

5 this section shall be deemed a misdemeanor, and on conviction there-
6 of he shall be fined in any sum not exceeding one thousand dollars,
7 and be removed from office.

Approved April 2, A. D. 1921.

CHAPTER 109

COMMISSION FORM OF CITY GOVERNMENT

H. F. 277.

AN ACT to amend section ten hundred fifty-six-a21 (1056-a21) and section ten hundred
fifty-six-a26 (1056-a26) of the supplement to the code, 1913, relating to the nomina-
tion and election of mayor and councilmen in cities under commission form of gov-
ernment.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. ~~Primary election—affidavit—petition—notice—bal-~~
~~lots—combining offices—challenges—count and return—general~~
~~canvass—notice of result—who nominated—electors—time, place~~
1 ~~and method of election.~~ That section ten hundred fifty-six-a21
2 (1056-a21) of the supplement to the code, 1913, be and the same is
3 hereby amended by striking from said section all that part of said
4 section which follows the colon at the end of line sixteen (16) and
5 inserting in lieu thereof the following:

6 State of Iowa, }
7 } ss.
8County }

9 I, being first duly sworn, say that I reside at.....street,
10 city of....., county of....., state of Iowa; that I am a qualified
11 voter therein; that I am a candidate for nomination to the office of
12 (here designate office to which you aspire) to be voted upon at the pri-
13 mary election to be held on Monday of 19....
14 and I hereby request that my name be printed upon the official pri-
15 mary ballot for nomination by such primary election for such office.

16 (Signed)
17 Subscribed and sworn to (or affirmed) before me by
18 on this day of 19....
19 (Signed)

20 and shall, at the same time, file therewith a petition of at least one
21 hundred (100) qualified voters requesting such candidacy. Each pe-
22 tition shall be verified by one or more persons as to the qualification
23 and residence, with street number of each of the persons so signing
24 the said petition, and the said petition shall be in substantially the
25 following form:

26 PETITION ACCOMPANYING NOMINATING STATEMENT

27 The undersigned, duly qualified electors, of the city of.....
28 and residing at the places set opposite our respective names hereto,
29 do hereby request that the name of (name of candidate) be placed
30 on the ballot as a candidate for nomination for (here designate the
31 office to which he aspires) at the primary election to be held in such

32 city on the Monday of 19...
 33 We further state that we know him to be a qualified elector of said
 34 city and a man of good moral character and qualified in our judg-
 35 ment for the duties of such office.
 36 Name of qualified electors Number Street
 37
 38

39 Immediately upon the expiration of the time of filing the statements
 40 and petitions for candidacies, the said city clerk shall cause to be pub-
 41 lished for three successive days in all the daily newspapers published
 42 in the city, in proper form, the names of the persons as they are to
 43 appear upon the primary ballot, and if there be no daily newspaper,
 44 then in two issues of any other newspapers that may be published in
 45 said city; and the said clerk shall thereupon cause the primary ballots
 46 to be printed, authenticated with a facsimile of his signature. Upon
 47 the said ballot the names of the candidates for mayor, as is provided
 48 in section two (2) of this act, shall first be placed, with a square at the
 49 left of each name, and immediately below the words, "vote for one".

50 Following these names, likewise as is provided in section two (2)
 51 of this act, shall appear the names of all the candidates, for the office
 52 of superintendent of "accounts and finances," or superintendent of
 53 "accounts and finances and parks and public property" as the case
 54 may be, with a square to the left of each name and immediately below
 55 the words, "vote for one".

56 Following these names likewise as is provided in section two (2)
 57 of this act, shall appear the names of all candidates for the office of
 58 "superintendent of public safety," or "superintendent of public safety
 59 and streets and public improvements" as the case may be, with a
 60 square to the left of each name and immediately below the words,
 61 "vote for one".

62 Following these names likewise as is provided in section two (2)
 63 of this act, shall appear the names of all the candidates for the office
 64 of "superintendent of streets and public improvements" with a square
 65 to the left of each name and immediately below the words, "vote for
 66 one".

