

APR 22 1980

HOUSE FILE 2591

See WAYS & MEANS CALENDAR 4/24

By COMMITTEE ON WAYS AND MEANS
(Formerly Study Bill 752)

See for S.F. 2585

Passed House, Date 4/24/80 (p. 2027) Passed Senate, Date 4/25/80 (S. 1742)

Vote: Ayes 78 Nays 22 Vote: Ayes 44 Nays 2

Approved May 17, 1980

A BILL FOR

1 An Act to legalize the proceedings of the board of directors
 2 of the Kirkwood community college (merged area X) in the
 3 counties of Benton, Black Hawk, Buchanan, Cedar, Clinton,
 4 Delaware, Dubuque, Iowa, Jackson, Jefferson, Johnson,
 5 Jones, Keokuk, Linn, Louisa, Poweshiek, Tama, and
 6 Washington, Iowa and the Linn county commissioner of
 7 elections in connection with an election authorizing
 8 the levy of a tax and declaring the validity of said
 9 election and the validity of taxes levied pursuant
 10 thereto.

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1 WHEREAS, the Board of Directors of the Kirkwood Community
2 College (Merged Area X) ordered the submission at a special
3 election held coincident with the regular school election
4 in and for said Merged Area on September 11, 1979, the
5 following proposition to-wit:

6 "Shall the Board of Directors of Merged Area (Education)
7 X be authorized to continue to levy a tax of not exceeding
8 twenty and one-fourth cents per thousand dollars of assessed
9 value in any one year for a period of not to exceed ten
10 consecutive years, commencing with the levy for the year 1981,
11 payable in fiscal years ending June 30, 1982, 83, 84, 85,
12 86, 87, 88, 89, 90, and 91, for the purpose of maintaining,
13 remodeling, improving, purchase of grounds, construction of
14 buildings, payment of debts contracted for the construction
15 of buildings, purchase of buildings and equipment for
16 buildings, and the acquisition of libraries, or expanding
17 the community college of the Merged Area?"; and

18 WHEREAS, it appears from the records of the Kirkwood
19 Community College that the proposition was approved by more
20 than fifty percent of the votes cast for and against the
21 measure, and in reliance on said election the Board of
22 Directors proposes to levy and collect said tax in each year
23 as authorized, and

24 WHEREAS, it appears that notice of the election was properly
25 published as a part of the local school election notice in
26 a newspaper of general circulation in each of the local school
27 districts within the Merged Area except Iowa Valley Community
28 School District, Williamsburg Community School District, Lone
29 Tree Community School District and Anamosa Community School
30 District; and

31 WHEREAS, doubts have arisen concerning the validity and
32 legal sufficiency of said election and it is deemed advisable
33 to put such doubts and all others that might arise concerning
34 same forever at rest; NOW THEREFORE,
35 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. That all proceedings heretofore taken by the
 2 Board of Directors of the Kirkwood Community College (Merged
 3 Area X), and the County Commissioner of Elections of Linn
 4 County, Iowa, preliminary to and in connection with said
 5 election held in said Merged Area District on September 11,
 6 1979, said election and the adoption by the voters of the
 7 proposition set forth above are hereby legalized, validated
 8 and confirmed and by authority of said election and this Act
 9 said Board of Directors are authorized to levy said tax of
 10 not to exceed twenty and one-fourth (20 1/4) cents per thousand
 11 dollars of assessed value on all taxable property within said
 12 Merged Area for the purposes authorized of said election,
 13 said authorization to be effective for a period of ten years
 14 commencing with the levy for the taxes payable in the fiscal
 15 year ending June 30, 1982.

16 Sec. 2. This Act, being deemed of immediate importance,
 17 shall take effect and be in force from and after its publi-
 18 cation in The Cedar Valley Daily Times, a newspaper published
 19 in Vinton, Iowa, and in The Marion Sentinel, a newspaper
 20 published in Marion, Iowa.

21 EXPLANATION

22 The bill legalizes the proceedings of the board of directors
 23 of the Kirkwood community college relating to an election
 24 to authorize the levy of a tax.

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HOUSE FILE 2591

AN ACT

TO LEGALIZE THE PROCEEDINGS OF THE BOARD OF DIRECTORS OF THE KIRKWOOD COMMUNITY COLLEGE (MERGED AREA X) IN THE COUNTIES OF BENTON, BLACK HAWK, BUCHANAN, CEDAR, CLINTON, DELAWARE, DUBUQUE, IOWA, JACKSON, JEFFERSON, JOHNSON, JONES, KEOKUK, LINN, LOUISA, POWESHIEK, TAMA, AND WASHINGTON, IOWA AND THE LINN COUNTY COMMISSIONER OF ELECTIONS IN CONNECTION WITH AN ELECTION AUTHORIZING THE LEVY OF A TAX AND DECLARING THE VALIDITY OF SAID ELECTION AND THE VALIDITY OF TAXES LEVIED PURSUANT THERETO.

WHEREAS, the Board of Directors of the Kirkwood Community College (Merged Area X) ordered the submission at a special election held coincident with the regular school election in and for said Merged Area on September 11, 1979, the following proposition to-wit:

"Shall the Board of Directors of Merged Area (Education) X be authorized to continue to levy a tax of not exceeding twenty and one-fourth cents per thousand dollars of assessed value in any one year for a period of not to exceed ten consecutive years, commencing with the levy for the year 1981, payable in fiscal years ending June 30, 1982, 83, 84, 85, 86, 87, 88, 89, 90, and 91, for the purpose of maintaining, remodeling, improving, purchase of grounds, construction of buildings, payment of debts contracted for the construction of buildings, purchase of buildings and equipment for buildings, and the acquisition of libraries, or expanding the community college of the Merged Area?"; and

WHEREAS, it appears from the records of the Kirkwood Community College that the proposition was approved by more than fifty percent of the votes cast for and against the measure, and in reliance on said election the Board of Directors proposes to levy and collect said tax in each year as authorized, and

WHEREAS, it appears that notice of the election was properly published as a part of the local school election notice in a newspaper of general circulation in each of the local school districts within the Merged Area except Iowa Valley Community School District, Williamsburg Community School District, Lone Tree Community School District and Anamosa Community School District; and

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

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

Section 1. That all proceedings heretofore taken by the Board of Directors of the Kirkwood Community College (Merged Area X), and the County Commissioner of Elections of Linn County, Iowa, preliminary to and in connection with said election held in said Merged Area District on September 11, 1979, said election and the adoption by the voters of the proposition set forth above are hereby legalized, validated and confirmed and by authority of said election and this Act said Board of Directors are authorized to levy said tax of not to exceed twenty and one-fourth (20 1/4) cents per thousand dollars of assessed value on all taxable property within said Merged Area for the purposes authorized of said election, said authorization to be effective for a period of ten years commencing with the levy for the taxes payable in the fiscal year ending June 30, 1982.

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Cedar Valley Daily Times, a newspaper published in Vinton, Iowa, and in The Marion Sentinel, a newspaper published in Marion, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2591, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved May 17, 1980

ROBERT D. RAY
Governor