

April 1, 1969

HOUSE FILE 744

Place on Calendar

*Judiciary 4-15, Pass 4-17*

By COMMITTEE ON JUDICIARY

Passed House, Date *4-11-69* Passed Senate, Date *5-1-69*

Vote: Ayes *101* Nays *0* Vote: Ayes *51* Nays *0*

Approved *5-12-69*

## A BILL FOR

1 An Act to legalize and validate the proceedings of the Board  
2 of Supervisors of the County of Linn, State of Iowa, in the  
3 making of payments from the County Poor Fund under apparent  
4 authority of Section 252.27 for the purpose of providing  
5 civil legal assistance and legal aid pursuant to a plan in-  
6 formally approved by the Board of Supervisors and operated  
7 in conjunction with the Linn County Bar Association.

8 WHEREAS, it appears from the records of the Board of Super-  
9 visors of the County of Linn, State of Iowa, that the Board of  
10 Supervisors has made three payments during the years 1967 and  
11 1968 totaling \$18,000.00 from the County Poor Fund, acting in  
12 reliance upon powers granted under Chapter 252 and, in particu-  
13 lar, subsection 27 thereof, Code of Iowa, 1966, for the purpose  
14 of providing partial funding of a civil legal assistance and  
15 legal aid program that has been informally approved by said  
16 Board of Supervisors and operated in Linn County, Iowa for the  
17 benefit of the qualified residents of that County, and

18 WHEREAS, doubts have arisen concerning the validity of and  
19 legal authority for the making of said payments under said pro-  
20 visions of the Code, and it is deemed advisable to put such  
21 doubts and all others that might arise concerning the same for-  
22 ever at rest; NOW THEREFORE,

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

24 Section 1. That all proceedings heretofore taken by the  
25 Board of Supervisors of the County of Linn, State of Iowa, pre-

1 liminary to and in connection with making payments during  
2 1967 and 1968 in the total sum of \$18,000.00 for the purpose  
3 of providing partial funding of the civil legal assistance  
4 and legal aid program being operated in Linn County, Iowa,  
5 in conjunction with the Linn County Bar Association, which  
6 payments were made from the County Poor Fund under apparent  
7 authority of Chapter 252, Code of Iowa, 1966, be and they  
8 are hereby legalized, validated and confirmed, and said pay-  
9 ments are hereby declared to have been legal, valid and bind-  
10 ing obligations of said Board of Suprvisors at the time  
11 approved and made by them.

12 Section 2. This Act, being deemed of immediate importance,  
13 shall be in full force and effect from and after its passage,  
14 approval and publication in The Cedar Rapids Gazette, a news-  
15 paper published at Cedar Rapids, Iowa, and The Marion Sentinel,  
16 a newspaper published at Marion, Iowa, without expense to the  
17 State.

#### EXPLANATION OF HOUSE FILE 744

Following discussions of the Linn County Board of Supervisors and the Linn County Bar Association, a Legal Assistance Office was located in downtown Cedar Rapids to provide required civil legal assistance to the poor. The operation is jointly funded by the Board of Supervisors and the Linn County Bar Association. The Linn County Bar Association has inadequate resources to fully fund this activity and this essential assistance could not have been provided without participation of the County through funds from the Poor Fund. At the time the plan was approved, it was believed that authority existed for this said program under section 252.27, Code of Iowa. This bill will eliminate any uncertainty with respect to the payments previously made.