67 Following these names, likewise as is provided in section two (2)
 68 of this act, shall appear the names of all the candidates for the office of
 69 "superintendent of parks and public property" with a square to the
 70 left of each name and immediately below the words, "vote for one".

71 In cities having a population of two thousand (2000) and not over
 72 twenty-five thousand (25,000) the "departments of accounts and fi-
 73 nances" and "parks and public property" shall be presided over by one
 74 and the same person; and the "departments of public safety" and
 75 "streets and public improvements" shall be presided over by one and
 76 the same person. The ballots shall be printed upon plain, substantial
 77 white paper, and shall be headed:

78 CANDIDATES FOR NOMINATION FOR MAYOR AND COUN-
 79 CILMEN OF (Here Name of City) AT THE PRIMARY ELECTION

80 But shall have no party designation or mark whatever, except that
 81 of the office or particular department to which the candidate aspires
 82 as shown by his statement filed with the city clerk and by the petition
 83 of electors filed also with the city clerk.

84 The ballots in all cities having a population of twenty-five thou-

85 sand (25,000) or over shall be in substantially the following form:
86 (place a cross in the square preceding the name of the person you
87 favor for each respective position.)

88 OFFICIAL PRIMARY BALLOT

89 CANDIDATES FOR NOMINATION FOR MAYOR AND COUN-
90 CILMEN OF (Name of City) AT THE PRIMARY ELECTION
91 FOR MAYOR

92 (Vote for one)

93 Name of candidate

94 Name of candidate

95 FOR SUPERINTENDENT OF ACCOUNTS AND FINANCES

96 (Vote for one)

97 Name of candidate

98 Name of candidate

99 FOR SUPERINTENDENT OF PUBLIC SAFETY

100 (Vote for one)

101 Name of candidate

102 Name of candidate

103 FOR SUPERINTENDENT OF STREETS AND PUBLIC IM-
104 PROVEMENTS

105 (Vote for one)

106 Name of candidate

107 Name of candidate

108 FOR SUPERINTENDENT OF PARKS AND PUBLIC PROPERTY

109 (Vote for one)

110 Name of candidate

111 Name of candidate

112 OFFICIAL BALLOT ATTEST

113 (Signature).....

114 City Clerk

115 The ballot in all cities having a population of two thousand (2,000)
116 and less than twenty-five thousand (25,000) shall be in substantial-
117 ly the following form:

118 OFFICIAL PRIMARY BALLOT

119 CANDIDATES FOR NOMINATION FOR MAYOR AND COUN-
120 CILMEN OF (Name of City) AT THE PRIMARY ELECTION
121 FOR MAYOR

122 (Vote for one)

123 Name of candidate

124 Name of candidate

125 FOR SUPERINTENDENT OF ACCOUNTS AND FINANCES
 126 AND PARKS AND PUBLIC PROPERTY

127 (Vote for one)

128 Name of candidate

129 Name of candidate

130 FOR SUPERINTENDENT OF PUBLIC SAFETY AND STREETS
 131 AND PUBLIC IMPROVEMENTS

132 (Vote for one)

133 Name of candidate

134 Name of candidate

135 OFFICIAL BALLOT ATTEST

136 (Signature)

137 City Clerk

138 Having caused the said ballots to be printed, the said city clerk
 139 shall cause to be delivered at each polling place a number of said
 140 ballots equal to twice the number of votes cast in such polling pre-
 141 cinct at the last general municipal election for mayor.

142 The persons who are qualified to vote at the general municipal
 143 election shall be qualified to vote at such primary election. Chal-
 144 lenges can be made by not more than two persons, to be appointed
 145 at the time of opening the polls by the judges of election; and the
 146 law applicable to challenges at a general municipal election shall be
 147 applicable to challenges made at such primary election.

148 Judges of election shall, immediately upon the closing of the polls,
 149 count the ballots and ascertain the number of votes cast in such
 150 precinct for each of the candidates, and make return thereof to the
 151 city clerk, upon proper blanks to be furnished by the said city clerk,
 152 within six hours of the closing of the polls.

