

January 27, 1959.
Passed on File.

Senate File 109

By BUTLER.

Passed Senate, Date 2-27-59 Passed House, Date 3-10-59
Vote: Ayes 46 Nays 0 Vote: Ayes 95 Nays 1
Approved 3-12-59

A BILL FOR

An Act to legalize and validate the action and proceedings of the board of directors of the Pocahontas Community School District, in the county of Pocahontas, state of Iowa, in calling a special school bond election and the issuance of school bonds pursuant to said election.

WHEREAS, on the 3rd day of November, 1958 the board of directors of said Pocahontas Community School District, in the county of Pocahontas, state of Iowa, pursuant to a petition therefor filed by certain voters of said school district, called a special election of the voters of said district for December 6, 1958, on the question of issuance of not to exceed two hundred sixty thousand dollars (\$260,000.00) of school bonds of said district, and using the sum of forty thousand dollars (\$40,000.00) of surplus funds in the school treasury for the purpose of building and furnishing an addition to the school building in Pocahontas, Iowa, and at said election said proposition carried by a majority of more than sixty percent (60%) of the total votes cast for and against said proposition at said election; and

WHEREAS, pursuant to a sufficient petition and proceedings taken by the county superintendent of schools of Pocahontas County, Iowa, an election was held on January 6, 1959, on the proposition of creating a new school corporation to be known as the "Community School District of Pocahontas, in Pocahontas County, Iowa" and consisting of all of the territory of the present Pocahontas Community School District and portions of the following school districts: Marshall Township School District and Dover Township School District, all in Pocahontas County, Iowa, the territory to be included in said new school district being fully set out on the form of ballot used at said January 6th election; and at said election said proposition carried by a substantial majority in each of said school corporations, hereinabove mentioned; that the legal existence of the present Pocahontas Community School District will terminate on July 1, 1959, by reason thereof, and thereafter all of the territory of said Pocahontas Community School District will be included in and will be a part of the newly created Community School District of Pocahontas as authorized at said January 6, 1959, election; and

WHEREAS, on the 24th day of January, 1959, the board of directors of said school district adopted a resolution providing for the issuance of said school bonds, to be dated March 1, 1959, in the sum of two hundred sixty thousand dollars (\$260,000.00) pursuant to said school bond election, hereinabove mentioned; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings and action of the board of directors of said school district in calling said special school bond election for December 6, 1958, on said petition for election, and as to the validity of said election petition, and as to the authority of the school board of said Pocahontas Community School District to contract indebtedness and issue bonds pursuant to said election, and it is deemed advisable and necessary to put such doubts and all others that might arise concerning the same forever at rest: Now, Therefore,

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

1 Section 1. All proceedings and action heretofore taken by
2 the board of directors of the Pocahontas Community School District
3 in the county of Pocahontas, state of Iowa, preliminary to and
4 in connection with the call of the special election for the
5 submission of the proposition for the authorization and issuance
6 of not to exceed two hundred sixty thousand dollars (\$260,000.00)
7 of school bonds of said school district and using the sum of
8 forty thousand dollars (\$40,000.00) of surplus funds in the school
9 treasury for school building purposes, including also the petition
10 calling for said election, the election itself, and the adoption
11 of said proposition at said election by the voters of said school
12 district, and all proceedings and action heretofore taken by the
13 school board of said district as to the issuance of said bonds,
14 pursuant to said election be and the same are hereby legalized,
15 validated and confirmed, and shall constitute full authority for
16 the school board of said school district to contract said indebt-
17 edness and to issue said bonds for the purposes authorized at said
18 election at any time prior to July 1, 1959, the same being the
19 date of the expiration of the corporate existence of said
20 Pocahontas Community School District, in an amount not exceeding
21 two hundred sixty thousand dollars (\$260,000.00) and said bonds,

22 when issued, shall constitute valid and binding obligations of
23 said school district.

1 Sec. 2. This Act, being deemed of immediate importance, shall
2 be in full force and effect from and after its passage and publi-
3 cation in the _____, a newspaper published at
4 _____, Iowa, and _____, a
5 newspaper published at _____, Iowa, all without expense
6 to the state.

SENATE FILE 109

1 Amend Senate File 109 by triking all of section 2 and inserting in
2 lieu thereof the following:
3 "Sec. 2. This Act, being deemed of immediate importance, shall
4 be in full force and effect from and after its passage and publication
5 the Pocahontas Record-Democrat, a newspaper published at Poca-
6 Iowa, and the Rolfe Arrow, a newspaper published at Rolfe, Iowa, all
7 without expense to the state."

adopted 2/27/59

Filed
February 26, 1959.

By BUTLER.