

February 16, 1961.  
Passed on File.

Senate File 260  
By WOLF.

Passed Senate, Date 3-10-61 Passed House, Date 3-13-61  
Vote: Ayes 47 Nays 0 Vote: Ayes 92 Nays 0  
Approved 3-15-61

## A BILL FOR

An Act to legalize and validate the special election and the proceedings relative thereto with reference to the placing of the management and control of the Municipal Gas Utility of the city of Cedar Falls, Iowa, in the hands of a board of trustees and to validate and legalize the acts of said board of trustees and its members in acting pursuant to said appointment.

WHEREAS, a special election was held in the city of Cedar Falls, Iowa, on the 4th day of August, 1959, on the proposition of placing the management and control of the city's gas plant and distribution system in the hands of a board of trustees and said proposition was declared carried by more than a majority of the votes cast for and against said proposition at said election; and

WHEREAS, thereafter and in reliance upon said special election the mayor, with the approval and confirmation of the city council of said city, did appoint a board of three trustees of the Municipal Gas Utility of said city and said gas utility has been ever since and now is operated, controlled and managed by a board of trustees thereof; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and the appointment of the board of trustees of the Municipal Gas Utility of said city pursuant thereto, and the validity of the acts of said board of trustees since said board was organized, and it is deemed advisable to put said 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. That the special election held on the 4th day of
- 2 August, 1959, in Cedar Falls, Iowa, and the proceedings hereto-
- 3 fore taken by the mayor and city council of said city in connec-
- 4 tion therewith in appointing and constituting a board of trustees
- 5 to manage and control the Municipal Gas Utility of said city, are
- 6 hereby validated and declared to be legal and said board of
- 7 trustees of the Municipal Gas Utility of Cedar Falls, Iowa, is

8 hereby declared to be duly and legally established and all of  
9 the acts of said board of trustees which have been performed by  
10 them in the course of their official duties shall be of the same  
11 force and effect as if said board and the members thereof had  
12 been duly and legally appointed and qualified.

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

*Proof of Pub - 61*  
*2-16-61*  
*SJ-89318*

*H.G. - 89 581*

SENATE FILE  
260 as follows  
2. By striking all of lines 3, 4, and 5, in section 2, and  
3 inserting in lieu thereof the following: "publication in the  
4 Daily Record, a newspaper published at Cedar Falls, Iowa, and  
5 the Waterloo Courier, a newspaper published at Waterloo,  
6 Iowa."  
Filed:  
February 22, 1961.  
By WOLF  
*accepted*  
*3-15-61*