

February 6, 1951.  
Judiciary No. 2

**House File 349**  
By CLARK of Marion.

Passed House, Date .....  
Vote: Ayes..... Nays.....  
Passed Senate, Date.....  
Vote: Ayes..... Nays.....  
Approved .....

## A BILL FOR

An Act to legalize and validate proceedings taken by the City Council of the City of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant.

WHEREAS, during the year 1950 and subsequent thereto, the City Council of Pella, Iowa, adopted proceedings from time to time pursuant to the provisions of Sections three hundred ninety-seven point nine (397.9) to three hundred ninety-seven point nineteen (397.19), both inclusive, of the Code of Iowa, 1950, as amended, providing for hearings and lettings on proposed extensions and improvements, to the municipal electric light and power plant of said city and for the construction thereof, to meet the increased needs of the community for electric current and entered into contracts for materials and labor and incidental costs thereof, said contracts to be paid solely and only from the cash available from past net earnings of said utility and from the proceeds of the sale of revenue bonds payable solely and only from the future net earnings of said utility, and said extensions and improvements are in process of construction, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and contracts, notices given and publications or omissions thereof, and it is deemed advisable to put said doubts and all others that might arise forever at rest; now, therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. That all proceedings heretofore taken by

2 the City Council of the City of Pella, Iowa, in connection  
3 with the extensions and improvements of the municipal electric  
4 light and power plant and contracts therefore referred to in  
5 the preamble hereof are hereby legalized, validated and  
6 confirmed.

1 Sec. 2. This act being deemed of immediate importance  
2 shall take effect and be in force from and after its  
3 publication in the Pella Chronicle, a newspaper published at  
4 Pella, Iowa, and in the Knoxville Express, a newspaper  
5 published at Knoxville, Iowa. The publication herein  
6 provided shall be without cost to the State of Iowa.

#### EXPLANATION OF H. F. 349

The need for this bill arises because the engineer in preparing the thirty day notice of public hearing and letting of bids through inadvertence omitted to state that on the date of the hearing and letting, the Council would consider final adoption of the plans, specifications and form of contract for the improvement.