

to the ~~commission department~~ within twenty days. If the civil penalty is not timely paid, the ~~commission department~~ may cause a complaint to be filed against the owner or operator of the motor vehicle before a magistrate for the violation of this section in the manner provided in section 804.1. Timely payment of the civil penalty shall be a bar to any prosecution for that violation of this section. All civil penalties collected under this subsection shall be deposited in the general fund of the state.

b. If a citation is issued for a violation of this section and a plea of guilty is entered on or before the time and date set for appearance, the fine shall be ~~thirty~~ fifteen dollars and court costs and the criminal penalty surcharge of section 911.2 shall not be imposed.

c. The ~~commission department~~ shall provide to its officers sets of triplicate notices each identified by separate serial numbers on each copy of notice. One copy shall be used as a notice of violation and delivered to the person charged or affixed to the vehicle illegally parked, one copy shall be sworn to by the officer as a complaint and may be filed with the clerk of the ~~district~~ court of the county if the civil penalty is not timely paid to the ~~commission department~~ and one copy shall be retained by the ~~commission department~~ for record purposes.

10. A person who receives a notice of violation under this section may, before a complaint is filed and in lieu of paying the civil penalty, produce proof that the person has acquired a current calendar year permit. The proof shall be submitted to the ~~commission department~~ in the same manner as the civil penalty.

Sec. 2. Section 111.85, subsection 5, Code 1987, is amended by striking the subsection.

Sec. 3. This Act takes effect January 1, 1988.

Approved June 7, 1987

CHAPTER 218

GENDER BALANCE ON BOARDS, COMMISSIONS, COMMITTEES, AND COUNCILS

S.F. 148

AN ACT relating to gender balance in the appointment and election of judicial nominating commissioners and balance in the appointment of members of state boards, commissions, committees, and councils.

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

Section 1. Section 46.1, Code 1987, is amended to read as follows:

46.1 APPOINTMENT OF STATE JUDICIAL NOMINATING COMMISSIONERS.

The governor shall appoint, subject to confirmation by the senate, one eligible elector of each congressional district to the state judicial nominating commission for a six-year term beginning and ending as provided in section 69.19. The terms of no more than three nor less than two of the members shall expire within the same two-year period. No more than a simple majority of the members appointed shall be of the same gender.

Sec. 2. Section 46.2, Code 1987, is amended to read as follows:

46.2 ELECTION OF STATE JUDICIAL NOMINATING COMMISSIONERS.

The resident members of the bar of each congressional district shall elect one eligible elector of ~~such~~ the district to the state judicial nominating commission for a six-year term beginning July 1. The terms of no more than three nor less than two of ~~such~~ the members shall expire within the same two-year period, the expiration dates being governed by the expiration dates of the terms of the original appointive members. The members of the bar of the respective congressional districts shall in January, immediately preceding the expiration of

the term of a member of the commission, elect a successor for a like term. For the first elective term open on or after July 1, 1987, in the odd-numbered districts the elected member shall be a woman and in the even-numbered districts the elected member shall be a man. Thereafter, the districts shall alternate between women and men elected members.

Sec. 3. Section 46.3, Code 1987, is amended to read as follows:

46.3 APPOINTMENT OF DISTRICT JUDICIAL NOMINATING COMMISSIONERS.

In January 1972 the The governor shall appoint five eligible electors of each judicial election district to the district judicial nominating commission. Appointments shall be to staggered terms of six years each and shall be made in the month of January for terms commencing February 1, 1972 of even-numbered years. The governor shall appoint two such commissioners to serve until January 31, 1974, two to serve until January 31, 1976, and one to serve until January 31, 1978. In the month of January when each of those terms expires and every six years thereafter the governor shall appoint district judicial nominating commissioners for six-year terms. No more than a simple majority of the commissioners appointed shall be of the same gender.

Sec. 4. Section 46.4, Code 1987, is amended to read as follows:

46.4 ELECTION OF DISTRICT JUDICIAL NOMINATING COMMISSIONERS.

In January 1972 the The resident members of the bar of each judicial election district shall elect five eligible electors of the district to the district judicial nominating commission for terms commencing February 1, 1972. One of such commissioners shall serve until January 31, 1974, two until January 31, 1976, and two until January 31, 1978, as determined by lot by such commissioners. In the month of January when each of those terms expires and every six years thereafter such members of the bar of the respective judicial election districts shall elect district nominating commissioners for six-year terms. Commissioners shall be elected to staggered terms of six years each. The elections shall be held in the month of January for terms commencing February 1 of even-numbered years.

