health care service,  
30 assisted or independent living service, or other  
31 ancillary service, unless such rights of hospital  
32 trustees generally are specifically denied by this  
33 chapter, or unless such duties are expressly charged  
34 by this chapter.

35 Sec. \_\_\_\_\_. Section 347.14, Code 1999, is amended by  
36 adding the following new subsection:

37 NEW SUBSECTION. 16. Borrow moneys to be secured  
38 solely by hospital revenues for the purposes of  
39 improvement, maintenance, or replacement of the  
40 hospital or for hospital equipment.

41 Sec. \_\_\_\_\_. Section 347.30, Code 1999, is amended to  
42 read as follows:

43 347.30 NOTICE AND HEARING.

44 A county or city hospital shall serve notice and  
45 hold a public hearing before selling or leasing any  
46 real property pursuant to sections 347.28 and 347.29.  
47 The notice shall definitely describe the property,  
48 indicate the date and location of the hearing, and  
49 shall be published by at least one insertion each week  
50 for two consecutive weeks in a newspaper having

S-3096

-2-



S-3096

Page 3

1 general circulation in the county where the property  
2 is located. The hearing shall not take place prior to  
3 two weeks after the second publication.

4 Sec. \_\_\_\_ Section 347A.1, unnumbered paragraph 1,  
5 Code 1999, is amended to read as follows:

6 A county having a population less than one hundred  
7 fifty thousand may issue revenue bonds for a county  
8 hospital as provided in section 331.461, subsection 2,  
9 paragraph "e". The administration and management of  
10 the hospital shall be vested in a board of hospital  
11 trustees consisting of five or seven members

12 appointed. Appointments for a five-member board shall  
13 be made by the board of supervisors from among the  
14 resident citizens of the county with reference to  
15 their fitness for office, and not more than two of the  
16 trustees shall be residents of the same township.

17 Expansion from a five-member to a seven-member board  
18 of trustees shall occur only on approval of a majority  
19 of the five-member board of trustees. The five-member  
20 board of trustees shall appoint members to the  
21 additional vacancies; one appointee shall serve until  
22 the succeeding general election and the other  
23 appointee shall serve until the second succeeding  
24 general election at which times successors shall be  
25 elected.

26 Sec. \_\_\_\_ Section 392.6, unnumbered paragraph 2,  
27 Code 1999, is amended to read as follows:

28 Cities maintaining an institution as provided for  
29 in this section which have a board of trustees  
30 consisting of three members may by ordinance increase  
31 the number of members to five or seven and provide for  
32 the appointment of one of the additional member in the  
33 expansion to a five-member board or two additional  
34 members in the expansion to a seven-member board until  
35 the next succeeding general or city election, and for  
36 the appointment of the one or two other additional  
37 member members until the second succeeding general or  
38 city election. Thereafter, the terms of office of  
39 such additional members shall be four years. However,  
40 if a city has adopted an ordinance which increases the  
41 number of members of the board of trustees to five or  
42 seven members and the terms of office of four of the  
43 five members or six of the seven members end in the  
44 same year, the date of expiration of the term of one  
45 of the four members or two of the six members, to be  
46 determined by lot, shall be extended by an additional  
47 two years."

48 3. Title page, by striking lines 1 and 2 and  
49 inserting the following: "An Act relating to the  
50 qualifications and terms of commissioners and the

S-3096

-3-

S-3096

Page 4

1 management and operation of certain public hospitals."

2 4. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT  
SHELDON RITTNER, CHAIRPERSON

S-3096 FILED MARCH 17, 1999

*Adopted*  
*3/22/99 (P. 745)*

HOUSE FILE 224

S-3127

1 Amend the amendment, S-3096, to House File 224, as  
2 passed by the House, as follows:

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

5 "A county or city hospital shall serve notice  
6 before selling or leasing any personal property  
7 pursuant to sections 347.28 and 347.29. The notice  
8 shall definitely describe the property and shall be  
9 published by at least one insertion each week for two  
10 consecutive weeks in a newspaper having general  
11 circulation in the county where the property is  
12 located."

