

Letter Book 2/26/87 La Pass (p. 492)

Justice

Senate File 271

JUDICIARY: Doyle, Chair; Mann and Holt

See

Senate File 271

Judiciary and Law Enforcement: Peterson of Carroll, Chair; Clark

NATE FILE **271**

BY HUTCHINS and HULTMAN

Passed Senate, Date 3-2-87 (p. 502) Passed House, Date 4-10-87 (p. 1253)

Vote: Ayes 45 Nays 0 Vote: Ayes 93 Nays 0

Approved April 17, 1987 (p. 1405)

A BILL FOR

1 An Act affirming and reenacting certain provisions of law
2 concerning the powers and procedures of public bodies and
3 providing an effective date.

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

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SF 271

1 Section 1. LEGISLATIVE FINDINGS. It is the finding of the
2 general assembly that certain recent court cases have raised
3 questions in regard to the proper enactment of certain
4 provisions contained in Code editor's bills. It is the intent
5 of the general assembly to resolve any doubt as to the
6 validity of provisions enacted in the Code editor's bills of
7 prior years. It is the position of the general assembly that
8 all of the following provisions contained in Code editor's
9 bills and all other provisions of the Code editor's bills were
10 properly enacted in the Code editor's bills. Passage of an
11 Act by the general assembly necessarily includes a finding by
12 the general assembly that the Act embraced but one subject and
13 matters properly connected therewith, and that the subject is
14 properly expressed in the title.

15 Sec. 2. Section 15.104, subsection 2, Code 1987, is
16 affirmed and reenacted in accordance with the amendment to
17 section 15.104, subsection 2, Code 1985, in 1986 Iowa Acts,
18 chapter 1238, section 43, and including any subsequent
19 amendments and editorial changes.

20 Sec. 3. Section 28.27, Code 1987, is affirmed and
21 reenacted in accordance with the amendment to Senate File 362,
22 1979 Iowa Acts, chapter 27, section 4, subsection 3, in 1980
23 Iowa Acts, chapter 1015, section 70, and including subsequent
24 amendments and editorial changes.

25 Sec. 4. Section 79.3, Code 1987, is affirmed and reenacted
26 in accordance with the amendment to section 79.3, Code 1979,
27 in 1980 Iowa Acts, chapter 1015, section 11, and including
28 subsequent amendments and editorial changes.

29 Sec. 5. Section 113.18, subsection 5, Code 1987, is
30 affirmed and reenacted in accordance with the amendment to
31 section 113.18, subsection 5, Code 1985, in 1985 Iowa Acts,
32 chapter 195, section 11, and including subsequent amendments
33 and editorial changes.

34 Sec. 6. Section 113.20, subsection 3, Code 1987, is
35 affirmed and reenacted in accordance with the amendment to

1 section 113.20, subsection 3, Code 1985, in 1985 Iowa Acts,
2 chapter 195, section 12, and including subsequent amendments
3 and editorial changes.

4 Sec. 7. Section 260.9, Code 1987, is affirmed and
5 reenacted in accordance with the amendment to section 260.9,
6 Code 1979, in 1980 Iowa Acts, chapter 1012, section 33, and
7 including subsequent amendments and editorial changes.

8 Sec. 8. Section 303.16, subsections 3 through 8, Code
9 1987, are affirmed and reenacted in accordance with the
10 amendment to section 303.16, Code 1985, in 1986 Iowa Acts,
11 chapter 1238, section 54, and including any other 1986
12 amendments and editorial changes.

13 Sec. 9. Section 327H.18, Code 1987, is affirmed and
14 reenacted in accordance with the amendment to section 327H.18,
15 Code 1985, in 1986 Iowa Acts, chapter 1238, section 16, and
16 including any other 1986 amendments and editorial changes.

17 Sec. 10. Section 467A.62, subsection 2, Code 1987, is
18 affirmed and reenacted in accordance with the amendment to
19 section 467A.62, subsection 2, Code 1985, in 1986 Iowa Acts,
20 chapter 1238, section 22, and including any other 1986
21 amendments and editorial changes.

