

*1/2, Pass per 6355*

FILED MAR 29 1976

SENATE FILE 1279

By COMMITTEE ON JUDICIARY

Passed Senate, Date 4-2-76 (1148) Passed House, Date 4-30-76 (p. 2302)

Vote: Ayes 36 Nays 1 Vote: Ayes 87 Nays 0

Approved 5-20-76

*Approved Senate per House amendment  
5-10-76 (p. 1827)  
43-0*

### A BILL FOR

1 An Act to legalize and validate the proceedings of the Polk  
2 County Commissioner of Elections in connection with an  
3 election in and for the City of Pleasant Hill and  
4 declaring the validity of said election and the validity  
5 of bonds issued pursuant thereto.

HOUSE AMENDMENT TO SENATE FILE 1279

S-5642

1 Amend Senate File 1279 as follows:  
2 1. Page 1, by striking lines 31 through 35  
3 and inserting in lieu thereof the following:  
4 "Sec. \_\_\_\_\_. This Act, being deemed of  
5 immediate importance, shall take effect and be  
6 in force from and after its publication in The  
7 Cedar Valley Daily Times, a newspaper published  
8 in Vinton, Iowa, and the Neola Gazette-Reporter,  
9 a newspaper published in Neola, Iowa."  
10 2. Page 2, by striking line 1.

S-5642 FILED  
MAY 3, 1976

RECEIVED FROM THE HOUSE  
*Senate concurred 5/10 (p. 1827)*

H-6355

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9 newspaper published in Neola, Iowa."  
10 2. Page 2, by striking line 1.

H-6355 FILED - *Adopted 4/30* BY COMMITTEE ON WAYS AND MEANS  
APRIL 21, 1976 NORLAND of Worth, Chair

118, Page per 6355

FILED MAR 29 1976

SENATE FILE 1279

By COMMITTEE ON JUDICIARY

Passed Senate, Date 4-2-76 (1145) Passed House, Date 4-30-76 (p. 2332)

Vote: Ayes 36 Nays 1 Vote: Ayes 87 Nays 0

Approved 5-20-76

*Repassed Senate per House consideration  
5-10-76 (p. 1827)  
43-0*

## A BILL FOR

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- 9 newspaper published in Neola, Iowa."
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H-6355 FILED - *Adopted 4/30* BY COMMITTEE ON WAYS AND MEANS  
APRIL 21, 1976 NORLAND of Worth, Chair

1 WHEREAS, it appears from the records of the County  
2 Commissioner of Elections of Polk County, Iowa, that at the  
3 regular municipal election held in and for the City of Pleasant  
4 Hill, on November 4, 1975, the election of city officials  
5 was voted and the following proposition, to-wit:

6 "Shall the City of Pleasant Hill, Iowa, issue its bonds  
7 in an amount not exceeding the amount of \$750,000.00, for  
8 the purpose of extending and improving the city water util-  
9 ity by constructing an elevated storage tank and related water  
10 mains?"

11 was approved by more than sixty percent of the votes cast  
12 for and against the measure, and in reliance on said elec-  
13 tion the City Council proposes to issue said bonds; and

14 WHEREAS, doubts have arisen concerning the validity and  
15 legal sufficiency of said election and it is deemed advis-  
16 able to put such doubts and all others that might arise con-  
17 cerning same forever at rest; NOW THEREFORE,

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

19 Section 1. That all proceedings heretofore taken by the  
20 County Commissioner of Elections of Polk County, Iowa,  
21 preliminary to and in connection with said election held in  
22 said City of Pleasant Hill on November 4, 1975, said election,  
23 the election of city officers and the adoption by the voters  
24 of the proposition set forth above are hereby legalized,  
25 validated and confirmed and by authority of said election  
26 and this Act said City Council is authorized to issue said  
27 bonds for the purposes authorized at said election. Said  
28 bonds when sold and issued pursuant to law shall constitute  
29 valid and binding obligations of the City of Pleasant Hill,  
30 Iowa.

31 Sec. 2. This Act, being deemed of immediate importance,  
32 shall take effect and be in force from and after its publica-  
33 tion in \_\_\_\_\_, a newspaper published in  
34 \_\_\_\_\_, Iowa, and in \_\_\_\_\_, a  
35 newspaper published in \_\_\_\_\_, Iowa, without ex-

1 pense to the state.

2 EXPLANATION

3 This bill legalizes proceedings in regard to the regular  
4 municipal election and approval of a bond proposal in the  
5 City of Pleasant Hill on November 4, 1975. The election was  
6 held in the regular manner and the special proposition ap-  
7 proved by 77 percent of the vote but the legal sufficiency  
8 of the proceedings are in doubt.

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*Proof of Publication 2/29(1092)  
" " " News Gazette Reporter*

LSB 4255  
sg/rh/31

SENATE FILE 1279

AN ACT

TO LEGALIZE AND VALIDATE THE PROCEEDINGS OF THE POLK COUNTY COMMISSIONER OF ELECTIONS IN CONNECTION WITH AN ELECTION IN AND FOR THE CITY OF PLEASANT HILL AND DECLARING THE VALIDITY OF SAID ELECTION AND THE VALIDITY OF BONDS ISSUED PURSUANT THERETO.

WHEREAS, it appears from the records of the County Commissioner of Elections of Polk County, Iowa, that at the regular municipal election held in and for the City of Pleasant Hill, on November 4, 1975, the election of city officials was voted and the following proposition, to-wit:

"Shall the City of Pleasant Hill, Iowa, issue its bonds in an amount not exceeding the amount of \$750,000.00, for the purpose of extending and improving the city water utility by constructing an elevated storage tank and related water mains?"

was approved by more than sixty percent of the votes cast for and against the measure, and in reliance on said election the City Council proposes to issue said bonds; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; NOW THEREFORE,

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

Section 1. That all proceedings heretofore taken by the County Commissioner of Elections of Polk County, Iowa, preliminary to and in connection with said election held in said City of Pleasant Hill on November 4, 1975, said election, the election of city officers and the adoption by the voters of the proposition set forth above are hereby legalized, validated and confirmed and by authority of said election

and this Act said City Council is authorized to issue said bonds for the purposes authorized at said election. Said bonds when sold and issued pursuant to law shall constitute valid and binding obligations of the City of Pleasant Hill, Iowa.

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Cedar Valley Daily Times, a newspaper published in Vinton, Iowa, and in the Neola Gazette-Reporter and Minden Shelby News, a newspaper published in Neola, Iowa.

ARTHUR A. NEU  
President of the Senate

DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1279, Sixty-sixth General Assembly.

STEVEN C. CROSS  
Secretary of the Senate

Approved May 20, 1976

ROBERT D. RAY  
Governor