

HOUSE FILE 2310

Judiciary & Law Enforcement Do pass 3/28 (1226)

See Judiciary 4/21 Do Pass 5/2 (8 1241)

BY SPENCER

HOUSE FILE 2310

Judiciary  
Rush, Chairperson  
Willits  
Ashcraft

~~Passed~~ House, Date 4-18-78 (p. 1605) Passed Senate, Date 5-3-78 (p. 1210)  
Vote: Ayes 86 Nays 0 Vote: Ayes 42 Nays 1  
Approved May 16, 1978

### A BILL FOR

1 An Act relating to the legalization and validation of the  
2 Lost Island sanitary district and the procedures of the  
3 board of supervisors and the county auditor of Palo Alto  
4 county in connection with the creation and organization  
5 of the Lost Island sanitary district.  
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#### PROOF OF PUBLICATION 3/14 (p. 996)

Published copy of House File 2310 and verified proof of publication of said bill in the Emmetsburg Reporter, on February 21, 1978, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

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1 WHEREAS, the Lost Island sanitary district in Palo Alto and  
2 Clay counties was organized on December 16, 1974 pursuant to  
3 an election held December 11, 1974 and the existence of the  
4 Lost Island sanitary district in Palo Alto and Clay counties  
5 is of general public interest; and

6 WHEREAS, doubts have arisen concerning the validity of the  
7 action of the board of supervisors and auditor of Palo Alto  
8 county in fixing the boundaries of the proposed district  
9 and concerning whether all persons in interest had due notice;  
10 concerning whether the notice for a special election on the  
11 proposal for the organization and establishment of said  
12 sanitary district was sufficient; and concerning the entire  
13 validity of the proceedings had for the formation of the Lost  
14 Island sanitary district; and

15 WHEREAS, in order to effectively administer said sanitary  
16 district it is in the public interest to put any doubt which  
17 has arisen or may arise concerning the validity and legal  
18 sufficiency of the proceedings for the formation and organiza-  
19 tion of the Lost Island sanitary district should be legalized  
20 and the matter once and for all be put to rest; NOW THEREFORE,  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

22 Section 1. That all proceedings heretofore taken in connec-  
23 tion with the creation, establishment, and organization of  
24 the Lost Island sanitary district in Palo Alto and Clay  
25 counties and the legal existence of said district are hereby  
26 declared to be valid, legal and sufficient to create and  
27 establish an organized sanitary district and said proceedings  
28 are hereby legalized, validated and confirmed and shall con-  
29 stitute full authority for the board of trustees of said  
30 district to exercise the full corporate power of a sanitary  
31 district lawfully organized pursuant to the laws of this state.

32 EXPLANATION

33 The bill legalizes and validates the procedures of the board  
34 of supervisors and county auditor of Palo Alto County in connection  
35 with the creation and organization of the Lost Island Sanitary District.

HOUSE FILE 2310

AN ACT

RELATING TO THE LEGALIZATION AND VALIDATION OF THE LOST ISLAND SANITARY DISTRICT AND THE PROCEDURES OF THE BOARD OF SUPERVISORS AND THE COUNTY AUDITOR OF PALO ALTO COUNTY IN CONNECTION WITH THE CREATION AND ORGANIZATION OF THE LOST ISLAND SANITARY DISTRICT.

WHEREAS, the Lost Island sanitary district in Palo Alto and Clay counties was organized on December 16, 1974 pursuant to an election held December 11, 1974 and the existence of the Lost Island sanitary district in Palo Alto and Clay counties is of general public interest; and

WHEREAS, doubts have arisen concerning the validity of the action of the board of supervisors and auditor of Palo Alto county in fixing the boundaries of the proposed district and concerning whether all persons in interest had due notice; concerning whether the notice for a special election on the proposal for the organization and establishment of said sanitary district was sufficient; and concerning the entire validity of the proceedings had for the formation of the Lost Island sanitary district; and

WHEREAS, in order to effectively administer said sanitary district it is in the public interest to put any doubt which has arisen or may arise concerning the validity and legal sufficiency of the proceedings for the formation and organization of the Lost Island sanitary district should be legalized and the matter once and for all be put to rest; NOW THEREFORE,

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

Section 1. That all proceedings heretofore taken in connection with the creation, establishment, and organization of the Lost Island sanitary district in Palo Alto and Clay coun-

ties and the legal existence of said district are hereby declared to be valid, legal and sufficient to create and establish an organized sanitary district and said proceedings are hereby legalized, validated and confirmed and shall constitute full authority for the board of trustees of said district to exercise the full corporate power of a sanitary district lawfully organized pursuant to the laws of this state.

DALE M. COCHRAN  
Speaker of the House

ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2310, Sixty-seventh General Assembly.

DAVID L. WRAY  
Chief Clerk of the House

Approved May 16, 1978

ROBERT D. RAY  
Governor