

MAR 12 2003

LOCAL GOVERNMENT

HOUSE FILE 514
BY T. TAYLOR

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the election and appointment of commissioners
2 of memorial buildings and monuments and providing
3 applicability dates.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF514

1 Section 1. Section 37.10, Code 2003, is amended to read as
2 follows:

3 37.10 QUALIFICATION -- APPOINTMENT.

4 1. Each commissioner, except for a memorial hospital
5 commissioner, shall be a veteran, as defined in section 35.1,
6 and be a resident of the county in which the memorial hall or
7 monument is located. Each commissioner for a memorial
8 hospital shall be a resident of the county in which the
9 memorial hospital is located.

10 2. Each memorial hospital commission member shall be
11 appointed by the mayor with approval of the council or by the
12 chairperson of the county board of supervisors in the case of
13 a county or joint memorial ~~building-or-monument~~ hospital.

14 3. Each commissioner, other than a memorial hospital
15 commissioner, shall be elected for appointment by a convention
16 of veterans residing in the city or county and appointed by
17 resolution of the city council or board of supervisors, as
18 applicable.

19 a. Within sixty days after the proposition to erect a
20 memorial building or monument other than a memorial hospital
21 is approved by the electorate as provided in this chapter,
22 each post of the sons of union veterans of the Civil War, the
23 American legion, the disabled American veterans of the world
24 war, the veterans of foreign wars of the United States, the
25 marine corps league, the American veterans of World War II,
26 and the Vietnam veterans of America in the city or county
27 shall appoint three of each post's members as delegates who
28 shall meet in convention in the city or county and elect for
29 appointment by ballot, five, seven, or the number of
30 commissioners as determined in section 37.9.

31 b. After the initial commissioners are elected for
32 appointment and appointed, the regular convention of veterans
33 shall convene annually during the month of April and elect for
34 appointment by ballot one or more nominees as required to
35 succeed the commissioners whose terms expire during the

1 succeeding month of July. If a vacancy occurs, the convention
2 shall be called to a special convention as provided in
3 paragraph "c" to fill the vacancy.

4 c. A regular or special convention of veterans shall be
5 called by the chairperson of the applicable commission by
6 notice sent to the post address by ordinary mail at least
7 thirty days before the convention is to convene. The regular
8 or special convention delegates shall meet at the date, place,
9 and time specified in the notice, organize by selecting a
10 chairperson and other officers as needed, and elect for
11 appointment by ballot the number of prospective appointees
12 required to fill the expiring terms of office or a vacancy.
13 The names of the persons elected for appointment as
14 commissioners shall be sent to the city council or board of
15 supervisors and the city council or board of supervisors shall
16 appoint by resolution the persons elected for appointment as
17 commissioners.

18 d. If a post of a veterans organization specified in
19 paragraph "a" does not exist in a city or county or fails to
20 send delegates to a convention, the delegates of the posts who
21 attend the convention shall proceed to elect the required
22 number of persons to be appointed as commissioners.

23 e. If a convention of delegates does not meet pursuant to
24 the notice or fails to submit the required number of persons
25 elected for appointment as commissioners within seven days
26 after the date specified for convening of the convention, the
27 city council or the board of supervisors may select and
28 appoint qualified persons to serve as commissioners.

29 Sec. 2. APPLICABILITY DATES. This Act applies to
30 vacancies in the office of commissioner of a memorial building
31 or monument occurring on or after July 1, 2003, and to terms
32 of office of commissioners of memorial buildings or monuments
33 expiring on or after January 1, 2004. However, this Act does
34 not apply to the office of commissioner of a memorial
35 hospital.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

EXPLANATION

This bill provides that the office of commissioner of a memorial building or monument, except a memorial hospital commissioner, shall be filled by elections of veterans from a convention of delegates of recognized military veterans organizations and appointments by resolution of the city council if the memorial building or monument is a city project or by the board of supervisors if the memorial building or monument is a county project. Each post of a recognized military veterans organization in a city or county, as applicable, may send three members of each post as delegates to a convention to elect by ballot the required number of persons to be appointed commissioners for a three-year term. If a veterans post does not exist in a city or county or fails to send its delegates, the delegates who attend the convention shall proceed to elect the required number of persons for appointment as commissioners. If a convention does not send the names of the persons elected for appointment as commissioners to the city council or board of supervisors within seven days after it convenes, the city council or board of supervisors may select and appoint the required number of commissioners.