

FILED MAR 12 '03

SENATE FILE 357
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 1126)

Passed Senate, Date Passed 3/20/03 Passed House, Date Passed 3/24/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 3/28/03

A BILL FOR

1 An Act relating to election or appointment of trustees of a city
2 hospital or health care facility.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 357

1 Section 1. Section 392.6, unnumbered paragraph 1, Code
2 2003, is amended to read as follows:

3 If a hospital or health care facility is established by a
4 city, the city shall by ordinance provide for the election, at
5 a general, city, or special election, of three trustees, whose
6 terms of office shall be four years. However, at the first
7 election, three shall be elected and hold their office, one
8 for four years and two for two years, and they shall by lot
9 determine their respective terms. A candidate for hospital or
10 health care facility trustee must be a resident of the
11 hospital or health care facility service area within the
12 boundaries of the state at the time of the election at which
13 the person's name appears on the ballot. A board of trustees
14 elected pursuant to this section shall serve as the sole and
15 only board of trustees for any and all institutions
16 established by a city as provided for in this section.

17 Sec. 2. Section 392.6, unnumbered paragraph 3, Code 2003,
18 is amended to read as follows:

19 Terms of office of trustees elected pursuant to general or
20 city elections shall begin at noon on the first day in January
21 which is not a Sunday or legal holiday. Terms of office of
22 trustees appointed to fill a vacancy or elected pursuant to
23 special elections shall begin at noon on the tenth day after
24 appointment or the special election which is not a Sunday or
25 legal holiday. The trustees shall begin their terms of office
26 by taking the oath of office, and organize as a board by the
27 election of one of their number as chairperson and one as
28 secretary, but no bond shall be required of them. 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. Vacancies on the board
32 of trustees may, until the next general or regular city
33 election, be filled by appointment by the remaining members of
34 the board of trustees, unless within fourteen days after the
35 appointment is made, there is filed with the city clerk a

1 petition which requests a special election to fill the
2 vacancy. Trustees who are appointed to fill a vacancy or who
3 are elected at special elections shall serve the unexpired
4 terms of office or until their successors are elected and
5 qualified.

6 EXPLANATION

7 This bill makes changes relating to election of the board
8 of trustees of a city hospital or city health care facility.

9 The bill requires that a candidate for the office of
10 hospital or health care facility trustee be a resident of the
11 hospital or health care facility service area at the time of
12 the election at which the person's name appears on the ballot.

13 The bill provides that a vacancy on a hospital or health
14 care facility board of trustees may be filled by appointment
15 of the remaining members of the board unless a petition
16 requesting a special election to fill the vacancy is filed
17 within 14 days after the appointment is made.

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S-3062

1 Amend Senate File 357 as follows:

2 1. Page 1, by inserting after line 16, the
3 following:

4 "Sec. ____ . Section 392.6, Code 2003, is amended by
5 adding the following new unnumbered paragraph after
6 unnumbered paragraph 1:

7 NEW UNNUMBERED PARAGRAPH. On or before July 1,
8 2004, and not less than sixty days before an election
9 for hospital or health care facility trustee, the
10 ordinance providing for election of hospital or health
11 care facility trustees shall be amended to include a
12 description of the boundaries of the service area of
13 the hospital or health care facility. The service
14 area boundaries of a hospital or health care facility
15 may be revised by the city not more than once in a
16 ten-year period. The ordinance, or amendment to the
17 ordinance, revising the service area boundaries must
18 be adopted not less than sixty days before an election
19 for hospital or health care facility trustees. For a
20 hospital or health care facility established by a city
21 after July 1, 2004, the ordinance containing the
22 boundaries of the hospital or health care facility
23 service area must be adopted not less than sixty days
24 before the election for hospital or health care
25 facility trustees."

26 2. By renumbering as necessary.

By HERMAN C. QUIRMBACH

S-3062 FILED MARCH 18, 2003

Lost 3/20/03

S-3070

1 Amend Senate File 357 as follows:

2 1. Page 1, by striking lines 11 and 12, and
3 inserting the following: "city at the time of the
4 election at which".

5 2. Page 1, line 13, by inserting after the word
6 "ballot" the following: "and, if elected, for the
7 duration of the term of office".

8 3. Page 2, line 5, by inserting after the word
9 "qualified." the following: "A person appointed to
10 the board of trustees must be a resident of the city
11 at the time of appointment and for the duration of the
12 term of office."

By HERMAN C. QUIRMBACH

S-3070 FILED MARCH 20, 2003

WITHDRAWN 3/20/03

Miller
McClay
Rehberg

Local Government

SSB 1126
Succeeded By
SIF 357

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON GASKILL)

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

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15 only board of trustees for any and all institutions
16 established by a city as provided for in this section.

17 Sec. 2. Section 392.6, unnumbered paragraph 3, Code 2003,
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SENATE FILE 357

AN ACT

RELATING TO ELECTION OR APPOINTMENT OF TRUSTEES OF A CITY
HOSPITAL OR HEALTH CARE FACILITY.

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

Section 1. Section 392.6, unnumbered paragraph 1, Code 2003, is amended to read as follows:

If a hospital or health care facility is established by a city, the city shall by ordinance provide for the election, at a general, city, or special election, of three trustees, whose terms of office shall be four years. However, at the first election, three shall be elected and hold their office, one for four years and two for two years, and they shall by lot determine their respective terms. A candidate for hospital or health care facility trustee must be a resident of the hospital or health care facility service area within the boundaries of the state at the time of the election at which the person's name appears on the ballot. A board of trustees elected pursuant to this section shall serve as the sole and only board of trustees for any and all institutions established by a city as provided for in this section.

Sec. 2. Section 392.6, unnumbered paragraph 3, Code 2003, 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 appointed to fill a vacancy or elected pursuant to special elections shall begin at noon on the tenth day after appointment or the special election which is not a Sunday or legal holiday. The trustees shall 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. Vacancies on the board of trustees may, until the next general or regular city election, be filled by appointment by the remaining members of the board of trustees, unless within fourteen days after the appointment is made, there is filed with the city clerk a petition which requests a special election to fill the vacancy. Trustees who are appointed to fill a vacancy or who are elected at special elections shall serve the unexpired terms of office or until their successors are elected and qualified.

MARY E. KRAMER
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 357, Eightieth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2003

THOMAS J. VILSACK
Governor