

MAY 16 2005
Place On Calendar

HOUSE FILE 883
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 305)

Passed House, Date 5-16-05 Passed Senate, Date _____
Vote: Ayes 95 Nays 0 Vote: Ayes _____ Nays _____
Approved 6/10/06

A BILL FOR

1 An Act to legalize actions taken and proceedings conducted by the
2 state of Iowa, Linn county, the city of Cedar Rapids, and
3 three school districts including the Cedar Rapids community
4 school district, the College community school district, and
5 the Linn Mar community school district, which relate to
6 erroneously established boundaries, and providing an effective
7 date.

8 WHEREAS, the boundary between the Cedar Rapids community
9 school district and the College community school district was
10 changed in 1985 and the boundary between the Cedar Rapids
11 community school district and the Linn Mar community school
12 district was changed in 1998; and

13 WHEREAS, the boundary changes were erroneously made by the
14 office of city assessor of the city of Cedar Rapids as a result
15 of the annexation of land in Linn county by the city of Cedar
16 Rapids for inclusion within the territorial jurisdiction of the
17 city; and

18 WHEREAS, the state of Iowa, Linn county, the city of Cedar
19 Rapids, and the three school districts have continuously operated
20 as if the erroneous boundaries were correct; NOW THEREFORE,
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

22

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HF 883

1 Section 1. PRIOR PROCEEDINGS AND ACTIONS. All proceedings
2 conducted or actions taken by or on behalf of the state of
3 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
4 community school district, the College community school
5 district, and the Linn Mar community school district which
6 were conducted or taken prior to the effective date of this
7 Act are legalized, validated, and confirmed, if the
8 proceedings were conducted or the actions were taken in
9 reliance on the erroneous boundaries being correct, and if the
10 actions taken or proceedings conducted were otherwise in
11 accordance with state law.

12 Sec. 2. PROCEEDINGS AND ACTIONS DESCRIBED. The
13 proceedings conducted or actions taken as provided in section
14 1 include but are not limited to the appropriation or
15 allocation and expenditure of moneys, budgeting practices and
16 decisions, the levy and collection of taxes, and the
17 enrollment of students.

18 Sec. 3. FUTURE PROCEEDINGS AND ACTIONS. All proceedings
19 conducted or actions taken by or on behalf of the state of
20 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
21 community school district, the College community school
22 district, and the Linn Mar community school district which are
23 conducted or taken on or after the effective date of this Act
24 until June 30, 2006, as provided in sections 1 and 2 of this
25 Act, are legalized, validated, and confirmed in the same
26 manner as the proceedings conducted or actions taken pursuant
27 to those sections.

28 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
29 immediate importance, takes effect upon enactment.

30 EXPLANATION

31 This bill arises out of a change in the boundaries of three
32 school districts which were made by the city of Cedar Rapids
33 when it annexed land for inclusion within the municipality.
34 The changes to the boundaries occurred in 1985, which affected
35 the Cedar Rapids community school district and the College

1 community school district, and again in 1998, which affected
2 the Cedar Rapids community school district and the Linn Mar
3 community school district. In both instances the changes to
4 the boundaries were erroneously made by the office of city
5 assessor.

6 The bill legalizes proceedings conducted or actions taken
7 by or on behalf of the state, Linn county, the city of Cedar
8 Rapids, and the three school districts, including but not
9 limited to the appropriation or allocation and expenditure of
10 moneys, budgeting practices and decisions, the levy and
11 collection of taxes, and the enrollment of students. The bill
12 also provides for the legalization of those same types of
13 proceedings conducted or actions taken by or on behalf of the
14 entities on or after the bill becomes effective until June 30,
15 2006. By that date new boundaries are planned to be
16 established.

17 The bill takes effect upon enactment.

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HOUSE FILE 883

H-1700

1 Amend House File 883 as follows:

2 1. Page 1, line 5, by striking the words "Linn
3 Mar" and inserting the following: "Linn-Mar".

4 2. Page 1, line 22, by striking the words "Linn
5 Mar" and inserting the following: "Linn-Mar".

6 3. Title page, line 5, by striking the words
7 "Linn Mar" and inserting the following: "Linn-Mar".

