

MAY 27 1971

SIFTING COMMITTEE

*Sen. Judiciary, Pass 6/9*

HOUSE FILE

716

BY COMMITTEE ON JUDICIARY

Passed House, Date 6-2-71 Passed Senate, Date 6-16-71  
Vote: Ayes 81 Nays 0 Vote: Ayes 37 Nays 1  
Approved June 30, 1971

## A BILL FOR

- 1 An act to legalize and validate the procedures followed by  
2 the Poweshiek County Board of Supervisors in contracting  
3 with the Frank Wheeler Construction Company of Montezuma,  
4 Iowa, for the repair and remodeling of the Poweshiek County  
5 jail located at Montezuma, Iowa,  
6 WHEREAS, on the 5th day of August, 1970, the Poweshiek  
7 County Board of Supervisors contracted with Wetherell,  
8 Harrison, McKlveen, Carney for a preliminary study to de-  
9 termine the feasibility of remodeling the Poweshiek County  
10 jail in Montezuma, Iowa; and  
11 WHEREAS, on the 17th day of December, 1970, the Poweshiek  
12 County Board of Supervisors advertised for bids for the re-  
13 modeling of the Poweshiek County jail located in Montezuma,  
14 Iowa; and  
15 WHEREAS, the Poweshiek County Board of Supervisors en-  
16 tered into a contract on the 31st day of December, 1970, with  
17 the Frank Wheeler Construction Company of Montezuma, Iowa,  
18 to remodel the Poweshiek County jail in Montezuma, Iowa; and  
19 WHEREAS, the original contract price was under the sum  
20 of \$50,000.00; and  
21 WHEREAS, the actual cost is in the sum of \$49,903.00 for  
22 the repair and renovation of the jail; and  
23 WHEREAS, in addition to the sum of \$49,903.00 for the re-  
24 pair and renovation of the jail, there is an architect's fee  
25 in the sum of \$7,485.45, which will bring the total cost in

1 excess of \$50,000.00; and

2 WHEREAS, said sums may still be paid without the levy of  
3 additional taxes; and

4 WHEREAS, the final cost is in the sum \$57,388.45 and a  
5 submission to the voters of the County was not conducted as  
6 required by Section 345.1 of the 1971 Code of Iowa and doubts  
7 have arisen concerning the legal sufficiency of the Poweshiek  
8 County Board of Supervisors' compliance with the provisions  
9 of section 345.1 of the 1971 Code of Iowa; and it is deemed  
10 advisable and necessary to put such doubts and all others  
11 that might arise concerning the same forever at rest; NOW  
12 THEREFORE,

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

14 Section 1. That all acts and proceedings heretofore taken  
15 by the Poweshiek County Board of Supervisors in connection  
16 with the entering into of a contract with Frank Wheeler Con-  
17 struction Company, of Montezuma, Iowa, and of Wetherell,  
18 Harrison, McKlveen, Carney Architects of Des Moines, Iowa,  
19 to repair and remodel the Poweshiek County jail located at  
20 Montezuma, Iowa, at a total cost of \$57,388.45, are hereby  
21 legalized, validated and confirmed.

22 Section 2. This act, being of immediate importance, shall  
23 be in full force and effect from and after its passage and  
24 publication in the Montezuma Republican, a newspaper published  
25 at Montezuma, Iowa, without expense to the state and in the  
26 Brooklyn Chronicle, a newspaper published in Brooklyn, Iowa,  
27 without expense to the state.

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*Proof of Publication 5/27  
The Montezuma Republican 5/13*