For terms commencing February 1, 1988, and every six years thereafter, one elected commissioner in each district shall be a woman and one shall be a man. For terms commencing February 1, 1990, and every six years thereafter, one elected commissioner in each district shall be a woman and one shall be a man. For the term commencing February 1, 1992, in the odd-numbered districts the elected commissioner shall be a woman and in the even-numbered districts the elected commissioner shall be a man. For the terms commencing every six years thereafter, the districts shall alternate between women and men elected commissioners.

Sec. 5. Section 46.5, Code 1987, is amended to read as follows:

46.5 VACANCIES.

When a vacancy occurs in the office of appointive judicial nominating commissioner, the chairperson of the particular commission shall promptly notify the governor in writing of such fact. Vacancies in the office of appointive judicial nominating commissioner shall be filled by appointment by the governor, consistent with eligibility requirements. The term of state judicial nominating commissioners so appointed shall commence upon their appointment pending confirmation by the senate at the then session of the general assembly or at its next session if it is not then in session. The term of district judicial nominating commissioners so appointed shall commence upon their appointment.

Except where the term has less than ninety days remaining, vacancies in the office of elective member of the state judicial nominating commission shall be filled consistent with eligibility requirements by a special election within the congressional district where the vacancy occurs, such election to be conducted as provided in sections 46.9 and 46.10.

Vacancies in the office of elective judicial nominating commissioner of district judicial nominating commissions shall be filled consistent with eligibility requirements and by majority vote of the authorized number of elective members of the particular commission, at a meeting of

such members called in the manner provided in section 46.13. The term of judicial nominating commissioners so chosen shall commence upon their selection.

If a vacancy occurs in the office of chairperson of a judicial nominating commission, or in the absence of the chairperson, the members of the particular commission shall elect a temporary chairperson from their own number.

When a vacancy in an office of an elective judicial nominating commissioner occurs, the clerk of the supreme court shall arrange for the publication of cause to be mailed to each member of the bar whose name appears on the certified list prepared pursuant to section 46.8 for the district or districts affected, a notice stating the existence of the vacancy, the requirements for eligibility, and the manner in which the vacancy will be filled in those publications which the clerk of the supreme court deems likely to give reasonable notice to the eligible voting members of the bar of the district in which the vacancy occurs. Other items may be included in the same mailing if they are on sheets separate from the notice. The election of a district judicial nominating commissioner or the close of nominations for a state judicial nominating commissioner shall not occur until thirty days after the publication mailing of the notice.

Sec. 6. NEW SECTION. 46.9A NOTICE PRECEDING NOMINATION OF ELECTIVE NOMINATING COMMISSIONERS.

At least sixty days prior to the expiration of the term of an elective state or district judicial nominating commissioner, the clerk of the supreme court shall cause to be mailed to each member of the bar whose name appears on the certified list prepared pursuant to section 46.8 for the district or districts affected, a notice stating the date the term of office will expire, the requirements for eligibility to the office for the succeeding term, and the procedure for filing nominating petitions, including the last date for filing. Other items may be included in the same mailing if they are on sheets separate from the notice.

Sec. 7. Section 69.16, unnumbered paragraph 1, Code 1987, is amended to read as follows:

It is declared the policy of the state of Iowa that all All appointive boards, commissions, and councils of the state established by the Code if not otherwise provided by law shall be bipartisan in their composition. No person shall be appointed or reappointed to any board, commission, or council established by the Code if the effect of that appointment or reappointment would cause the number of members of the board, commission, or council belonging to one political party to be greater than one-half the membership of the board, commission, or council plus one.

Sec. 8. Section 69.16A, Code 1987, is amended to read as follows:

69.16A GENDER BALANCE.

It is a policy of the state of Iowa that all All appointive boards, commissions, committees and councils of the state established by the Code if not otherwise provided by law shall reflect, as much as possible, a gender balance be gender balanced. No person shall be appointed or reappointed to any board, commission, committee, or council established by the Code if that appointment or reappointment would cause the number of members of the board, commission, committee, or council of one gender to be greater than one-half the membership of the board, commission, committee, or council plus one. If there are multiple appointing authorities for a board, commission, committee, or council, they shall consult each other to avoid a violation of this section. This section shall not prohibit an individual from completing a term being served on June 30, 1987.

Sec. 9. Notwithstanding the requirements of this Act, no member of a judicial nominating commission appointed or elected prior to the effective date of this Act shall be removed solely for purposes of meeting gender requirements.

Approved June 7, 1987