

How to Change County Government

Changing the Number of Supervisors

331.203 Membership increased — vote.

1. The board may by resolution, or shall upon petition of the number of eligible electors of the county as specified in section 331.306, submit to the registered voters of the county at a general election a proposition to increase the number of supervisors to five.

2. If a majority of the votes cast on the proposition is in favor of the increase to five members, the board shall be increased to five members effective on the first day in January which is not a Sunday or holiday following the next general election. The five-member board shall be elected according to the supervisor representation plan in effect in the county.

a. If plan “one” as defined in section 331.206 is in effect, two additional supervisors shall be elected at the next general election, one for a two-year term and one for a four-year term.

b. If plan “two” or plan “three” as defined in section 331.206 is in effect, the temporary county redistricting commission shall divide the county into five equal-population districts by December 15 of the year preceding the year of the next general election and at that general election, five board members shall be elected, two for initial terms of two years and three for four-year terms. The districts shall be drawn in the manner provided under sections 331.209 and 331.210. The terms of the three incumbent supervisors shall expire on the date that the five-member board becomes effective.

c. The length of term for which a person is a candidate and the date when the term begins shall be indicated on the ballot.

331.204 Membership reduced — vote — new members.

1. In a county having a five-member board, the board may by resolution, or shall upon petition of the number of eligible electors of the county as specified in section 331.306, submit to the registered voters of the county at a general election a proposition to reduce the number of supervisors to three.

2. If a majority of the votes cast on the proposition is in favor of the reduction to three members, the membership of the board shall remain at five until the first day in January which is not a Sunday or holiday following the next general election, at which time the terms of the five members shall expire.

3. At the next general election following the one at which the proposition to reduce the membership of the board to three is approved, the membership of the board shall be elected according to the supervisor representation plan in effect in the county. If the supervisor representation plan includes equal-population districts, the districts shall be designated by December 15 of the year preceding the year of the next general election by the temporary county redistricting commission. The districts shall be drawn in the manner provided under sections 331.209 and 331.210. One member of the board shall be elected to a two-year term and the remaining two members shall be elected to four-year terms. The length of the term for which a person is a candidate and the date when the term begins shall be indicated on the ballot.

Petitions to increase or decrease the number of supervisors are submitted to the board of supervisors. See section 331.306 of the Code of Iowa found on page 2 of this document.

How to Change County Government

Changing the Representation Plan

Within a Board of Supervisor Form of Government, a representation plan may be selected by the Board of Supervisors or by special election. Below are excerpts from Chapter 331, Code of Iowa. For more information, please read Chapter 331 in its entirety.

331.206 Supervisor districts.

1. One of the following supervisor district representation plans shall be used for the election of supervisors:

- a. Plan “one.” Election at large without district residence requirements for the members.
- b. Plan “two.” Election at large but with equal-population district residence requirements for the members.
- c. Plan “three.” Election from single-member equal-population districts, in which the electors of each district shall elect one member who must reside in that district.

2. a. The plan used under subsection 1 shall be selected by the board or by a special election as provided in section 331.207. A plan selected by the board shall remain in effect for at least six years unless it is changed by a special election as provided in section 331.207.

b. A plan selected by the board shall become effective on the first day in January which is not a Sunday or holiday following the next general election, at which time the terms of the members expire and the terms of the members elected under the requirements of the new supervisor representation plan at the general election as specified in section 331.208, 331.209, or 331.210 shall commence.

331.207 Special election — supervisor districts.

1. The board, upon petition of the number of eligible electors of the county as specified in section 331.306, shall call a special election to be held for the purpose of selecting one of the supervisor representation plans specified in section 331.206 under which the board of supervisors shall be elected.

6. A supervisor representation plan adopted at a special election shall remain in effect for at least six years.

331.306 Petitions of eligible electors.

If a petition of the voters is authorized by this chapter, the petition is valid if **signed by eligible electors of the county equal in number to at least ten percent of the votes cast in the county for the office of president of the United States or governor at the preceding general election**, unless otherwise provided by state law. The petition shall include the signatures of the petitioners, a statement of their place of residence, and the date on which they signed the petition.

