

January 20, 1969

SENATE FILE 39

Passed on File

*Cities and Towns 1-21, Pass 2-17
" " " 3-13, Pass 3-14*

By MESSERLY

Passed Senate, Date *3-12-69* Passed House, Date *5-22-67*

Vote: Ayes *52* Nays *6* Vote: Ayes *103* Nays *4*

Motion to reconsider Approved

*tabled 3-12
Passed Senate as amended
by House 5/23; 51-1.*

A BILL FOR

1 An Act relating to incorporation of a municipality in an
2 urbanized area within three miles of a city over fifteen
3 thousand population.

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

5 Section 1. Section three hundred sixty-two point one
6 (362.1), Code 1966, line eighteen (18), is amended by striking
7 the word "No" and inserting in lieu thereof the following:

8 "Except as provided in section three hundred sixty-two
9 point thirty-one (362.31) of the Code as amended no".

10 Sec. 2. Section three hundred sixty-two point thirty-one
11 (362.31), Code 1966, is amended by adding at the end thereof
12 the following:

13 "Said petition shall be acted upon by the city or town
14 within one year after filing. Whenever any petition
15 involves an urbanized area within three miles of a city over
16 fifteen thousand population as provided in section three hun-
17 dred sixty-two point one (362.1) of the Code, and said petition
18 is denied by the city, then the restriction of said section
19 prohibiting incorporation within an urbanized area shall be
20 inapplicable for a period of five years from the date of
21 denial of the petition."

1 Amend House File 39 by striking in line seven (7)
2 the words, "willful or wanton misconduct" and by inserting
3 in lieu thereof the word, "recklessness".

Filed

February 17, 1969

By COMMITTEE ON HUMAN
AND INDUSTRIAL RELATIONS

1 Amend the Gaudineer amendment to Senate File 39 by striking
2 in line 6 the word "annexation" and inserting in lieu thereof
3 the word "incorporation".

Filed and adopted
March 12, 1969

By GAUDINEER and STANLEY

HOUSE AMENDMENT TO SENATE FILE 39

- 1 Amend Senate File 39 as follows:
 2 1. Line fifteen (15) by striking the words "within
 3 three miles of", and inserting in lieu thereof the words
 4 "of at least three hundred population which is contiguous
 5 to".
 6 2. Lines sixteen (16) and seventeen (17) by striking
 7 the words "as provided in section three hundred sixty-
 8 two point one (362.1) of the Code" and inserting in lieu
 9 thereof the words "and the taxable value of that portion
 10 owned by the petitioners represents over one-quarter of
 11 the total assessed value of the area petitioned".
 12 3. Line eighteen (18) by striking the word "said", and
 13 inserting after the word "section" the words "three hundred
 14 sixty-two point one (362.1) of the Code".
 15 4. Line twenty (20) by inserting after the word
 16 "inapplicable" the words "to the area petitioned".

*Senate
concerned
5/23*

- 1 Amend Senate File 39 as follows:
 2 1. Line fifteen (15) by striking the words "within three
 3 miles of", and inserting in lieu thereof the words "of at
 4 least three hundred population which is contiguous to".
 5 2. Lines sixteen (16) and seventeen (17) by striking the
 6 words "as provided in section three hundred sixty-two point
 7 one (362.1) of the Code" and inserting in lieu thereof the
 8 words "and the taxable value of that portion owned by the
 9 petitioners represents over one-quarter of the total assessed
 10 value of the area petitioned".
 11 3. Line eighteen (18) by striking the word "said", and
 12 inserting after the word "section" the words "three hundred
 13 sixty-two point one (362.1) of the Code".
 14 4. Line twenty (20) by inserting after the word "inapplicable"
 15 the words "to the area petitioned".

Filed - *adopted 5-22*
April 17, 1969

HANSEN of Black Hawk
HUFF of Polk

- 1 Amend Senate File 39 as follows:
 2 By striking in line fourteen (14) the words "one year"
 3 and inserting in lieu thereof the words "two years".

Filed - *Just 5-22*
April 3, 1969

McINTYRE of Linn

- Amend Senate File 39 as follows:
 1. By inserting in line 15 after the word, "area" the words, "contiguous to and".
 2. By inserting in line 21 after the word, "petition" the following:
 "Thereafter the petition for annexation of any such urbanized area shall in addition to the other requirements of law state the number of inhabitants within the territory to be incorporated and that such inhabitants need substantial additional services and benefits not theretofore enjoyed by such territory and inhabitants, but which could be reasonably provided by an incorporated city or town. If the court thereafter upon hearing, after reasonable notice prescribed by it has been given to the other inhabitants of the proposed incorporated area, finds that there is an affirmative showing that there is a sufficient number of inhabitants within the proposed incorporated area needing substantial additional services and benefits not theretofore enjoyed by such territory and inhabitants but which could be reasonably provided by an incorporated city or town, commissioners shall be appointed as provided in section three hundred sixty-two point five (362.5), of the Code."

Just 3-12

Amend Senate File 39 as follows:
 1. By inserting in line 15, after the word, "area" the words, "of at least three thousand (3,000) population, contiguous to and".
 2. By inserting in line 19, after the word, "within" the word, "such".
to the area 3-12