

**House File 244 - Introduced**

HOUSE FILE 244

BY WILLS

**A BILL FOR**

1 An Act relating to the election of commissioners of soil and  
2 water conservation districts.

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

1 Section 1. Section 161A.5, subsection 2, Code 2017, is  
2 amended to read as follows:

3 2. a. The governing body of each district shall consist of  
4 five commissioners elected on a nonpartisan basis for staggered  
5 four-year terms commencing on the first day of January that is  
6 not a Sunday or holiday following their election.

7 b. Any eligible elector residing in the district is eligible  
8 to the office of commissioner, except that ~~no~~ not more than  
9 ~~one commissioner~~ two commissioners shall at any one time be  
10 a resident of any one township. A vacancy is created in  
11 the office of any commissioner who changes residence into a  
12 township where ~~another commissioner~~ two commissioners then  
13 ~~resides~~ reside.

14 c. If a commissioner is absent for sixty or more percent  
15 of monthly meetings during any twelve-month period, the other  
16 commissioners by their unanimous vote may declare the member's  
17 office vacant. A vacancy in the office of commissioner  
18 shall be filled by appointment of the state soil conservation  
19 committee until the next succeeding general election, at which  
20 time the balance of the unexpired term shall be filled as  
21 provided by [section 69.12](#).

22 Sec. 2. Section 161A.5, subsection 3, paragraph e, Code  
23 2017, is amended to read as follows:

24 e. If the canvass shows that ~~the two~~ or three candidates  
25 receiving the highest ~~and the second highest~~ number of votes  
26 for the office of ~~district~~ commissioner are ~~both~~ all residents  
27 of the same township, the board shall certify as elected the  
28 ~~candidate who received the~~ two candidates receiving the highest  
29 number of votes for the office and the candidate receiving  
30 the next highest number of votes for the office who is not  
31 a resident of the same township ~~as the candidate receiving~~  
32 ~~the highest number of votes, if any.~~ If one commissioner  
33 whose term has not expired is a resident of the township,  
34 and the canvass shows that two or three candidates receiving  
35 the highest number of votes for the office are from the same

1 township, the board shall certify as elected the candidate  
2 receiving the highest number of votes for the office and the  
3 candidate receiving the next highest number of votes for the  
4 office who is not a resident of the same township, if any, as  
5 the candidate receiving the highest number of votes.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with  
8 the explanation's substance by the members of the general assembly.

9 BILL. This bill provides that two out of five soil and water  
10 conservation commissioners may reside in the same township.

11 BACKGROUND. The state contains 100 soil and water  
12 conservation districts whose respective jurisdictions are  
13 generally based on county lines. Each district is governed  
14 by nonpartisan commissioners who are elected to serve  
15 for four-year staggered terms. Under current law, only  
16 one commissioner may reside in a single township and if  
17 a commissioner moves to live in a township where another  
18 commissioner resides, the moving commissioner's office becomes  
19 vacant and a replacement is appointed for the unexpired term by  
20 the state soil conservation committee.