Petitions authorized by this chapter shall be filed with the board of supervisors not later than eighty-two days before the date of the general election if the question is to be voted upon at the general election. If the petition is found to be valid, the board of supervisors shall, not later than sixty-nine days before the general election, notify the county commissioner of elections to submit the question to the registered voters at the general election.

A petition shall be examined before it is accepted for filing. If it appears valid on its face it shall be accepted for filing. If it lacks the required number of signatures it shall be returned to the petitioners.

Petitions which have been accepted for filing are valid unless written objections are filed. Objections must be filed with the county auditor within five working days after the petition was filed. The objection process in section 44.7 shall be followed for objections filed pursuant to this section.

Important Note: Before embarking on a petition drive to change county government, it is highly recommended that the petition coordinator first seek legal counsel. **Linn County Election Services cannot provide legal advice.**

How to Change County Government

Changing the Form of County Government

The method for changing the form of county government is outlined as follows:

- 1) A petition is submitted to the Board of Supervisors requesting that a Charter Commission be established.
- 2) The Board of Supervisors adopts a resolution establishing the commission.
- 3) The commission decides on an alternate form of government.
- 4) The proposed alternate form of government, in the form of a charter, is decided on by voters of the county at a special election.

Below is an excerpt from Chapter 331, Code of Iowa. For more information, please read Chapter 331 in its entirety.

331.231 Alternative forms of county government.

The alternative forms of county government are as follows:

1. Board of supervisor form as provided in division II, part 1.
2. Board-elected executive form as provided in section 331.239.
3. Board-manager form as provided in section 331.241.
4. Charter government form as provided in section 331.246.
5. City-county consolidated form as provided in sections 331.247 through 331.252.
6. Multicounty consolidated form as provided in sections 331.253 through 331.257.
7. Community commonwealth form as provided in sections 331.260 through 331.263.

331.232 Plan for an alternative form of government.

1. A charter to change a form of county government may be submitted to the electors of a county only by a commission established by resolution of the board upon **petition of the number of eligible electors of the county equal to at least twenty-five percent of the votes cast in the county for the office of president of the United States or governor at the preceding general election or the signatures of at least ten thousand eligible electors of the county, whichever number is fewer.** The board shall within ten days of the filing of a valid petition adopt such a resolution.
2. The council of any city wishing to participate in a city-county consolidation charter commission must notify the board by resolution within thirty days of the creation of the commission pursuant to subsection 1. A city's participation in a city-county consolidation charter commission may be proposed by the city council adopting a resolution in favor of participation or by eligible electors of the city equal in number to at least twenty-five percent of the persons who voted at the last regular city election petitioning the council to adopt a resolution in favor of participation. The council shall within ten days of the filing of a valid petition adopt such a resolution.
3. An alternative form of county government shall be submitted to the electorate by the commission in the form of a charter.

<p>Important Note: Before embarking on a petition drive to change county government, it is highly recommended that the petition coordinator first seek legal counsel. Linn County Election Services cannot provide legal advice.</p>
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Previous Changes in Linn County

Voter approved, structural changes were made to the Linn County Board of Supervisors in recent years. First, the number of supervisors was changed from 3 to 5. Second, the representation plan was changed from Plan I to Plan III. The "form" of government did not change.

November 7, 2006: Question put on General Election ballot to increase the number of Supervisors from 3 to 5 (per petition of citizens submitted to the Board of Supervisors)

July 24, 2007: Election to adopt representation plan (Plan Three adopted)

November 4, 2008: First election of five-member Board of Supervisors

January, 2009: New form of government takes effect.

Please note that any representation plan must remain in effect for at least six years. In the case of Linn County, the current representation plan must remain until January 2015.