

Judiciary
Horn, Chair
Dieleman
Goodwin

So Pass 3/21/83
(p. 879)

FILED MAR 15 1983

SENATE FILE 428

BY SCHWENGELS and GETTINGS

Substituted for H. F. 35-5 #31 (p. 990)

Passed Senate, Date 3-28-83 (p. 979) Passed House, Date 3-31-83 (p. 991)

Vote: Ayes 44 Nays 1 Vote: Ayes 95 Nays 2

Approved April 15, 1983 (p. 1300)

A BILL FOR

1 An Act to legalize the proceedings of the board of directors of
2 the Indian Hills Community College (Merged Area XV) in the
3 counties of Appanoose, Davis, Decatur, Henry, Iowa,
4 Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe,
5 Poweshiek, Van Buren, Wapello, Washington and Wayne and the
6 Wapello county commissioner of elections in connection with
7 an election authorizing the levy of a tax and declaring the
8 validity of said election and the validity of taxes levied
9 pursuant thereto.

COMMUNICATION FROM THE SECRETARY OF STATE

April 28, 1983

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

I hereby certify that the foregoing Act, Senate File 428 was published in the Bloomfield Democrat, Bloomfield, Iowa, on April 21, 1983, and in the Ottumwa Courier, Ottumwa, Iowa, on April 25, 1983.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

S.F. 428

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1 WHEREAS, the Board of Directors of the Indian Hills
2 Community College (Merged Area XV) ordered the submission
3 at a special election held coincident with the regular school
4 election in and for said Merged Area on September 12, 1978,
5 of a public measure authorizing the Board of Directors of
6 Indian Hills Community College to certify for the tax year
7 commencing July 1, 1979, a tax not exceeding 20.25 cents per
8 one thousand dollars of assessed value in any one year for
9 a period not to exceed ten years, for the purchase of grounds,
10 construction of buildings, payment of debts contracted for
11 the construction of buildings, purchase of buildings and
12 equipment for buildings, and acquisition of a library, and
13 for the purpose of maintaining, remodeling, improving or
14 expanding the area vocational school or area community college
15 of the Merged Area; and

16 WHEREAS, it appears from the records of the Indian Hills
17 Community College and the Wapello County Commissioner of
18 Elections that the proposition was approved by more than fifty
19 percent of the votes cast for and against the measure, and
20 in reliance on said election the Board of Directors proposes
21 to levy and collect said tax in each year as authorized; and

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

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

27 Section 1. That all the proceedings heretofore taken by
28 the Board of Directors of the Indian Hills Community College
29 (Merged Area XV), and the County Commissioner of Elections
30 of Wapello County, Iowa, preliminary to and in connection
31 with said election held in said Merged Area District on
32 September 12, 1978, said election and the adoption by the
33 voters of the proposition set forth above are hereby legalized,
34 validated and confirmed and by authority of said election
35 and this Act said Board of Directors are authorized to levy

1 said tax of not to exceed twenty and one-fourth (20 1/4) cents
2 per thousand dollars of assessed value on all taxable property
3 within said Merged Area for the purposes authorized of said
4 election, said authorization to be effective for a period
5 of ten years commencing with the levy for the taxes payable
6 in the fiscal year ending June 30, 1980.

7 Sec. 2. This Act, being deemed of immediate importance,
8 shall take effect and be in force from and after its
9 publication in the Ottumwa Courier, a newspaper published
10 in Ottumwa, Iowa, and in The Bloomfield Democrat, a newspaper
11 published in Bloomfield, Iowa, without expense to the state.

12 EXPLANATION

13 This bill legalizes proceedings taken by the board of
14 directors of the Indian Hills community college and the county
15 commissioner of election of Wapello county in connection with
16 an election held for the purpose of authorizing a levy for
17 the purpose of purchasing grounds, construction of a building,
18 payment of debts contracted for construction of buildings,
19 purchase of buildings and equipment, acquisition of a library
20 and for maintaining, remodeling, improving, or expanding the
21 area vocational school or area community college.

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SENATE FILE 428

AN ACT

TO LEGALIZE THE PROCEEDINGS OF THE BOARD OF DIRECTORS OF THE INDIAN HILLS COMMUNITY COLLEGE (MERGED AREA XV) IN THE COUNTIES OF APPANOOSE, DAVIS, DECATUR, HENRY, IOWA, JEFFERSON, KEOKUK, LEE, LUCAS, MAHASKA, MARION, MONROE, POWESHIEK, VAN BUREN, WAPELLO, WASHINGTON AND WAYNE AND THE WAPELLO COUNTY COMMISSIONER OF ELECTIONS IN CONNECTION WITH AN ELECTION AUTHORIZING THE LEVY OF A TAX AND DECLARING THE VALIDITY OF SAID ELECTION AND THE VALIDITY OF TAXES LEVIED PURSUANT THERETO.

WHEREAS, the Board of Directors of the Indian Hills Community College (Merged Area XV) ordered the submission at a special election held coincident with the regular school election in and for said Merged Area on September 12, 1978, of a public measure authorizing the Board of Directors of Indian Hills Community College to certify for the tax year commencing July 1, 1979, a tax not exceeding 20.25 cents per one thousand dollars of assessed value in any one year for a period not to exceed ten years, for the purchase of grounds, construction of buildings, payment of debts contracted for the construction of buildings, purchase of buildings and

equipment for buildings, and acquisition of a library, and for the purpose of maintaining, remodeling, improving or expanding the area vocational school or area community college of the Merged Area; and

WHEREAS, it appears from the records of the Indian Hills Community College and the Wapello County Commissioner of Elections that the proposition was approved by more than fifty percent of the votes cast for and against the measure, and in reliance on said election the Board of Directors proposes to levy and collect said tax in each year as authorized; 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 the proceedings heretofore taken by the Board of Directors of the Indian Hills Community College (Merged Area XV), and the County Commissioner of Elections of Wapello County, Iowa, preliminary to and in connection with said election held in said Merged Area District on September 12, 1978, said election 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 Board of Directors are authorized to levy said tax of not to exceed twenty and one-fourth (20 1/4) cents per thousand dollars of assessed value on all taxable property within said Merged Area for the purposes authorized of said election, said authorization to be effective for a period of ten years commencing with the levy for the taxes payable in the fiscal year ending June 30, 1980.

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its

publication in the Ottumwa Courier, a newspaper published in Ottumwa, Iowa, and in The Bloomfield Democrat, a newspaper published in Bloomfield, Iowa, without expense to the state.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 428, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 15, 1983

TERRY E. BRANSTAD
Governor