By MICHAEL E. GRONSTAL

S-3127 FILED MARCH 23, 1999

ADOPTED (P. 745)

## SENATE AMENDMENT TO HOUSE FILE 224

H-1195

1 Amend House File 224, as passed by the House, as  
2 follows:

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

5 "Section 1. Section 37.9, unnumbered paragraphs 1  
6 and 5, Code 1999, are amended to read as follows:

7 When the proposition to erect any such building or  
8 monument has been carried by a majority vote, the  
9 board of supervisors or the city council, as the case  
10 may be, shall appoint a commission consisting of five  
11 or seven members, in the manner and with the  
12 qualifications provided in this chapter, which shall  
13 have charge and supervision of the erection of the  
14 building or monument, and when erected, the management  
15 and control of the building or monument.

16 Commencing with the commissioners appointed to take  
17 office after January 1, 1952, ~~one commissioner shall~~  
18 ~~be appointed for a term of one year, two commissioners~~  
19 ~~shall be appointed for a term of two years, and two~~  
20 ~~commissioners shall be appointed for a term of three~~  
21 ~~years, or in each instance until a successor is~~  
22 appointed and qualified the terms of office of the  
23 commissioners shall be staggered so that all  
24 commissioners' terms will not end in the same year.  
25 Thereafter, the successors in each instance shall hold  
26 office for a term of three years or until a successor  
27 is appointed and qualified."

28 2. Page 1, by inserting after line 8 the  
29 following:

30 "Sec. \_\_\_\_ . Section 347.9, Code 1999, is amended to  
31 read as follows:

32 347.9 TRUSTEES -- APPOINTMENT -- TERMS OF OFFICE.

33 When it has been determined by the voters of a  
34 county to establish a county public hospital, the  
35 board shall appoint seven trustees chosen from among  
36 the resident citizens of the county with reference to  
37 their fitness for office, and not more than four of  
38 the trustees shall be residents of the city at which  
39 the hospital is located. The trustees shall hold  
40 office until the following general election, at which  
41 time their successors shall be elected, two for a term  
42 of two years, two for four years, and three for six  
43 years, and they shall determine by lot their  
44 respective terms, and thereafter their successors  
45 shall be elected for regular terms of six years each.  
46 A person or spouse of a person with medical or special  
47 staff privileges in the county public hospital or who  
48 receives direct or indirect compensation in an amount  
49 greater than one thousand five hundred dollars in a  
50 calendar year from the county public hospital or

H-1195

H-1195

Page 2

1 direct or indirect compensation in an amount greater  
2 than one thousand five hundred dollars in a calendar  
3 year from a person contracting for services with the  
4 hospital shall not be eligible to serve as a trustee  
5 for that county public hospital.

6 Sec. \_\_\_\_\_. Section 347.12, unnumbered paragraph 3,  
7 Code 1999, is amended to read as follows:

8 The secretary of the hospital board of trustees  
9 shall file monthly on or before the tenth thirtieth  
10 day of each month with such board a complete statement  
11 of all receipts and disbursements from all funds  
12 during the preceding month, and also the balance  
13 remaining on hand in such funds at the close of the  
14 period covered by said statement.

15 Sec. \_\_\_\_\_. Section 347.13, subsection 7, Code 1999,  
16 is amended by striking the subsection.

17 Sec. \_\_\_\_\_. Section 347.13, subsection 11, Code  
18 1999, is amended by striking the subsection and  
19 inserting in lieu thereof the following:

20 11. Make available to the board of supervisors a  
21 statement of all receipts and expenditures from the  
22 preceding fiscal year.

23 Sec. \_\_\_\_\_. Section 347.14, subsection 11, Code  
24 1999, is amended to read as follows:

25 11. Do all things necessary for the management,  
26 control and government of said hospital and exercise  
27 all the rights and duties pertaining to hospital  
28 trustees generally, including but not limited to  
29 authorizing delivery of any health care service,  
30 assisted or independent living service, or other  
31 ancillary service, unless such rights of hospital  
32 trustees generally are specifically denied by this  
33 chapter, or unless such duties are expressly charged  
34 by this chapter.

35 Sec. \_\_\_\_\_. Section 347.14, Code 1999, is amended by  
36 adding the following new subsection:

37 NEW SUBSECTION. 16. Borrow moneys to be secured  
38 solely by hospital revenues for the purposes of  
39 improvement, maintenance, or replacement of the  
40 hospital or for hospital equipment.

41 Sec. \_\_\_\_\_. Section 347.30, Code 1999, is amended to  
42 read as follows:

43 347.30 NOTICE AND HEARING.

