

January 14, 1965.

Senate File 9

Passed on File.

By DENMAN, O'MALLEY and REPPERT.

An Act relating to low-rent housing.

Passed Senate, Date <sup>2/8</sup>.....

Passed House, Date <sup>7/19</sup>.....

Vote: Ayes <sup>48</sup>..... Nays <sup>7</sup>.....

Vote: Ayes <sup>85</sup>..... Nays <sup>12</sup>.....

Approved <sup>April 19, 1965</sup>.....

*Governmental  
subdivisions 1/18/65  
"do pass" 2/2  
passed on file 2/2*

# A BILL FOR

*general subdivisions 2/11  
"do pass" 3/16*

Be It Enacted by the General Assembly of the State of Iowa:

*on cabinet 2/2  
referred 2/5*

1 Section 1. Section four hundred three A point two (403A.2),  
2 Code 1962, is hereby amended by adding thereto a new subsection  
3 as follows:

4 "Agency" or "Low-Rent Housing Agency" shall mean a public  
5 agency created under the provisions of section two (2) of  
6 this Act."

1 Sec. 2. Section four hundred three A point five (403A.5),  
2 Code 1962, is hereby repealed and the following enacted in  
3 lieu thereof:

4 "There is hereby created in each municipality a public  
5 body corporate and politic to be known as the "Low-Rent Housing  
6 Agency" of the municipality, except, that such agency shall  
7 not transact any business or exercise its powers hereunder  
8 until or unless the local governing body has elected to exercise  
9 its municipal housing powers through such an agency as  
10 prescribed in this section; and, except further, that any such  
11 agency shall not undertake any low-rent housing project until  
12 such project has been approved by a referendum as provided in  
13 section four hundred three A point twenty-five (403A.25).

14 Nothing herein shall prevent such an agency, if one is  
15 established by the local governing body, from making investi-  
16 gations, studies, reports and recommendations with respect to

January 14, 1965.

Passed on File.

An Act relating to low-rent housing.

Senate File 9

By DENMAN, O'MALLEY and REPERT.

Passed Senate, Date 2/8

Passed House, Date 4/9

Vote: Ayes 48 Nays 7

Vote: Ayes 85 Nays 12

Approved April 19, 1965

Governmental subdivisions 1/18/65  
"do pass" 2/2  
passed on file 2/2

gov'tal subdivisions 2/11  
"do pass" 3/16

# A BILL FOR

Be It Enacted by the General Assembly of the State of Iowa:

on calendar 2/2  
deferred 2/5

1 Section 1. Section four hundred three A point two (403A.2),  
 2 Code 1962, is hereby amended by adding thereto a new subsection  
 3 as follows:  
 4 "Agency" or "Low-Rent Housing Agency" shall mean a public  
 5 agency created under the provisions of section two (2) of  
 6 this Act."

1 Sec. 2. Section four hundred three A point five (403A.5),  
 2 Code 1962, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "There is hereby created in each municipality a public  
 5 body corporate and politic to be known as the "Low-Rent Housing  
 6 Agency" of the municipality, except, that such agency shall  
 7 not transact any business or exercise its powers hereunder  
 8 until or unless the local governing body has elected to exercise  
 9 its municipal housing powers through such an agency as  
 10 prescribed in this section; and, except further, that any such  
 11 agency shall not undertake any low-rent housing project until  
 12 such project has been approved by a referendum as provided in  
 13 section four hundred three A point twenty-five (403A.25).

14 Nothing herein shall prevent such an agency, if one is  
 15 established by the local governing body, from making investi-  
 16 gations, studies, reports and recommendations with respect to

17 the necessity for, the location and the size of any proposed  
18 low-rent housing project prior to the referendum on same as  
19 provided in section four hundred three A point twenty-five  
20 (403A.25).

21 If the low-rent housing agency is authorized to transact  
22 business and exercise powers hereunder, the mayor, by and  
23 with the advice and consent of the local governing body, shall  
24 appoint a board of commissioners of the low-rent housing  
25 agency which board shall consist of five (5) commissioners.  
26 The term of office for three (3) of said commissioners  
27 originally appointed shall be two (2) years and the term of  
28 office for two (2) of said commissioners originally appointed  
29 shall be one (1) year. Thereafter the term of office for  
30 each commissioner shall be two (2) years.

31 A commissioner shall receive no compensation for his serv-  
32 ices, but he shall be entitled to the necessary expenses,  
33 including traveling expenses, incurred in the discharge of  
34 his duties. Each commissioner shall hold office until his  
35 successor has been appointed and has qualified. A certificate  
36 of the appointment or reappointment of any commissioner shall  
37 be filed with the clerk of the municipality, and such  
38 certificate shall be conclusive evidence of the due and proper  
39 appointment of such commissioner.

40 The powers of a low-rent housing agency shall be exercised  
41 by the commissioners thereof. A majority of the commissioners  
42 shall constitute a quorum for the purpose of conducting  
43 business and exercising the powers of the agency, and for all  
44 other purposes. Action may be taken by the agency upon a  
45 vote of a majority of the commissioners present, unless in

46 any case the by-laws shall require a larger number. Any  
47 persons may be appointed as commissioners if they reside  
48 within the area of operation of the agency, which area shall  
49 be conterminous with the area of operation of the municipality,  
50 and if they are otherwise eligible for such appointments under  
51 this chapter.