22 Sec. 11. 1986 Iowa Acts, chapter 1238, section 35, is
23 affirmed and reenacted.

24 Sec. 12. This Act, being deemed of immediate importance,
25 takes effect upon enactment.

26 EXPLANATION

27 The bill affirms and reenacts certain provisions contained
28 in Code correction bills enacted in 1980, 1985, and 1986, and
29 enacts a statement of the general assembly's position that the
30 bills were properly enacted. The bill takes effect upon
31 enactment.

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SENATE FILE 271

AN ACT

AFFIRMING AND REENACTING CERTAIN PROVISIONS OF LAW CONCERNING
THE POWERS AND PROCEDURES OF PUBLIC BODIES AND PROVIDING AN
EFFECTIVE DATE.

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

Section 1. LEGISLATIVE FINDINGS. It is the finding of the general assembly that certain recent court cases have raised questions in regard to the proper enactment of certain provisions contained in Code editor's bills. It is the intent of the general assembly to resolve any doubt as to the validity of provisions enacted in the Code editor's bills of prior years. It is the position of the general assembly that all of the following provisions contained in Code editor's bills and all other provisions of the Code editor's bills were properly enacted in the Code editor's bills. Passage of an Act by the general assembly necessarily includes a finding by the general assembly that the Act embraced but one subject and matters properly connected therewith, and that the subject is properly expressed in the title.

Sec. 2. Section 15.104, subsection 2, Code 1987, is affirmed and reenacted in accordance with the amendment to section 15.104, subsection 2, Code 1985, in 1986 Iowa Acts, chapter 1238, section 43, and including any subsequent amendments and editorial changes.

Sec. 3. Section 28.27, Code 1987, is affirmed and reenacted in accordance with the amendment to Senate File 362, 1979 Iowa Acts, chapter 27, section 4, subsection 3. in 1980 Iowa Acts, chapter 1015, section 70, and including subsequent amendments and editorial changes.

Sec. 4. Section 79.3, Code 1987, is affirmed and reenacted in accordance with the amendment to section 79.3, Code 1979, in 1980 Iowa Acts, chapter 1015, section 11, and including subsequent amendments and editorial changes.

Sec. 5. Section 113.18, subsection 5, Code 1987, is affirmed and reenacted in accordance with the amendment to section 113.18, subsection 5, Code 1985, in 1985 Iowa Acts, chapter 195, section 11, and including subsequent amendments and editorial changes.

Sec. 6. Section 113.20, subsection 3, Code 1987, is affirmed and reenacted in accordance with the amendment to section 113.20, subsection 3, Code 1985, in 1985 Iowa Acts, chapter 195, section 12, and including subsequent amendments and editorial changes.

Sec. 7. Section 260.9, Code 1987, is affirmed and reenacted in accordance with the amendment to section 260.9, Code 1979, in 1980 Iowa Acts, chapter 1012, section 33, and including subsequent amendments and editorial changes.

Sec. 8. Section 303.16, subsections 3 through 8, Code 1987, are affirmed and reenacted in accordance with the amendment to section 303.16, Code 1985, in 1986 Iowa Acts, chapter 1238, section 54, and including any other 1986 amendments and editorial changes.

Sec. 9. Section 327H.18, Code 1987, is affirmed and reenacted in accordance with the amendment to section 327H.18, Code 1985, in 1986 Iowa Acts, chapter 1238, section 16, and including any other 1986 amendments and editorial changes.

Sec. 10. Section 467A.62, subsection 2, Code 1987, is affirmed and reenacted in accordance with the amendment to section 467A.62, subsection 2, Code 1985, in 1986 Iowa Acts, chapter 1238, section 22, and including any other 1986 amendments and editorial changes.

Sec. 11. 1986 Iowa Acts, chapter 1238, section 35, is affirmed and reenacted.

Sec. 12. This Act, being deemed of immediate importance, takes effect upon enactment.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 271, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 17, 1987

TERRY E. BRANSTAD
Governor