

February 2, 1967
Cities and Towns.

*Pass as amended 3-24
Governmental Subdivisions 4-11, Pass 4-11*

House File 89

By GALLAGHER, COCHRAN,
VOORHEES, BOWIN, STORY,
MAYBERRY and CONKLIN
(Coleman, Messerly,
Condon and Hougen)

Passed House, Date 4-6-67 Passed Senate, Date 5-2-67
Vote: Ayes 113 Nays 0 Vote: Ayes 57 Nays 0
Approved May 16, 1967

A BILL FOR

An Act relating to the apportionment of the road use tax fund and the liquor control fund.

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

- 1 Section 1. Section three hundred twelve point three
2 (312.3), Code 1966, is amended by adding the following
3 thereto:
4 "In any case where a city or town has annexed any
5 territory since the last available federal census or
6 special federal census, the mayor and council shall certify
7 to the treasurer of state the actual population of such
8 annexed territory as determined by the last certified federal
9 census of said territory and the apportionment of funds under
10 this section shall be based upon the population of said city
11 or town as modified by the certification of the population of
12 the annexed territory until the next federal or special federal
13 census enumeration.
14 "In any case where two or more cities or towns have
15 consolidated, the apportionment of funds under this section
16 shall be based upon the population of the city or town
17 resulting from said consolidation and shall be determined by
18 combining the population of all cities and towns involved
19 in the consolidation as determined by the last available
20 federal or special federal census enumeration for said

21 consolidating city or town."

1 Sec. 2. Section one hundred twenty-three point fifty
2 (123.50), Code 1966, is amended by adding the following
3 thereto:

4 "In any case where a city or town has annexed any territory
5 since the last available federal census or special federal
6 census, the mayor and council shall certify to the treasurer
7 of state the actual population of such annexed territory as
8 determined by the last certified federal census of said
9 territory and the apportionment of funds under this section
10 shall be based upon the population of said city or town as
11 modified by the certification of the population of the
12 annexed territory until the next federal or special federal
13 census enumeration.

14 "In any case where two or more cities or towns have
15 consolidated, the apportionment of funds under this section
16 shall be based upon the population of the city or town resulting
17 from said consolidation and shall be determined by combining
18 the population of all cities and towns involved in the
19 consolidation as determined by the last available federal or
20 special federal census enumeration for said consolidating city
21 or town."

1 Sec. 3. Section three hundred sixty-two point twenty-one
2 (362.21), Code 1966, is amended by adding the following
3 thereto:

4 "However, if any of the consolidating cities or towns have
5 had a special federal census, this figure shall be considered
6 to be the population of said consolidating city or town in
7 determining the population of the city or town resulting from
8 the consolidation, for the purpose of distribution of funds."

1 Sec. 4. Section twenty-six point six (26.6), Code 1966,
2 is amended by adding the following after the word "census" in
3 line eight (8): "as modified as the result of consolidation
4 or annexation in the manner provided in sections three hundred
5 twelve point three (312.3) as amended, and one hundred twenty-
6 three point fifty (123.50) as amended,".

1 Sec. 5. Section four point one (4.1), Code 1966, is
 2 amended by adding to subsection twenty-six (26), after the
 3 word "census" in line eight (8), the following:

4 "as modified as the result of consolidation or
 5 annexation in the manner provided in sections three hundred
 6 twelve point three (312.3) and one hundred twenty-three
 7 point fifty (123.50) of the Code,".

1 Sec. 6. This Act being of immediate importance shall be
 2 in full force and effect from and after its publication
 3 in the Waterloo Daily Courier, a newspaper published at
 4 Waterloo, Iowa, and the Fort Dodge Messenger, a newspaper
 5 published at Fort Dodge, Iowa.

EXPLANATION

This Act pertains to the apportionment of funds from the Road Use Tax Fund and Liquor Profit fund to cities and towns which have annexed territory or consolidated.

1 Amend House File 89 by adding thereto the following

2 Section:

3 "Sec. 6. Section twenty-six point six (26.6), Code 1966, is
 4 amended by inserting after the period in line ten (10) the following:

5 "Whenever a special federal census is hereafter taken by any
 6 city or town, the mayor and council shall certify the said census as
 7 soon as possible to the secretary of state and to the treasurer of
 8 state as otherwise herein provided, and failing to do so, the
 9 treasurer of state shall, after six (6) months from the date of
 10 said special census, turn over such moneys as authorized by sections
 11 one hundred twenty-three point fifty (123.50), and three hundred
 12 twelve point three (312.3) to the general fund of the state, and
 13 continue to do so until such time as certification by said mayor
 14 and council is made, or until the next decennial federal census."

15 Further amend House File 89 by renumbering Section 6 as Section 7.

Filed - *Adopted 4-6*
 February 24, 1967

COMMITTEE ON CITIES AND
 TOWNS.

1 Amend House File 89, Section 6, line five (5), by insert-
 2 ing after the word "Messenger" the words "and Chronicle".

Filed - *Adopted 4-6*
 February 28, 1967

COCHRAN of Webster.