

Judiciary and Law Enforcement: Egenes. Chair: Pelton and Brandt.

*SSB Passed 4/16/81 (1281)*

**FILED**  
**MAR 26 1981**

SENATE FILE 489  
BY COMMITTEE ON JUDICIARY  
(FORMERLY SSB 345)  
*approved 3/26/81 (7989)*

Passed Senate, Date 4-7-81 (1141) Passed House, Date 4-24-81 (81371)  
Vote: Ayes 44 Nays 0 Vote: Ayes 89 Nays 3  
Approved May 5, 1981

## A BILL FOR

1 An Act legalizing certain city waterworks.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. All proceedings taken prior to January 1, 1961  
2 purporting to provide for the establishment, organization,  
3 formation, operation, or maintenance of a city waterworks  
4 and not previously declared invalid by any court, are  
5 legalized, validated and confirmed. All such proceedings  
6 are declared to be legally sufficient to create, establish  
7 and authorize the maintenance and operation of a city  
8 waterworks as a city utility, as defined in subsection 22  
9 of section 362.2.

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EXPLANATION

11 In order for a city operating a municipal waterworks to  
12 obtain federal loans or grants, and issue bonds to improve  
13 the waterworks, it is necessary that the city be able to  
14 demonstrate that the waterworks has been properly organized  
15 and is legally existing. In certain instances, a waterworks  
16 may have been established over one hundred years ago, but  
17 all records pertaining to the authorizing election have been  
18 lost or destroyed. In those instances, it is necessary for  
19 the city to hold another election or seek a special legalizing  
20 act to validate the legal existence of the waterworks. This  
21 bill would eliminate that necessity by legalizing all  
22 proceedings purporting to provide for a waterworks prior to  
23 January 1, 1961, which have not been previously declared  
24 invalid by any court.

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AN ACT  
LEGALIZING CERTAIN CITY WATERWORKS.

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

Section 1. All proceedings taken prior to January 1, 1961 purporting to provide for the establishment, organization, formation, operation, or maintenance of a city waterworks and not previously declared invalid by any court, are legalized, validated and confirmed. All such proceedings are declared to be legally sufficient to create, establish and authorize the maintenance and operation of a city waterworks as a city utility, as defined in subsection 22 of section 362.2.

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TERRY E. BRANSTAD  
President of the Senate

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DELWYN STROMER  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 489, Sixty-ninth General Assembly.

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LINDA HOWARTH MACKAY  
Secretary of the Senate

Approved May 5, 1981

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ROBERT D. RAY  
Governor