

FILED FEB 19 1974
Judiciary Law Eng 2/18, Pass 2/18

SENATE FILE 1160

By COMMITTEE ON JUDICIARY

Passed Senate, Date 2-18-74 (417) Passed House, Date 2-18-74 (493)
Vote: Ayes 45 Nays 0 Vote: Ayes 76 Nays 1
Approved 2-19-74

A BILL FOR

1 An Act to legalize and validate the proceedings of the Board
2 of Directors of the Janesville Community School District,
3 in the Counties of Bremer and Black Hawk, State of Iowa,
4 in connection with an election authorizing the issuance
5 of certain bonds and the levy of a tax to pay said bonds
6 and declaring the validity of said election and the validity
7 of bonds issued and taxes levied pursuant thereto.

8 WHEREAS, it appears from the records of the Janesville
9 Community School District and the County Auditor of Bremer
10 County, Iowa, that at a special election held in and for said
11 School District on October 18, 1973, on the following proposi-
12 tions, to-wit:

PROPOSITION ONE

13
14 "Shall the Janesville Community School District, in the
15 Counties of Bremer and Black Hawk, State of Iowa, issue School
16 Bonds in a sum of not to exceed \$530,000.00 for the purpose
17 of remodeling an existing elementary school building and
18 building and furnishing an addition thereto?"

PROPOSITION TWO

19
20 "Shall the Janesville Community School District, in the
21 Counties of Bremer and Black Hawk, State of Iowa, issue School
22 Bonds in a sum of not to exceed \$150,000.00 for the purpose
23 of acquiring land and improving the same for use as an athletic
24 field?"

PROPOSITION THREE

25

1 "Shall the Board of Directors of the Janesville Community
2 School District, in the Counties of Bremer and Black Hawk,
3 State of Iowa, be authorized to levy annually a tax exceeding
4 ten (10) mills; but not exceeding fifteen (15) mills, on the
5 dollar of the assessed valuation of the taxable property
6 within said school corporation to pay the principal of and
7 interest on bonded indebtedness of said school corporation,
8 it being understood that the approval of this proposition
9 shall not limit the source of payment of the bonds and
10 interest, but shall only operate to restrict the amount of
11 bonds which may be issued?"
12 each were approved by more than sixty percent of the total num-
13 ber of votes cast for and against the propositions, and in
14 reliance upon said election said Board of Directors proposes
15 to issue bonds and to levy and collect said tax as authorized;
16 and

17 WHEREAS, said election was conducted by the County Auditor
18 of Bremer County by reason of an error made in good faith;
19 and

20 WHEREAS, doubts have arisen concerning the validity and
21 legal sufficiency of said election and it is deemed advisable
22 to put such doubts and all others that might arise concerning
23 same forever at rest; NOW, THEREFORE,

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

25 Section 1. That all proceedings heretofore taken by the
26 Board of Directors of the Janesville Community School District,
27 in the Counties of Bremer and Black Hawk, State of Iowa, and
28 the County Auditor and Board of Supervisors of Bremer County,
29 Iowa, preliminary to and in connection with said election
30 held in said School District on October 18, 1973, said election
31 and the adoption by the voters of the propositions set forth
32 above are hereby legalized, validated and confirmed and by
33 authority of said election and this Act said Board of Directors
34 are authorized to levy said tax of not to exceed fifteen (15)
35 mills on all taxable property within said School District

1 as approved by the voters for the purpose of paying principal
2 and interest on bonded indebtedness of said School District
3 and the bonds authorized at said election when issued, sold
4 and delivered pursuant to Chapter 75, Code of Iowa (1973)
5 are hereby declared to constitute lawful, valid and binding
6 obligations of said School District.

7 Section 2. This Act, being deemed of immediate importance,
8 shall take effect and be in force from and after its publica-
9 tion in _____, a newspaper published in
10 _____, Iowa, and in _____, a
11 newspaper published in _____, Iowa.

12 EXPLANATION

13 This Act is necessary to legalize an election held in the
14 Janesville Community School District where the three proposi-
15 tions received overwhelming voter approval, respectively 87
16 percent, 74 percent and 78 percent. Due to a good faith error
17 in a certification of the valuations within the respective
18 counties, the election was conducted by the Auditor of Bremer
19 County. It was later learned that taxable valuations of
20 school district property within Black Hawk County were greater
21 and the election should have been conducted by that Auditor
22 as required by Section 93, Chapter 136, Acts of the 65th
23 General Assembly, First Session.

24 *4/12/25 The Bremer County Independent (408)*
25 *4/11 Waterloo Daily Courier*
26 *4/28 The Weekly Democrat*

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S—2185

1 Amend Senate File 1160, by striking lines 7
2 through 11 on page 3 and inserting in lieu thereof
3 the following:

4 Sec. 2. This Act, being deemed of immediate
5 importance shall take effect and be in force from
6 and after its publication in The Waverly Democrat
7 a newspaper published in Waverly, Iowa, and in the
8 Bremer County Independent, a newspaper published
9 in Waverly, Iowa.

S—2185 Filed and adopted
February 18, 1974

By BURROUGHS