44 A county or city hospital shall serve notice and  
45 hold a public hearing before selling or leasing any  
46 real property pursuant to sections 347.28 and 347.29.  
47 The notice shall definitely describe the property,  
48 indicate the date and location of the hearing, and  
49 shall be published by at least one insertion each week  
50 for two consecutive weeks in a newspaper having

H-1195

-2-

H-1195

Page 3

1 general circulation in the county where the property  
2 is located. The hearing shall not take place prior to  
3 two weeks after the second publication.

4 A county or city hospital shall serve notice before  
5 selling or leasing any personal property pursuant to  
6 sections 347.28 and 347.29. The notice shall  
7 definitely describe the property and shall be  
8 published by at least one insertion each week for two  
9 consecutive weeks in a newspaper having general  
10 circulation in the county where the property is  
11 located.

12 Sec. \_\_\_\_ Section 347A.1, unnumbered paragraph 1,  
13 Code 1999, is amended to read as follows:

14 A county having a population less than one hundred  
15 fifty thousand may issue revenue bonds for a county  
16 hospital as provided in section 331.461, subsection 2,  
17 paragraph "e". The administration and management of  
18 the hospital shall be vested in a board of hospital  
19 trustees consisting of five or seven members  
20 appointed. Appointments for a five-member board shall  
21 be made by the board of supervisors from among the  
22 resident citizens of the county with reference to  
23 their fitness for office, and not more than two of the  
24 trustees shall be residents of the same township.  
25 Expansion from a five-member to a seven-member board  
26 of trustees shall occur only on approval of a majority  
27 of the five-member board of trustees. The five-member  
28 board of trustees shall appoint members to the  
29 additional vacancies; one appointee shall serve until  
30 the succeeding general election and the other  
31 appointee shall serve until the second succeeding  
32 general election at which times successors shall be  
33 elected.

34 Sec. \_\_\_\_ Section 392.6, unnumbered paragraph 2,  
35 Code 1999, is amended to read as follows:

36 Cities maintaining an institution as provided for  
37 in this section which have a board of trustees  
38 consisting of three members may by ordinance increase  
39 the number of members to five or seven and provide for  
40 the appointment of one ~~of the~~ additional member in the  
41 expansion to a five-member board or two additional  
42 members in the expansion to a seven-member board until  
43 the next succeeding general or city election, and for  
44 the appointment of the one or two other additional  
45 member members until the second succeeding general or  
46 city election. Thereafter, the terms of office of  
47 such additional members shall be four years. However,  
48 if a city has adopted an ordinance which increases the  
49 number of members of the board of trustees to five or  
50 seven members and the terms of office of four of the

H-1195

-3-

H-1195

Page 4

1 five members or six of the seven members end in the  
2 same year, the date of expiration of the term of one  
3 of the four members or two of the six members, to be  
4 determined by lot, shall be extended by an additional  
5 two years."

6 3. Title page, by striking lines 1 and 2 and  
7 inserting the following: "An Act relating to the  
8 qualifications and terms of commissioners and the  
9 management and operation of certain public hospitals."  
10 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1195 FILED MARCH 24, 1999

*House Concurred*  
*4/1/99*  
*(P. 1018)*

## AN ACT

RELATING TO QUALIFICATIONS AND TERMS OF COMMISSIONERS AND  
THE MANAGEMENT AND OPERATION OF CERTAIN PUBLIC HOSPITALS.

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

Section 1. Section 37.9, unnumbered paragraphs 1 and 5, Code 1999, are amended to read as follows:

When the proposition to erect any such building or monument has been carried by a majority vote, the board of supervisors or the city council, as the case may be, shall appoint a commission consisting of five or seven members, in the manner and with the qualifications provided in this chapter, which shall have charge and supervision of the erection of the building or monument, and when erected, the management and control of the building or monument.

Commencing with the commissioners appointed to take office after January 1, 1952, ~~one commissioner shall be appointed for a term of one year, two commissioners shall be appointed for a term of two years, and two commissioners shall be appointed for a term of three years, or in each instance until a successor is appointed and qualified~~ the terms of office of the commissioners shall be staggered so that all commissioners' terms will not end in the same year. Thereafter, the successors in each instance shall hold office for a term of three years or until a successor is appointed and qualified.

Sec. 2. Section 37.10, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Each commissioner, except for a memorial hospital, shall be an honorably discharged soldier, sailor, marine, airman, or coast guard member and be a resident of the county in which

the memorial hall or monument is located. Each commissioner for a memorial hospital shall be a resident of the county in which the memorial hospital is located.

