

February 14, 1963.

House File 263

Judiciary 1. *granted additional time 4/4 Report of Sub-Com. Jud 1 579* By MAULE, ANDERSEN of Woodbury, HAKES, ELY, MENSING, CUNNINGHAM, BOCK, STEVENSON, MURRAY, CASEY, STOKES and SMITH of Dickinson.

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

## A BILL FOR

An Act to establish the boundary line between Iowa and Nebraska by agreement; to cede to Nebraska and to relinquish jurisdiction over lands now in Iowa but lying westerly of said boundary line and contiguous to lands in Nebraska; to provide that the provisions of this Act become effective upon the enactment of a similar and reciprocal law by Nebraska and the approval of and consent to the compact thereby effected by the Congress of the United States of America and to declare an emergency.

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

- 1 Section 1. On and after the enactment of a similar and
- 2 reciprocal law by the State of Nebraska, and the approval and
- 3 consent of the Congress of the United States of America, as
- 4 hereinafter provided, the boundary line between the States of
- 5 Iowa and Nebraska shall be described as follows:
- 6 Commencing at a point where an extension of the northern
- 7 boundary line of the state of Missouri intersects the main
- 8 channel of the Missouri river, thence up the middle of the main
- 9 channel of the Missouri river to a point opposite the middle
- 10 of the main channel of the Big Sioux river.
- 11 The said middle of the main channel of the Missouri river
- 12 referred to in this Act shall be the center line of the proposed
- 13 stabilized channel of the Missouri river as established by the
- 14 United States engineers' office, Omaha, Nebraska, and shown on
- 15 the construction maps of the Missouri river from Sioux City,

16 Iowa, to Hamburg, Iowa, and identified by file number M400-61-18  
17 through M400-61-47 inclusive, dated February 21, 1961, file  
18 number M400-61-51A, dated February 21, 1961, and file numbers  
19 M400-61-51 through M400-61-84, inclusive, dated February 21, 1961,  
20 which maps are now on file in the United States engineers' office  
21 at Omaha, Nebraska, and copies of which maps are now on file  
22 with the secretary of state of the State of Iowa and with the  
23 secretary of state of the State of Nebraska.

1 Sec. 2. The State of Iowa hereby cedes to the State of  
2 Nebraska and relinquishes jurisdiction over all lands now in  
3 Iowa but lying westerly of said boundary line and contiguous  
4 to lands in Nebraska.

1 Sec. 3. Titles, mortgages, and other liens good in Nebraska  
2 shall be good in Iowa as to any lands Nebraska may cede to  
3 Iowa and any pending suits or actions concerning said lands may  
4 be prosecuted to final judgment in Nebraska and such judgments  
5 shall be accorded full force and effect in Iowa.

1 Sec. 4. Taxes for the year 1963 and prior years may be  
2 levied and collected by Nebraska or its authorized governmental  
3 subdivisions and agencies on lands ceded to Iowa, and any liens  
4 or other rights accrued or accruing including the right of  
5 collection shall be fully recognized, and the county treasurers  
6 of the counties affected shall act as agents in carrying out  
7 the provisions of this section: Provided, that all liens or  
8 other rights accrued or accruing as aforesaid shall be claimed  
9 or asserted within five (5) years after this Act becomes  
10 effective, and if not so claimed or asserted shall be forever  
11 barred.

1 Sec. 5. The provisions of this Act shall become effective

2 only upon the enactment of a similar and reciprocal law by  
 3 the State of Nebraska and the approval of and consent to the  
 4 compact thereby effected by the Congress of the United States  
 5 of America. Said similar and reciprocal law shall contain  
 6 provisions identical with those contained herein for the  
 7 cession to Iowa of all lands now in Nebraska but lying easterly  
 8 of said boundary line described in section one (1) of this  
 9 Act and contiguous to lands in Iowa, and also contain provisions  
 10 identical with those contained in sections three (3) and four  
 11 (4) of this Act, but applying to lands ceded to Nebraska.

1 Sec. 6. This Act, being deemed of immediate importance,  
 2 shall take effect and be in force after its publication in the  
 3 Onawa Weekly Democrat, a newspaper published in  
 4 Onawa, Iowa, and the Sioux City Journal,  
 5 a newspaper published in Sioux City, Iowa.

EXPLANATION OF HOUSE FILE 263

This bill resolves the dispute now existing between the states of Iowa and Nebraska in regard to the boundary line between the two states by establishing a specific boundary line according to the United States Government Survey.

HOUSE FILE 263

- 1 Amend House File 263 as follows:  
 2 1. Amend by inserting immediately following section 4 the  
 3 following new section:  
 4 "The city of Carter Lake, which is situated within the land  
 5 ceded under this Act to the State of Nebraska, shall not sub-  
 6 sequently be annexed to and made a part of any Nebraska city of  
 7 any class, village or town, without the approval, at a general or  
 8 special election, of a majority of the residents of the city of  
 9 Carter Lake."  
 10 2. Further amend by renumbering the sections in conformity  
 11 with this amendment.

Filed  
 April 15, 1963.

ANDERSEN of Woodbury.