

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

House File 429

February 26, 1943.
Passed on File.

By CITIES AND TOWNS COMMITTEE.

A BILL FOR

An Act to authorize a commission for the purpose of making a recodification of the laws of Iowa relating to all cities and towns; to authorize an appropriation for the carrying out of the provisions of the act; to authorize and direct the report of the commission to be given to the governor of Iowa; to authorize and direct the printing of the same and placing of copies in the hands of the members of the 51st General Assembly Elect.

WHEREAS, the municipal laws of the State of Iowa have been in the process of development for many years, and

WHEREAS, the present statutes relating to cities and towns contain numerous conflicts, uncertainties and omissions, which interfere with proper efficiency and economy in the operation of cities and towns, leading to confusion and argument as to proper administration, therefor

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

- 1 Section 1. There is hereby established a commission of seven
- 2 members consisting of one representative from the state
- 3 auditor's office, to be appointed by the state
- 4 auditor, one member from the state comptroller's
- 5 office, to be appointed by the state comptroller,
- 6 and five members to be appointed by the governor of
- 7 the State of Iowa, two of which shall be city
- 8 accounting officers, either clerks or auditors,

9 one representing cities and one representing
10 towns; two members to be city and town attorneys, one representing
11 cities and one representing towns; and the fifth to be a mayor or
12 councilman of a city or town. The state auditor, or the representa-
13 tive appointed by him, shall be ex-officio chairman of this
14 commission, and is hereby authorized, directed, and empowered to
15 carry out the provisions of this act. In carrying out the duties
16 imposed, the state auditor, with the approval of the commission,
17 is authorized to employ such persons as may be needed and incur
18 such expenses as may be necessary to complete satisfactorily the
19 work within the time allotted, such salaries and expenses to be
20 paid out of the appropriation provided for by this act.

1 Sec. 7. The state auditor, with the advice and co-operation
2 of the commission, shall prepare or cause to be prepared a pro-
3 posed new code on municipal laws which shall consist of the
4 complete revision of such laws with the elimination of any obsolete
5 sections and the combining as much as possible of the present
6 numerous fund levies. Also included shall be a classification of
7 accounts following as nearly as possible the classification of
8 accounts as established by the national bureau of the census. The
9 proposed study shall cover all laws applicable to all cities and
10 towns and upon completion shall be presented to the 51st General
11 Assembly Elect approval and any amendments which are necessary.
12 The commission shall also make a study of nonproperty tax revenues
13 and incorporate in the report their findings in regard to such
14 revenues. Said report shall be completed and filed with the

15 governor not later than sixty days preceding the convening of the
16 51st General Assembly, and thereupon, the governor shall cause a
17 thousand copies of the same to be printed and a copy placed in the
18 hands of the members of the 51st General Assembly Elect as early
19 as possible prior to the convening of said 51st General Assembly
20 and copies made available to other interested parties.

1 Sec. 3. Said state auditor and the commission shall be
2 furnished with supplies for use in the discharge of their duties
3 and may call upon the supreme court and other state officials
4 and departments, as well as city and town officials, for information
5 and assistance. It shall have power to call in for consultations
6 or other service qualified persons in the field of taxation,
7 municipal finance, and law, and to pay expenses of such persons,
8 and may pay such persons a fee or per diem for their services.

1 Sec. 4. The members of the commission shall qualify by
2 subscribing to the oath required of state officers.

1 Sec. 5. The members of the commission appointed by the
2 governor shall receive their necessary expenses incurred in the
3 performance of their duties, but shall receive no per diem if
4 employed on an annual salary by the state, any city or town
5 or any department or agency thereof. However, if they do
6 not receive an annual salary from the state, or any city or town,
7 or agency thereof, they shall receive a compensation per diem for
8 each day actually devoted to the work of the commission; said per
9 diem for each of said members shall be not more than ten dollars
10 per day.

1 Sec. 6. Said commission shall enter upon its duties on or
2 before the first day of July, 1943, and upon the completion of its
3 duties shall dissolve, and its members be discharged.

1 Sec. 7. For the purpose of this Act there is hereby appropriated
2 the general fund of the state for each year of the biennium ^{from}
3 beginning July 1, 1943, and ending June 30, 1945, a sum of four
4 thousand dollars, or so much thereof, as may be necessary for the
5 purpose of carrying out the provisions of this act, any unex-
6 pended balance to carry over. The use of this fund is limited
7 *exclusively to the carrying out of the provisions of this act,*
8 and any unexpended fund shall revert to the general fund of the
9 State of Iowa at the termination of the duties of said commission.
10 All claims against this fund shall be approved by the state auditor
11 and at least two members of the commission.

1 Sec. 8. If any section or provision of this Act is declared
2 unconstitutional, the remaining sections or provisions of the
3 Act shall not be affected thereby.

EXPLANATION OF H. F. 429

This provides for a commission to recodify the laws of cities and towns in the state of Iowa.