

*Referred 1/28/72*

JAN 19 1972

HOUSE FILE **1036**

Place On Calendar

By COMMITTEE ON COUNTY GOVERNMENT  
(Committee on County Government)

Passed House, Date 1-24-72 (144) Passed Senate, Date 2-9-72  
Vote: Ayes 72 Nays 0 Vote: Ayes 41 Nays 1  
Approved 3/2/72

*Passed House as amended by Senate  
2-11-72  
aye 79, nay 1*

### A BILL FOR

1 An Act requiring the posting of a bond in conjunction with a  
2 petition to establish a private sanitary district, and  
3 the funding of preliminary expenses of such district.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Amend House File 1036, page 2, line 5, by  
2 striking the word "conditioned" and inserting in  
3 lieu thereof the word "sufficient".

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Filed - *adopted 1-21 (133)* REX of Hamilton  
January 20, 1972

*House*

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1 Amend House File 1036 as amended and passed by the  
2 House, Page 2, line 4, by inserting after the word  
3 "bond" the following: ", certified check or cash".

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Filed *adopted 1/28/72* By BRILES  
January 26, 1972

*Senate*

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#### SENATE AMENDMENT TO HOUSE FILE 1036

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1 Amend House File 1036, page 2, line 4, by inserting after  
2 the word "bond" the following: ", certified check or cash".

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Received from the Senate  
February 9, 1972

*same as above 2/10/72*

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1 Section 1. Section three hundred fifty-eight point two  
2 (358.2), Code 1971, is amended by adding the following new  
3 unnumbered paragraphs:

4 "There shall be filed with the petition a bond in an amount  
5 and with sureties approved by the auditor, conditioned for  
6 the payment of all costs and expenses incurred in the  
7 proceedings if the district is not finally established.

8 No preliminary expense shall be incurred before the estab-  
9 lishment of the proposed sanitary district by the board in  
10 excess of the amount of bond filed by the petitioners. In  
11 case it is necessary to incur any expense in addition to  
12 the amount of the bond, the board of supervisors shall require  
13 the filing of an additional security until the additional  
14 bond is filed in sufficient amount to cover the expense."

15 Sec. 2. Section three hundred fifty-eight point eight  
16 (358.8), Code 1971, is amended to read as follows:

17 358.8 EXPENSES AND COSTS OF ELECTION. All expenses  
18 incurred in carrying out the foregoing sections of this chap-  
19 ter, together with the costs of the election therein provided  
20 for, as determined by the board of supervisors, shall be paid  
21 by ~~the county whose board is vested with jurisdiction of the~~  
22 proceedings those who will be benefited by the proposed  
23 sanitary district. If the district is not established, the  
24 expenses and costs shall be collected upon the bond or bonds  
25 of the petitioners.

26 EXPLANATION

27 This bill provides that those petitioning for a private  
28 sanitary district provide bond for the cost of establishing  
29 a district against the possible failure of such establishment.  
30 Counties presently pay for all costs incurred.

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LSB3084CF  
jl/cc/1