52 The mayor shall designate a chairman and vice-chairman from  
53 among the commissioners. An agency may employ an executive  
54 director, technical experts and such other agents and  
55 employees, permanent and temporary, as it may require, and  
56 the agency may determine their qualifications, duties and  
57 compensation. For such legal service as it may require, an  
58 agency may employ or retain its own counsel and legal staff.  
59 An agency authorized to transact business and exercise powers  
60 under this chapter shall file, with the local governing body,  
61 on or before March 31 of each year, a report of its activities  
62 for the preceding calendar year, which report shall include  
63 a complete financial statement setting forth its assets, lia-  
64 bilities, income and operating expense as of the end of such  
65 calendar year. At the time of filing the report, the agency  
66 shall publish in a newspaper of general circulation in the  
67 community a notice to the effect that such report has been  
68 filed with the municipality, and that the report is available  
69 for inspection during business hours in the office of the  
70 city clerk and in the office of the agency.

71 For inefficiency, or neglect of duty, or misconduct in  
72 office, a commissioner may be removed by a majority vote of  
73 the governing body of the municipality only after a hearing  
74 before said body, and after he shall have been given a copy

75 of the charges at least ten (10) days prior to such hearing,  
76 and after he shall have had an opportunity to be heard in  
77 person or by counsel.

78 A municipality may itself exercise the powers in connection  
79 with municipal housing as defined in this chapter, or may,  
80 if the local governing body by resolution determines such  
81 action to be in the public interest, elect to have such powers  
82 exercised by the Low-Rent Housing Agency, if one exists or  
83 if subsequently established in the community. In the event  
84 the local governing body makes such determination, the Low-  
85 Rent Housing Agency shall be vested with all of the low-rent  
86 housing project powers in the same manner as though all such  
87 powers were conferred on such agency instead of the municipality.  
88 If the local governing body does not elect to make such  
89 determination, the municipality in its discretion may exercise  
90 its low-rent housing project powers through a board or  
91 commissioner, or through such officers of the municipality  
92 as the local governing body may by resolution determine."

1 Sec. 3. Section four hundred three A point twenty-two  
2 (403A.22), Code 1962, is hereby amended by inserting after  
3 the word "thereof" appearing in line three (3), the following:

4 "and no commissioner or employee of a low-rent housing  
5 agency which has been vested with low-rent housing project  
6 powers under section two (2) of this Act."

1 Sec. 4. Section four hundred three A point twenty-five  
2 (403A.25), Code 1962, is hereby repealed and the following  
3 enacted in lieu thereof:

4 "No municipality nor any low-rent housing agency shall  
5 proceed with the acquisition of any property for, or with

6 the erection or operation of any low-rent housing project  
7 unless authorized by a vote of at least fifty (50) percent  
8 of the electors of such municipality voting on the proposition  
9 at any regular, primary or general election or by special  
10 election called by the governing body of the municipality.

11 Notice of the time and place of such election shall be  
12 given by publication once each week for three (3) consecutive  
13 weeks prior thereto in some newspaper having a general circu-  
14 lation in such municipality. Such election may be called by  
15 the governing body of the municipality, and shall be called  
16 when a petition asking for such election, signed by at least  
17 two (2) percent of the electors of the municipality voting  
18 for governor at the last preceding general election, has been  
19 filed with the clerk of the municipality.

20 The form of the question to be presented for a vote of the  
21 electors in any municipality having a population of twenty-five  
22 thousand (25,000) or less shall be in substantially the  
23 following form: "Shall the (name of municipality) engage in  
24 low-rent housing activities under the provisions of chapter  
25 four hundred three A (403A) of the Code of Iowa?"

26 The form of the question to be presented for a vote of the  
27 electors in any municipality having a population of more than  
28 twenty-five thousand (25,000) shall include the name of the  
29 proposed project, describe its location with reasonable cer-  
30 tainty, specify the maximum number of housing units in said  
31 project, state whether new construction or rehabilitation of  
32 existing structures is contemplated, or a combination of  
33 same, and state the type of occupancy contemplated whether  
34 it be without limitation as to age or designed for the elderly"

SENATE FILE 9

- 1 Amend Senate File 9 as follows:
- 2 Amend section 4, line 33 by inserting after the word "same," the
- 3 following:
- 4 "state the maximum amount of funds to be expended for the
- 5 contemplated construction of rehabilitation or both,".

*with Brown 2/5*

Filed  
January 26, 1965.

By DENMAN and REPERT.

SENATE FILE 9

- 1 Amend Senate File 9 as follows:
- 2 Amend section 4, line 33, by inserting after the word "same,"
- 3 the following:
- 4 "state the maximum amount of funds to be expended for the
- 5 contemplated construction or rehabilitation or both,".

*Adopted 2/5*  
By DENMAN.

Filed and adopted  
February 5, 1965.

SENATE FILE 9

- Amend Senate File 9 as follows:
1. Amend section 4 by striking lines 20 through 25 inclusive.
  2. Further amend section 4, lines 27 and 28, by striking the words "in any municipality having a population of more than twenty-five thousand (25,000)".

*adopted 2/8*  
By MILLS and DENMAN.

led  
February 5, 1965.

SENATE FILE 9

- 1 Amend Senate File 9, section 2, by striking lines 4
- 2 through 6 and inserting in lieu thereof the following:
- 3 "Any municipality may create, in such municipality, a
- 4 public body corporate and politic to be known as the
- 5 "Low-Rent Housing Agency" of such municipality except
- 6 that such agency shall".

*adopted 2/8*  
By SCHROEDER.

Filed and adopted  
February 8, 1965.

SENATE FILE 9

- 1 Amend Senate File 9, section 2, line 34, by striking the
- 2 word "commission" and inserting in lieu thereof the word
- 3 "commissioner".

By RIGLER.

Filed and adopted  
February 8, 1965.

SENATE FILE 9

- 1 Amend Senate File 9, section 4, line 7, by striking
- 2 after the word "least", the words and figures, "fifty (50)
- 3 percent" and substituting in lieu thereof the following:
- 4 "sixty (60) percent".

*lost 2/8 says 14  
says 38*

Filed and lost  
February 8, 1965.

By WALKER.