

Local Government 2-2-89  
Excess 2-13-89 (p. 375)

JAN 18 1989

LOCAL GOVERNMENT  
No. 126 (p. 207)

HOUSE FILE 69  
BY FULLER

Passed House, Date 2/1/89 (p. 299) Passed Senate, Date 2-20-89 (p. 413)  
Vote: Ayes 97 Nays 0 Vote: Ayes 48 Nays 0  
Approved 3-8-89 (p. 697)

A BILL FOR

1 An Act relating to the dissolution of the Eldora Cemetery  
2 Society, Incorporated and the disposition of its property, and  
3 providing effective dates.

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

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HF 69

1 Section 1. DISSOLUTION OF THE ELDORA CEMETERY SOCIETY,  
2 INC. Pursuant to sections 504.2 and 504.8, the Eldora  
3 Cemetery Society, Incorporated, a not for pecuniary profit  
4 corporation organized as a cemetery association under chapter  
5 504, is dissolved effective May 1, 1989. On May 1, 1989, the  
6 operation and maintenance of the cemetery become the  
7 responsibility of the city of Eldora, Iowa. All real and  
8 personal properties of the corporation, subject to the rights  
9 of creditors to the corporation, are transferred to the city  
10 of Eldora, Iowa, effective May 1, 1989.

11 Sec. 2. This Act takes effect on April 15, 1989.

12 EXPLANATION

13 This bill dissolves the Eldora Cemetery Society which is  
14 incorporated as a not for pecuniary profit association under  
15 chapter 504. Under sections 504.2 and 504.8, there are two  
16 methods for dissolving a cemetery association which are  
17 applicable to the Eldora Cemetery Society. The methods are  
18 "by three-fourths vote of all the members thereof, or by act  
19 of the general assembly,".... Membership of the Eldora  
20 Cemetery Society includes each person having a husband, a  
21 wife, a parent or child buried in the cemetery. An accurate  
22 record of the members of the cemetery corporation does not  
23 exist, making the method of dissolution by membership vote  
24 virtually impossible. The method of dissolution by act of the  
25 general assembly appears to be the only other alternative.

26 The bill also transfers the operation and maintenance of  
27 the cemetery, and the property of the dissolved corporation,  
28 to the city of Eldora, Iowa.

29 This bill takes effect April 15, 1989.

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Sec. 2. This Act takes effect on April 15, 1989.

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DONALD D. AVENSON  
Speaker of the House

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JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 69, Seventy-third General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved March 8, 1989

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TERRY E. BRANSTAD  
Governor

HOUSE FILE 69

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RELATING TO THE DISSOLUTION OF THE ELDORA CEMETERY SOCIETY,  
INCORPORATED AND THE DISPOSITION OF ITS PROPERTY, AND  
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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