

**CHAPTER 68**  
**TOWNSHIP OFFICERS**  
*H.F. 47*

**AN ACT** relating to the appointment of township officers.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 39.18, Code 1987, is amended to read as follows:

**39.18 BOARD OF SUPERVISORS AND TOWNSHIP TRUSTEES.**

There shall be elected, biennially, in counties and townships, members of the board of supervisors and township trustees, respectively, to succeed those whose terms of office will expire on the first day of January following the election which is not a Sunday or legal holiday. The term of office of each supervisor or trustee shall be four years, except as otherwise provided by section 331.208 or 331.209.

Sec. 2. Section 39.22, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

**39.22 TOWNSHIP OFFICERS.**

The offices of township trustee and township clerk shall be filled by appointment or election as follows:

1. **BY APPOINTMENT.** The county board of supervisors may pass a resolution in favor of filling the offices of trustee and clerk within a township by appointment by the board, and may direct the county commissioner of elections to submit the question to the eligible voters of the township at the next general election. In a township which does not include a city, eligible voters shall consist of the voters of the entire township. In a township which includes a city, eligible voters are those voters who reside outside the corporate limits of a city. The resolution shall apply to all townships which have not approved a proposition to fill township offices by appointment. If the proposition to fill the township offices by appointment is approved by a majority of the eligible voters, the board shall fill the offices by appointment as the terms of office of the incumbent township officers expire. The election of the trustees and clerk of a township may be restored after approval of the appointment process under this subsection by a resolution of the board of supervisors submitting the question to the eligible voters of the township at the next general election. If the proposition to restore the election process is approved by a majority of the eligible voters, the election of the township officers shall commence with the next primary and general elections. A resolution submitting the question of restoring the election of township officers at the next general election shall be adopted by the board of supervisors upon petition of at least ten percent of the eligible voters of a township. The initial terms of the trustees shall be determined by lot, one for two years, one for three years, and one four years. However, if a proposition to change the method of selecting township officers is adopted by the electorate, a resolution to change the method shall not be submitted to the electorate for four years.

2. **BY ELECTION.** If the county board of supervisors does not have the power provided under subsection 1 to fill the offices of trustee and clerk within a township by appointment, then the offices of township trustee and township clerk shall be filled by election. Township trustees and the township clerk, in townships which do not include a city, shall be elected by the voters of the entire township. In townships which include a city, the officers shall be elected by the voters of the township who reside outside the corporate limits of the city, but a township officer may be a resident of the city.

a. **TOWNSHIP TRUSTEES.** Township trustees shall be elected biennially to succeed those whose terms of office expire on the first day of January following the election which is not a Sunday or legal holiday. The term of office of each elected township trustee is four years.

b. TOWNSHIP CLERK. At the general election held in the year 1990 and every four years thereafter, in each civil township one township clerk shall be elected who shall hold office for the term of four years.

Sec. 3. Section 39.23, Code 1987, is repealed.

Sec. 4. Section 69.8, subsection 5, Code 1987, is amended to read as follows:

5. ELECTED TOWNSHIP OFFICES. In When a vacancy occurs in an elective township offices office under section 39.22, including trustees trustee, the vacancy shall be filled, by the trustees, but where if the offices of the two or three trustees are all vacant, the county board of supervisors shall have the power to either instruct the county auditor to may fill the vacancies or. If the offices of three trustees are vacant, the board may adopt a resolution stating that the board will exercise all powers and duties assigned by law to the trustees of the township in which such the vacancies exist, until such time as the vacancies may be filled by election. If a township office vacancy is not filled by the trustees within thirty days after the vacancy occurs, the board of supervisors may appoint a successor to the unexpired term.

Approved April 29, 1987

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## CHAPTER 69

### INVESTIGATIONS OF DEATHS

*H.F. 90*

**AN ACT** relating to investigations of the cause and manner of death for patients enrolled in a hospice program.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 331.802, subsection 3, paragraph g, Code 1987, is amended to read as follows:

g. Death of a person if a physician was not in attendance within thirty-six hours preceding death, excluding prediagnosed terminal or bedfast cases for which the time period is extended to twenty thirty days, and excluding a terminally ill patient who was admitted to and had received services from a hospice program, as defined in section 135.90, if a physician or registered nurse employed by the program was in attendance within thirty days preceding death.

Approved April 29, 1987

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## CHAPTER 70

### DISCLOSURES TO CARE REVIEW COMMITTEE MEMBERS

*H.F. 136*

**AN ACT** relating to the disclosure of information concerning the family of a health care facility resident to a care review committee member.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 135C.25, Code 1987, is amended by adding the following new subsection:

**NEW SUBSECTION. 3.** A health care facility shall disclose the names, addresses, and phone numbers of a resident's family members, if requested, to a care review committee member, unless permission for this disclosure is refused in writing by the family member. The facility shall provide a form on which a family member may indicate a refusal to grant this permission.