Sec. 3. Section 347.9, Code 1999, is amended to read as follows:

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

When it has been determined by the voters of a county to establish a county public hospital, the board shall appoint seven trustees chosen from among the resident citizens of the county with reference to their fitness for office, and not more than four of the trustees shall be residents of the city at which the hospital is located. The trustees shall hold office until the following general election, at which time their successors shall be elected, two for a term of two years, two for four years, and three for six years, and they shall determine by lot their respective terms, and thereafter their successors shall be elected for regular terms of six years each. A person or spouse of a person with medical or special staff privileges in the county public hospital or who receives direct or indirect compensation in an amount greater than one thousand five hundred dollars in a calendar year from the county public hospital or direct or indirect compensation in an amount greater than one thousand five hundred dollars in a calendar year from a person contracting for services with the hospital shall not be eligible to serve as a trustee for that county public hospital.

Sec. 4. Section 347.12, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The secretary of the hospital board of trustees shall file monthly on or before the tenth thirtieth day of each month with such board a complete statement of all receipts and disbursements from all funds during the preceding month, and also the balance remaining on hand in such funds at the close of the period covered by said statement.

Sec. 5. Section 347.13, subsection 7, Code 1999, is amended by striking the subsection.

Sec. 6. Section 347.13, subsection 11, Code 1999, is amended by striking the subsection and inserting in lieu thereof the following:

11. Make available to the board of supervisors a statement of all receipts and expenditures from the preceding fiscal year.

Sec. 7. Section 347.14, subsection 11, Code 1999, is amended to read as follows:

11. Do all things necessary for the management, control and government of said hospital and exercise all the rights and duties pertaining to hospital trustees generally, including but not limited to authorizing delivery of any health care service, assisted or independent living service, or other ancillary service, unless such rights of hospital trustees generally are specifically denied by this chapter, or unless such duties are expressly charged by this chapter.

Sec. 8. Section 347.14, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 16. Borrow moneys to be secured solely by hospital revenues for the purposes of improvement, maintenance, or replacement of the hospital or for hospital equipment.

Sec. 9. Section 347.30, Code 1999, is amended to read as follows:

347.30 NOTICE AND HEARING.

A county or city hospital shall serve notice and hold a public hearing before selling or leasing any real property pursuant to sections 347.28 and 347.29. The notice shall definitely describe the property, indicate the date and location of the hearing, and shall be published by at least one insertion each week for two consecutive weeks in a newspaper having general circulation in the county where the property is located. The hearing shall not take place prior to two weeks after the second publication.

A county or city hospital shall serve notice before selling or leasing any personal property pursuant to sections 347.28 and 347.29. The notice shall definitely describe the property and shall be published by at least one insertion each week for two consecutive weeks in a newspaper having general circulation in the county where the property is located.

Sec. 10. Section 347A.1, unnumbered paragraph 1, Code 1999, is amended to read as follows:

A county having a population less than one hundred fifty thousand may issue revenue bonds for a county hospital as provided in section 331.461, subsection 2, paragraph "e". The administration and management of the hospital shall be vested in a board of hospital trustees consisting of five or seven members appointed. Appointments for a five-member board shall be made by the board of supervisors from among the resident citizens of the county with reference to their fitness for office, and not more than two of the trustees shall be residents of the same township. Expansion from a five-member to a seven-member board of trustees shall occur only on approval of a majority of the five-member board of trustees. The five-member board of trustees shall appoint members to the additional vacancies; one appointee shall serve until the succeeding general election and the other appointee shall serve until the second succeeding general election at which times successors shall be elected.

Sec. 11. Section 392.6, unnumbered paragraph 2, Code 1999, 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 or seven and provide for the appointment of one of the additional member in the expansion to a five-member board or two additional members in the expansion to a seven-member board until the next succeeding general or city election, and for the appointment of the one or two other additional member



members 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 or seven members and the terms of office of four of the five members or six of the seven members end in the same year, the date of expiration of the term of one of the four members or two of the six members, to be determined by lot, shall be extended by an additional two years.

---

RON J. CORBETT  
Speaker of the House

---

MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 224, Seventy-eighth General Assembly.

---

ELIZABETH ISAACSON  
Chief Clerk of the House

Approved April 16, 1999

---

THOMAS J. VILSACK  
Governor