

FEB 16 2006
EDUCATION

HOUSE FILE 2428
BY COHOON

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

A BILL FOR

1 An Act relating to nominations for merged area board of directors
2 and school district board of directors offices to be filled at
3 the regular school election.

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

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HF 2428

1 Section 1. NEW SECTION. 260C.15A NOMINEES DECLARED
2 ELECTED UNDER CERTAIN CIRCUMSTANCES.

3 If for each director district which has a board of
4 directors office to be filled at the election there has been
5 only one nomination petition filed, the county commissioner of
6 elections shall notify the secretary of the merged area board
7 of directors of that fact. Immediately upon receiving such
8 notification, the board of directors shall, in writing,
9 declare the offices filled by the nominees, and there shall be
10 no election held to fill the merged area board of director
11 offices. However, if there is an election on a public measure
12 scheduled on the same day as the regular school election or if
13 there are multiple nominees for the office of director of a
14 school district board of directors, the election shall be
15 conducted for purposes of voting on the public measure or on
16 the school district offices.

17 The board of directors' declaration shall be certified as
18 if it were an abstract of votes under sections 260C.15 and
19 277.20. A certificate of election shall be issued to each
20 candidate named in the declaration.

21 This section also applies to filling vacancies in office
22 pursuant to sections 69.12 and 277.29.

23 Sec. 2. NEW SECTION. 277.8 NOMINEES DECLARED ELECTED
24 UNDER CERTAIN CIRCUMSTANCES.

25 If the number of nomination petitions filed equals the
26 number of board positions to be filled at the election, the
27 county commissioner of elections shall notify the secretary of
28 the school board of that fact. Immediately upon receiving
29 such notification, the board of directors shall, in writing,
30 declare the offices filled by the nominees, and there shall be
31 no election held to fill the school board offices. However,
32 if there is an election on a public measure scheduled on the
33 same day as the regular school election or if there are
34 multiple nominees for the office of director of a merged area
35 board of directors, the election shall be conducted for

1 purposes of voting on the public measure or on the merged area
2 offices. In the case of a school district that is divided
3 into director districts, the board shall declare the offices
4 filled by the nominees if for each director district which has
5 a school board office to be filled at the election there has
6 been only one nomination petition filed.

7 The school board declaration shall be certified as if it
8 were an abstract of votes under section 277.20. A certificate
9 of election shall be issued to each candidate named in the
10 declaration.

11 This section also applies to filling vacancies in office
12 pursuant to sections 277.29 and 277.30.

13 EXPLANATION

14 This bill provides that if the number of nomination
15 petitions filed for the office of school district board of
16 directors or the office of merged area board of directors to
17 be filled at the regular school election is equal to the
18 number of offices to be filled at the election, the board of
19 directors of the school district or merged area, as
20 applicable, shall declare the offices to be filled by the
21 nominees and there shall be no election to fill those offices.
22 The bill further provides, however, that if there is a public
23 measure to be voted on at the regular school election, the
24 election shall be held for purposes of voting on the public
25 measure.

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