

Judiciary and Law Enforcement: Conlon, Chair; Weish and Helt.

*To Pass 2/12 (p. 429)*

JAN 31 1980

HOUSE FILE 2355

By DAGGETT and PELLETT

**Judiciary & Law Enforcement**

*Jan 2/28  
To Pass 2/25 (p. 1070)*

Passed House, Date 2-25-80 (p. 638) Passed Senate, Date 3/26/80 (p. 1074)

Vote: Ayes 25 Nays 6 Vote: Ayes 43 Nays 1

Approved Apr 4 1980

## A BILL FOR

1 An Act to legalize and validate the proceedings of the board of  
 2 directors of the area education agency 14 in the counties of  
 3 Montgomery, Adams, Taylor, Ringgold, Union, Adair, Madison,  
 4 Clarke, Decatur, Page, Lucas, Wayne and Pottawattamie, in  
 5 connection with an election authorizing a lease-purchase  
 6 agreement and the lease-purchase authorization.

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1 WHEREAS, the board of directors of area education agency  
2 14 ordered the submission of a public question at an election  
3 held coincident with the regular school election held on  
4 Tuesday, September 11, 1979; and

5 WHEREAS, notice of the election was published in a newspaper  
6 of general circulation in each of the counties in area  
7 education agency 14 except for the counties of Pottawattamie  
8 and Madison; and

9 WHEREAS, it appears from the records of the area education  
10 agency 14 that the proposition was approved by more than fifty  
11 percent of the total number of votes cast for and against  
12 the proposition, and in reliance upon the election, the board  
13 of directors proposes to enter into a lease-purchase agreement  
14 as authorized; and

15 WHEREAS, doubts have arisen concerning the validity and  
16 legal sufficiency of the election and it is deemed advisable  
17 to put such doubts and all others that might arise forever  
18 at rest; NOW THEREFORE,

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

20 Section 1. That the proceedings taken preliminary to and  
21 in connection with the special election held in area education  
22 agency 14 on September 11, 1979, and the adoption by the  
23 voters of the following proposition:

24 "Shall the Board of Directors of the Area Education Agency  
25 14 (Green Valley AEA 14) in the Counties of Montgomery, Adams,  
26 Taylor, Ringgold, Union, Adair, Madison, Clarke, Decatur,  
27 Page, Lucas, Wayne and Pottawattamie, State of Iowa, be  
28 authorized to enter into a lease-purchase agreement for the  
29 lease of a building and property for facilities for provision  
30 of the programs and services of the area education agency,  
31 such agreement to contain a lease-purchase option?"  
32 are legalized.

33 Sec. 2. That the board of directors of area education  
34 agency 14 is authorized to enter into a lease-purchase  
35 agreement for the lease of a building and property as

1 facilities for provision of the programs and services of the  
 2 area education agency containing a lease-purchase option as  
 3 authorized at the special election.

4 Sec. 3. This Act, being deemed of immediate importance,  
 5 takes effect from and after its publication in the Lenox Time-  
 6 Table, a newspaper published in Lenox, Iowa, and in the  
 7 Atlantic News-Telegraph, a newspaper published in Atlantic,  
 8 Iowa.

9 EXPLANATION

10 This bill legalizes an election held in area education  
 11 agency 14 to authorize the board of directors to enter into  
 12 an agreement for the lease of land and buildings. Notice  
 13 of the election was published in a newspaper of general  
 14 circulation in the county in each of the counties in the area  
 15 education agency except the counties of Pottawattamie and  
 16 Madison.

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18 FISCAL NOTE  
 19 House File 2356  
 20 Requested by Representative Schnekloth  
 21 January 22, 1980

22 In compliance with a written request there is hereby submitted  
 23 a Fiscal Note for House File 2356 pursuant to Joint Rule 16.

24

25 House File 2356, An Act providing a school bond surtax for the payment of  
 26 school bonds.

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28 H.F. 2356 would give every school district in the state the power to impose  
 29 a local option income tax equal to not more than 10 percent of the state tax  
 30 liability for payment of school bond interest and principal. Because, it is  
 31 not possible to predict how many school districts would impose such a tax,  
 32 no local impact can be estimated. There is no state fiscal impact.

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34 Source: Department of Revenue  
 35 FILED FEBRUARY 27, 1980

BY GERRY D. RANKIN  
 Legislative Fiscal Bureau

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LSB 3823H 68

WHEREAS, notice of the election was published in a newspaper of general circulation in each of the counties in area education agency 14 except for the counties of Pottawattamie and Madison; and

WHEREAS, it appears from the records of the area education agency 14 that the proposition was approved by more than fifty percent of the total number of votes cast for and against the proposition, and in reliance upon the election, the board of directors proposes to enter into a lease-purchase agreement as authorized; and

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

HOUSE FILE 2355

AN ACT

TO LEGALIZE AND VALIDATE THE PROCEEDINGS OF THE BOARD OF DIRECTORS OF THE AREA EDUCATION AGENCY 14 IN THE COUNTIES OF MONTGOMERY, ADAMS, TAYLOR, RINGGOLD, UNION, ADAIR, MADISON, CLARKE, DECATUR, PAGE, LUCAS, WAYNE AND POTTAWATTAMIE, IN CONNECTION WITH AN ELECTION AUTHORIZING A LEASE-PURCHASE AGREEMENT AND THE LEASE-PURCHASE AUTHORIZATION.

WHEREAS, the board of directors of area education agency 14 ordered the submission of a public question at an election held coincident with the regular school election held on Tuesday, September 11, 1979; and

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

Section 1. That the proceedings taken preliminary to and in connection with the special election held in area education agency 14 on September 11, 1979, and the adoption by the voters of the following proposition:

"Shall the Board of Directors of the Area Education Agency 14 (Green Valley AEA 14) in the Counties of Montgomery, Adams, Taylor, Ringgold, Union, Adair, Madison, Clarke, Decatur, Page, Lucas, Wayne and Pottawattamie, State of Iowa, be authorized to enter into a lease-purchase agreement for the lease of a building and property for facilities for provision of the programs and services of the area education agency, such agreement to contain a lease-purchase option?" are legalized.

Sec. 2. That the board of directors of area education agency 14 is authorized to enter into a lease-purchase agreement for the lease of a building and property as facilities for provision of the programs and services of the area education agency containing a lease-purchase option as authorized at the special election.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in the Lenox Time-Table, a newspaper published in Lenox, Iowa, and in the Atlantic News-Telegraph, a newspaper published in Atlantic, Iowa.

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WILLIAM H. HARBOR  
Speaker of the House

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TERRY E. BRANSTAD  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2355, Sixty-eighth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved April 4, 1980

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ROBERT D. RAY  
Governor