153 On the day following the said primary election, the said city clerk
 154 shall publicly canvass said returns so received from the polling
 155 precincts, and shall make and publish in all the newspapers of said
 156 city, at least once, the result thereof. The two candidates receiv-
 157 ing the highest number of votes for mayor shall be the candidates,
 158 and the only candidates, whose names shall be placed upon the bal-
 159 lot for mayor at the next succeeding general municipal election.

160 The two candidates receiving the highest number of votes for the
 161 office of superintendent of "accounts and finances" or "superin-
 162 tendent of accounts and finances and parks and public property" as
 163 the case may be, shall be the candidates, and the only candidates,
 164 whose names shall be placed upon the ballot for superintendent of
 165 "accounts and finances" or "superintendent of accounts and finances
 166 and parks and public property" as the case may be, at the next suc-
 167 ceeding general municipal election.

168 The two candidates receiving the highest number of votes for
 169 the office of "superintendent of public safety" or "superintendent
 170 of public safety and streets and public improvements" as the case
 171 may be, shall be the candidates, and the only candidates, whose
 172 names shall be placed upon the ballot for superintendent of "public
 173 safety" or "superintendent of public safety and streets and public

174 improvements" as the case may be, at the next succeeding general
175 municipal election.

176 The two candidates receiving the highest number of votes for
177 the office of "superintendent of streets and public improvements"
178 shall be the candidates, and the only candidates, whose names shall
179 be placed upon the ballot for "superintendent of streets and public
180 improvements" at the next succeeding general municipal election.

181 The two candidates receiving the highest number of votes for
182 the office of "superintendent of parks and public property" shall be
183 the candidates, and the only candidates, whose names shall be placed
184 upon the ballot for "superintendent of parks and public property"
185 at the next succeeding general municipal election.

186 All electors of cities under this act, who by the laws governing
187 cities of the first and second class and cities acting under special
188 charter would be entitled to vote for the election of officers at any
189 general municipal election in such cities, shall be qualified to vote
190 at all elections under this act. The ballot at such general municipal
191 election shall be in the same general form as for such primary elec-
192 tion, so far as applicable; and in all elections in such city, the elec-
193 tion precinct, voting places, method of conducting election, can-
194 vassing the vote and announcing the results shall be the same as by
195 law provided for election of officers in such cities, so far as the
196 same are applicable and not inconsistent with the provisions of this
197 act.

1 SEC. 2. **Arranging names of candidates.** The names of the can-
2 didates for offices to be filled under this act shall be arranged and
3 printed upon the primary election ballots and upon the general mu-
4 nicipal election ballots in the following manner, to wit: The city
5 clerk shall prepare a list of the election precincts of his city, by ar-
6 ranging the various wards or precincts of such city in numerical
7 order. He shall then arrange the surnames of all candidates for
8 such offices alphabetically for the respective offices for the first pre-
9 cinct in the list; thereafter, for each succeeding precinct, the name
10 or names appearing first for the respective offices in the last precinct
11 should be placed last, so that the names that were second before the
12 change be first after the change.

1 SEC. 3. **Amendment in re election of department heads.** That
2 section ten hundred fifty-six-a twenty-six (1056-a26) of the sup-
3 plement to the code, 1913, be and the same is hereby amended by
4 striking from said section lines five, six, seven, eight, nine, ten, eleven,
5 twelve and thirteen and the first word in line fourteen and inserting
6 in lieu thereof the following: "and each councilman shall be superin-
7 tendent of the particular department to which he was elected." Also
8 striking the words "said first meeting" from the fourteenth line of
9 said section and inserting in lieu thereof the following: "the first
10 regular meeting after election".

1 SEC. 4. **Applicable only when adopted by electors.** This act
2 shall not apply to cities now operating under the commission form
3 of government heretofore adopted and approved by a vote of their
4 electors, unless the same shall have been submitted to a vote of the
5 electors of said city in the manner provided by title V, chapter 14-C
6 of the supplement to the code, 1913, and amendments thereto.

Approved April 4, A. D. 1921.