

CHAPTER 91.

SUBMISSION OF QUESTIONS TO VOTERS

H. F. 138

AN ACT to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters.

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

That chapter ten (10) of title twelve (12) of the compiled Code of Iowa, and of the supplement to said Code, is amended, revised, and codified to read as follows:

CHAPTER 10

SUBMISSION OF QUESTIONS TO VOTERS

Section 1. Expenditures for improvements - when vote necessary. The board of supervisors shall not order the erection of a courthouse, jail, or county home when the probable cost will exceed ten thousand dollars (\$10,000.00), or any other building, except as otherwise provided, when the probable cost will exceed five thousand dollars (\$5,000.00), nor the purchase of real estate for county purposes exceeding ten thousand dollars (\$10,000.00) in value, until a proposition therefor shall have been first submitted to the legal voters of the county, and voted for by a majority of all persons voting for and against such proposition at a general or special election, notice of the same being given as in other special elections.

Sec. 1-a. Expenditure in special cases. Where a courthouse has been destroyed by fire and not less than one hundred thousand dollars (\$100,000.00) has been donated to the county for the purpose of erecting a courthouse, the board of supervisors may, without authorization from the voters, use the amount so donated for the construction of the courthouse and in addition thereto may appropriate from the general fund for such purpose a sum not exceeding one-half (1/2) of the amount donated, provided there is in the general fund, unappropriated for other purposes, an amount sufficient to pay such appropriation.

Sec. 2. Questions to be submitted to voters. The board of supervisors may submit to the people of the county at any regular election, or at any special election called for that purpose, the question whether money may be borrowed to aid in the erection and equipment of any public buildings, or the procuring of a site or grounds for such public buildings, or for both such site and buildings, and either or both of said propositions and other local or police regulations may be submitted at the same general or special election.

Sec. 3. Additional tax - when. When the warrants of a county are at a depreciated value, it may, in like manner, submit the question whether a tax of a higher rate than that provided by law shall be levied.

Sec. 4. Manner of submitting questions to vote. The mode of submitting questions to the people shall be the following: The whole question, including the sum desired to be raised, or the amount of tax desired to be levied, or the rate per annum, and the whole regulation, including the time of its taking effect or having operation, if it be of a nature to be set forth, and the penalty for its violation if there be one, shall be embraced in a notice of the election and shall be published once each week for at least four (4) weeks in some newspaper published in the county. Such notice shall name the time when such question will be voted upon, and the form in which the question shall be submitted, and a copy of the question to be submitted shall be posted at each polling place during the day of election.

Sec. 5. Voting of tax - when required. When any question submitted involves the borrowing or the expenditure of money the same must be accompanied by a provision to levy a tax for the payment thereof, in addition to other taxes, as directed in the following section, and no vote adopting the question proposed will be of effect unless it adopt the tax also.

Sec. 6. Rate of such tax. The rate of such tax shall in no case be more than one per cent (1%) on the county valuation in any one (1) year. When the object is to borrow money for the erection and equipment of public buildings, or for the procuring of sites or grounds therefor, or for both, the rate shall be such as to pay the debt in a period not exceeding ten (10) years; but in counties having a population of twenty-five thousand (25,000) or over, or in any county where one hundred thousand dollars (\$100,000.00) or more has been or is proposed to be expended, the rate of levy shall be such as to pay the debt in not exceeding twenty-five (25) years.

Sec. 7. Bonds - when to mature. In issuing bonds for such indebtedness, when voted, the board of supervisors may cause portions of said bonds to become due at different definite periods. But none of such bonds so issued shall be due and payable in less than five (5) or more than twenty-five (25) years from date. When the object is to construct, or to aid in constructing, any highway or bridge, the annual rate shall not be less than one (1) mill on the dollar of the assessed valuation; and any of the above taxes becoming delinquent shall draw the same interest as ordinary taxes.

Sec. 8. Tax for successive years. When it is apparent that the levy of one (1) year will not pay the entire amount, the proposition and the vote must be to continue the levy at the same rate from year to year until the amount is paid.

Sec. 9. Result of vote to be published. The board of supervisors, on finding from a canvass of the returns that a majority of the votes were cast in favor of the proposition, shall cause the result of the vote to be entered at large in the minute book, and the proposition shall take effect and be in force thereafter. Notice of such adoption shall be published for the same time and in the same manner as above provided for publishing the notice of election.

Sec. 10. Rescission by subsequent vote. Propositions thus adopted may be rescinded in like manner and upon like notice, by a subsequent vote taken thereon, but neither contracts made under them, nor taxes voted for carrying them into effect, can be rescinded.

Sec. 11. Board must submit questions on petitions. The board shall submit the question of the adoption or rescission of such a measure when petitioned by one-fourth ($\frac{1}{4}$) of the legal voters of the county, or by such different parties as may be prescribed by law in any special case.

Sec. 12. Regularity presumed. The record of the adoption or rescission of any such measure shall be presumptive evidence that all the proceedings necessary to give the vote validity have been regularly conducted.

Sec. 13. Surplus of tax - disposition of. In case the amount produced by the rate of tax proposed and levied exceeds the amount required for the specific object, it shall not for that reason be held invalid, but the excess shall go into the general county fund.

Approved January 23, 1924.

CHAPTER 92

COUNTY BONDS

S. F. 139

AN ACT to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and section thirty-two hundred sixty-one (3261) of the supplement to said code, relating to county bonds.

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

That chapter eleven (11) of title twelve (12) of the compiled Code of Iowa and section thirty-two hundred sixty-one (3261) of the supplement to said Code, is amended, revised, and codified to read as follows:

CHAPTER 11

COUNTY BONDS

Section 1. Funding and refunding county bonds. When the outstanding indebtedness of any county on the first day of January, April, June or September in any year exceeds the sum of five thousand dollars (\$5,000.00), the board of supervisors, by a two-thirds ($\frac{2}{3}$) vote of all its members, may fund or refund the same, and issue the bonds of the county therefor in sums not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) each, payable at a time stated, not more than twenty (20) years from their date.

Sec. 2. Refunding bonds in certain counties. Indebtedness incurred by any county in making and repairing bridges may be refunded whenever such outstanding indebtedness equals or exceeds the sum of five thousand dollars (\$5,000.00), and the tax to pay such bonds and interest shall be levied as hereinafter provided; except that no part of said tax shall be levied on property within any city which is authorized by law to levy its own bridge tax.

Sec. 3. Rate of interest - form of bond. Said bonds shall bear interest not exceeding five per cent (5%) per annum, payable semiannually, and be substantially in the following form, but subject to changes that will conform them to the resolution of said board, to wit: