

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 473

February 27, 1947.
Departmental Affairs.

By NELSON of Woodbury.

A BILL FOR

An Act to repeal section one hundred seventeen point eight (117.8), Code of 1946, and section eight (8) of chapter ninety-six (96) of the acts of the Fifty-first General Assembly, relating to the appointment of real estate commissioners.

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

1 Section 1. Section one hundred seventeen point eight
2 (117.8), Code 1946, and section (8) of chapter ninety-
3 six (96) of the Acts of the Fifty-first General Assembly are
4 hereby repealed and the following enacted in lieu thereof:
5 "Section 1. There is hereby created the Iowa real estate
6 commission which shall consist of the secretary of state as
7 chairman and four members appointed by the governor with
8 approval of two-thirds of the senate in executive session,
9 each of whom prior to the date of his appointment shall have
10 been actively engaged as a real estate broker within this state
11 for a period of not less than five years. Of the first appoint-
12 ments hereunder two members shall be appointed for terms of two
13 years and two members shall be appointed for terms of four years,
14 and until their successors have been appointed and qualified.
15 Thereafter, at the expiration of the term of each appointed

16 member, the governor shall appoint a successor for a term of
17 four years. The terms of all of said appointments shall
18 commence on July first of the year in which the appointment is
19 made, provided that nothing contained herein shall operate
20 to terminate prior to June 30, 1947, the appointment of any
21 commissioner heretofore appointed. There shall at no time
22 be more than one appointed commissioner from any one county,
23 nor may any person act as an appointed commissioner while
24 holding any other elective or appointive state or federal
25 office. In the event of a vacancy on the commission, the
26 governor shall fill such vacancy by appointing a member to
27 serve during the unexpired term of the member whose office
28 has become vacant. The action of the majority of the members
29 of the commission shall be termed the action of the commission.”

1 Sec. 2. This act being deemed of immediate importance
2 shall be in full force and effect from and after its publication
3 in the, a newspaper published at
4, Iowa, and in the,
5 a newspaper published at, Iowa.

EXPLANATION OF H. F. 473

Under the present law the terms of the real estate commissioners commence on January 1st with the terms staggered in such a way as to have the term of one commissioner expire each year. In order to have senate confirmation in advance of the commencement of the term, it would be necessary for the governor to nominate two commissioners to each general assembly with the term of one commencing on January 1st following, the term of the other commencing on January 1st just before the convention of the next general assembly and just before the commencement of the following gubernatorial term.

The purposes of this bill are twofold:

1. To make the terms of the real estate commissioners conform in time of commencement with those of members of other commissions.

2. To shorten the time between the senate confirmation and the commencement of the terms.