

FILED MAR 9 1976

SENATE FILE 1244

By COMMITTEE ON COUNTY GOVERNMENT

Passed Senate, Date 3-24-76 (1033) Passed House, Date 5-17-76 (2824)

Vote: Ayes 44 Nays 0 Vote: Ayes 83 Nays 1

Approved S - 28 - 76

Motion to reconsider filed 3/24 (1033) w. d. 3/25

Passed Senate as amended by House

5-19-76 (2072)
44-0

A BILL FOR

1 An Act authorizing the board of supervisors to establish and
2 govern certain service districts.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE AMENDMENT TO SENATE FILE 1244

S-5821

- 1 Amend Senate File 1244 as follows:
- 2 1. By striking line 1, on page 1 and inserting
- 3 in lieu thereof the following:
- 4 "Section 1. Section three hundred thirty-two
- 5 point three".

S-5821 FILED
MAY 18, 1976

RECEIVED FROM THE HOUSE

Senate concurred 5/19/76 (2071)

1 Section 1. Section three hundred twenty-two point three
2 (332.3), Code 1975, is amended by adding the following new
3 subsection:

4 NEW SUBSECTION. To assume and exercise the powers and
5 duties of a governing body under the provisions of chapters
6 three hundred fifty-seven (357), three hundred fifty-seven
7 A (357A), three hundred fifty-seven B (357B), three hundred
8 fifty-eight (358) or four hundred sixty-two (462) of the Code
9 if a governing body established under any such chapters has
10 insufficient membership to perform the powers and duties of
11 a governing body. The board of supervisors may, upon petition
12 of the number of property owners within a proposed district
13 and filing of a bond as provided in section three hundred
14 fifty-seven A point two (357A.2) of the Code, establish a
15 service district within the unincorporated area of the county
16 and exercise the powers and duties granted under chapters
17 three hundred fifty-seven (357), three hundred fifty-seven
18 A (357A), three hundred fifty-seven B (357B), three hundred
19 fifty-seven C (357C), three hundred fifty-eight (358), three
20 hundred fifty-nine (359), three hundred eighty-four (384),
21 division four (IV), or four hundred sixty-two (462) of the
22 Code within such district.

23 EXPLANATION

24 This bill authorizes the board of supervisors to assume
25 and exercise the powers and duties of a governing body of
26 a lighting district, water district, sanitary district,
27 drainage district, township and fire district if a governing
28 body established to govern such districts has insufficient
29 members to function as a governing body according to law.
30 Upon petition of the owners of fifty percent of the land to
31 be included in a proposed district and the filing of a bond,
32 the board of supervisors may establish districts and exercise
33 the powers and duties authorized by chapters 357, 357A, 357B,
34 357C, 358, or 462 of the Code. The bill also authorizes the
35 board of supervisors to perform public improvement functions

1 and levy special assessment in districts established in
2 unincorporated areas of the county in the same manner as
3 cities under chapter 384, division IV of the Code.

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