

*February 18, 1991 (p. 383) & L.S. 1332SS - 2/4
Bill "to amend 2/12 (p. 311)"*

JAN 29 1991

HOUSE FILE 129

BY GRONINGA, BARTZ (1/30)

Judiciary & Law Enforcement

(COMPANION TO LSB 1332SS BY MILLER)

Passed House, Date 2/1/91 (p. 260) Passed Senate, Date 2/12/91 (p. 312)

Vote: Ayes 99 Nays 0 Vote: Ayes 46 Nays 0

Approved February 18, 1991 (p. 383)

A BILL FOR

1 An Act to legalize the proceedings of the City Council of the
2 City of Mason City relating to its budget and certification of
3 taxes pertaining to the City Library.

4 WHEREAS, the sufficient number of eligible electors of the
5 City of Mason City petitioned the City Council of the City of
6 Mason City to place on the regular 1990 general election ballot a
7 proposition to levy a tax to benefit the Mason City Public
8 Library, at a rate of "14 cents per thousand dollars of assessed
9 valuation"; and

10 WHEREAS, the proposition appeared on the ballot for the
11 general election held on November 6, 1990, but due to an error,
12 stated that the tax would be levied at a rate of ".14 cents per
13 thousand dollars of assessed valuation"; and

14 WHEREAS, a majority of the total number of votes cast were in
15 favor of the Mason City Library tax levy; and

16 WHEREAS, the commissioner of elections of Cerro Gordo County
17 certified to the secretary of state that the measure passed to
18 impose a tax levy of fourteen cents per thousand dollars of
19 assessed valuation; and

20 WHEREAS, the budget and certification of taxes to be adopted
21 for the 1992 fiscal year by the City Council of the City of Mason
22 City as required under section 384.16, includes a library tax

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1 levy of fourteen cents per thousand dollars of assessed
2 valuation; and

3 WHEREAS, doubts have arisen as to the validity of the election
4 and the amount to be raised by the levy, although both the
5 petition placing the issue on the ballot and publicity concerning
6 the proposition referred to the rate of fourteen cents per
7 thousand dollars of assessed valuation; NOW THEREFORE,

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

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1 Section 1: All proceedings taken by the City Council of
2 the City of Mason City for the certification of taxes and
3 adoption of a budget for the 1992 fiscal year, pertaining to
4 the election for a tax levy of fourteen cents per thousand
5 dollars of assessed valuation for the Mason City Public
6 Library, are hereby legalized, validated, and confirmed.

7 Section 2: This Act, being deemed of immediate importance,
8 takes effect upon enactment.

9

EXPLANATION

10 This bill legalizes the actions of the city council of the
11 City of Mason City in including in its budget for the 1992
12 fiscal year, an amount of fourteen cents per thousand dollars
13 of assessed valuation, to be used for the Mason City public
14 library. Although this was the rate listed in the petition
15 placing the proposition on the ballot, and was also mentioned
16 in newspaper accounts prior to the election, due to an error,
17 the ballot stated that the tax would be levied at a rate of
18 ".14 cents per thousand dollars of assessed valuation." The
19 bill validates the imposition of the tax levy at the level in
20 the petition placing the tax levy issue on the ballot.

21 This bill may include a state mandate as defined in section
22 25B.3.

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HOUSE FILE 129

H-3017

- 1 Amend House File 129 as follows:
2 1. Title page, line 17, by striking the words
3 "secretary of state" and inserting the following:
4 "City of Mason City".

By COMMITTEE ON JUDICIARY AND LAW
ENFORCEMENT
JAY of Appanoose, Chairperson

H-3017 FILED FEBRUARY 4, 1991

Adopted 2/7/91 (p. 259)

HOUSE FILE 129

H-3042

- 1 Amend House File 129 as follows:
2 1. Page 1, line 3, by inserting after the word
3 "year" the following: "and succeeding fiscal years".

By BLANSHAN of Greene

H-3042 FILED FEBRUARY 6, 1991

Adopted 2/7

HOUSE FILE 129

AN ACT

TO LEGALIZE THE PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF MASON CITY RELATING TO ITS BUDGET AND CERTIFICATION OF TAXES PERTAINING TO THE CITY LIBRARY.

WHEREAS, the sufficient number of eligible electors of the City of Mason City petitioned the City Council of the City of Mason City to place on the regular 1990 general election ballot a proposition to levy a tax to benefit the Mason City Public Library, at a rate of "14 cents per thousand dollars of assessed valuation"; and

WHEREAS, the proposition appeared on the ballot for the general election held on November 6, 1990, but due to an error, stated that the tax would be levied at a rate of ".14 cents per thousand dollars of assessed valuation"; and

WHEREAS, a majority of the total number of votes cast were in favor of the Mason City Library tax levy; and

WHEREAS, the commissioner of elections of Cerro Gordo County certified to the City of Mason City that the measure passed to impose a tax levy of fourteen cents per thousand dollars of assessed valuation; and

WHEREAS, the budget and certification of taxes to be adopted for the 1992 fiscal year by the City Council of the City of Mason City as required under section 384.16, includes a library tax levy of fourteen cents per thousand dollars of assessed valuation; and

WHEREAS, doubts have arisen as to the validity of the election and the amount to be raised by the levy, although both the petition placing the issue on the ballot and publicity concerning the proposition referred to the rate of fourteen cents per thousand dollars of assessed valuation; NOW THEREFORE,

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

Section 1: All proceedings taken by the City Council of the City of Mason City for the certification of taxes and adoption of a budget for the 1992 fiscal year and succeeding fiscal years, pertaining to the election for a tax levy of fourteen cents per thousand dollars of assessed valuation for the Mason City Public Library, are hereby legalized, validated, and confirmed.

Section 2: This Act, being deemed of immediate importance, takes effect upon enactment.

ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 129, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved Feb. 18, 1991

TERRY E. BRANSTAD
Governor

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