

Has Judiciary 4/2
W/Recommend 4/2 (p. 134-3)
FILED MAR 26 1979

SENATE FILE **479**

By COMMITTEE ON JUDICIARY
Approved 2/23 (p. 970)

Passed Senate, Date 3-20-79 (p. 1022) Passed House, Date 4-12-79 (p. 1511)
Vote: Ayes 34 Nays 10 Vote: Ayes 58 Nays 37
Approved June 1, 1979
W/Recommend 3-16-79 W/D 5/2

A BILL FOR

1 An Act to legalize and validate the proceedings of the
2 board of directors of southwestern community college
3 merged area (merged area XIV) in the counties of
4 Adair, Adams, Taylor, Montgomery, Ringgold, Decatur,
5 Clarke, Union, Madison, Lucas, Pottawattamie, Wayne
6 and Page in connection with the levying of taxes and
7 use of funds under chapter two hundred eighty A
8 (280A) of the Code.

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1 WHEREAS, it appears from the records of the southwestern
2 area community college (merged area XIV) that beginning in
3 the fiscal year beginning January 1, 1971 and through the
4 fiscal year ending June 30, 1978 the board of directors levied
5 taxes pursuant to the bonding and tax levying provisions of
6 sections two hundred eighty A point nineteen (280A.19) through
7 two hundred eighty A point twenty-one (280A.21) of the Code
8 and that some of the funds raised by those levies were expended
9 for purposes which would have been authorized if the funds
10 had been raised under the bonding and tax levying provisions
11 of section two hundred eighty A point twenty-two (280A.22)
12 of the Code; and

13 WHEREAS, doubts have arisen concerning the validity and
14 legal sufficiency of the levying and expenditure of these
15 funds and it is deemed advisable to put such doubts and all
16 others that might arise concerning this matter to rest; NOW
17 THEREFORE,

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

19 Section 1. That the proceedings of the board of directors
20 of southwestern area community college merged area (merged
21 area XIV) in the levying of taxes under sections two hundred
22 eighty A point nineteen (280A.19) through two hundred eighty
23 A point twenty-one (280A.21) and the expenditure of those
24 funds raised for purposes authorized for funds raised pursuant
25 to section two hundred eighty A point twenty-two (280A.22)
26 of the Code during the fiscal years beginning January 1, 1971
27 and ending June 30, 1978 are hereby legalized, validated and
28 confirmed.

29 EXPLANATION

30 The Southwestern Area Community College levied and raised
31 funds pursuant to the bonding and levying provisions of
32 sections 280A.19 through 280A.21 of the Code; however, the
33 funds were expended for the purposes authorized for funds
34 raised by the bonding and levying provisions of section 280A.22
35 of the Code. This bill legalizes the levying and expenditure

1 of those funds. The bill is effective July first after
2 enactment.
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SENATE FILE 479

H-3956

1 Amend amendment H-3761 to Senate File 479 as
2 follows:
3 1. Page 1, line 7, by inserting before the
4 word "malfeasance" the word "alleged".

H-3956 FILED BY PERKINS of Greene
APRIL 18, 1979
ADOPTED (p 1570)

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SENATE FILE 479

H-3761

1 Amend Senate File 479 as follows:
2 1. Page 1, by adding after line 28 the
3 following new section:
4 "Sec. 2. That the general assembly, in
5 legalizing the improper proceedings of the
6 southwestern area community college (merged area
7 XIV), does not condone or approve the malfeasance
8 committed by the superintendent, the board of
9 directors, and other members of the administration."

H-3761 FILED *Loat 4/18 (p. 1571)* BY PELTON of Clinton
APRIL 5, 1979

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SENATE FILE 479

AN ACT

TO LEGALIZE AND VALIDATE THE PROCEEDINGS OF THE BOARD OF DIRECTORS OF SOUTHWESTERN COMMUNITY COLLEGE MERGED AREA (MERGED AREA XIV) IN THE COUNTIES OF ADAIR, ADAMS, TAYLOR, MONTGOMERY, KINGGOLD, DECATUR, CLARKE, UNION, MADISON, LUCAS, POTTAWATTAMIE, WAYNE AND PAGE IN CONNECTION WITH THE LEVYING OF TAXES AND USE OF FUNDS UNDER CHAPTER TWO HUNDRED EIGHTY A (280A) OF THE CODE.

WHEREAS, it appears from the records of the southwestern area community college (merged area XIV) that beginning in the fiscal year beginning January 1, 1971 and through the fiscal year ending June 30, 1978 the board of directors levied taxes pursuant to the bonding and tax levying provisions of sections two hundred eighty A point nineteen (280A.19) through two hundred eighty A point twenty-one (280A.21) of the Code and that some of the funds raised by those levies were expended for purposes which would have been authorized if the funds had been raised under the bonding and tax levying provisions of section two hundred eighty A point twenty-two (280A.22) of the Code; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the levying and expenditure of these funds and it is deemed advisable to put such doubts and all others that might arise concerning this matter to rest; NOW THEREFORE,

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

Section 1. That the proceedings of the board of directors of southwestern area community college merged area (merged area XIV) in the levying of taxes under sections two hundred eighty A point nineteen (280A.19) through two hundred eighty A point twenty-one (280A.21) and the expenditure of those funds raised for purposes authorized for funds raised pursuant to section two hundred eighty A point twenty-two (280A.22)

of the Code during the fiscal years beginning January 1, 1971 and ending June 30, 1978 are hereby legalized, validated and confirmed.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 479, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved Jan 1 1979

ROBERT D. RAY
Governor