8 4. Title page, line 11, by striking the words
9 "Linn Mar" and inserting the following: "Linn-Mar".

By ELGIN of Linn

H-1700 FILED MAY 16, 2005

ADOPTED

HOUSE FILE 883
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 305)

(As Amended and Passed by the House May 16, 2005)

Passed House, Date _____ Passed Senate, Date 5-20-05
Vote: Ayes _____ Nays _____ Vote: Ayes 47 Nays 0
Approved _____

A BILL FOR

1 An Act to legalize actions taken and proceedings conducted by the
2 state of Iowa, Linn county, the city of Cedar Rapids, and
3 three school districts including the Cedar Rapids community
4 school district, the College community school district, and
5 the Linn-Mar community school district, which relate to
6 erroneously established boundaries, and providing an effective
7 date.

8 WHEREAS, the boundary between the Cedar Rapids community
9 school district and the College community school district was
10 changed in 1985 and the boundary between the Cedar Rapids
11 community school district and the Linn-Mar community school
12 district was changed in 1998; and

13 WHEREAS, the boundary changes were erroneously made by the
14 office of city assessor of the city of Cedar Rapids as a result
15 of the annexation of land in Linn county by the city of Cedar
16 Rapids for inclusion within the territorial jurisdiction of the
17 city; and

18 WHEREAS, the state of Iowa, Linn county, the city of Cedar
19 Rapids, and the three school districts have continuously operated
20 as if the erroneous boundaries were correct; NOW THEREFORE,
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

22 House Amendments _____

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1 Section 1. PRIOR PROCEEDINGS AND ACTIONS. All proceedings
2 conducted or actions taken by or on behalf of the state of
3 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
4 community school district, the College community school
5 district, and the Linn-Mar community school district which
6 were conducted or taken prior to the effective date of this
7 Act are legalized, validated, and confirmed, if the
8 proceedings were conducted or the actions were taken in
9 reliance on the erroneous boundaries being correct, and if the
10 actions taken or proceedings conducted were otherwise in
11 accordance with state law.

12 Sec. 2. PROCEEDINGS AND ACTIONS DESCRIBED. The
13 proceedings conducted or actions taken as provided in section
14 1 include but are not limited to the appropriation or
15 allocation and expenditure of moneys, budgeting practices and
16 decisions, the levy and collection of taxes, and the
17 enrollment of students.

18 Sec. 3. FUTURE PROCEEDINGS AND ACTIONS. All proceedings
19 conducted or actions taken by or on behalf of the state of
20 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
21 community school district, the College community school
22 district, and the Linn-Mar community school district which are
23 conducted or taken on or after the effective date of this Act
24 until June 30, 2006, as provided in sections 1 and 2 of this
25 Act, are legalized, validated, and confirmed in the same
26 manner as the proceedings conducted or actions taken pursuant
27 to those sections.

28 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
29 immediate importance, takes effect upon enactment.

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Chair Elgin
Rep: Paulsen
Dem: T. Taylor

Succeeded BY
SF/HF 883

HSB 305
STATE GOVERNMENT

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ELGIN)

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

A BILL FOR

1 An Act to legalize actions taken and proceedings conducted by the
2 state of Iowa, Linn county, the city of Cedar Rapids, and
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11 community school district and the Linn Mar community school
12 district was changed in 1998; and

13 WHEREAS, the boundary changes were erroneously made by the
14 office of city assessor of the city of Cedar Rapids as a result
15 of the annexation of land in Linn county by the city of Cedar
16 Rapids for inclusion within the territorial jurisdiction of the
17 city; and

18 WHEREAS, the state of Iowa, Linn county, the city of Cedar
19 Rapids, and the three school districts have continuously operated
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2 conducted or actions taken by or on behalf of the state of
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4 community school district, the College community school
5 district, and the Linn Mar community school district which
6 were conducted or taken prior to the effective date of this
7 Act are legalized, validated, and confirmed, if the
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19 conducted or actions taken by or on behalf of the state of
20 Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids
21 community school district, the College community school
22 district, and the Linn Mar community school district which are
23 conducted or taken on or after the effective date of this Act
24 until June 30, 2006, as provided in sections 1 and 2 of this
25 Act, are legalized, validated, and confirmed in the same
26 manner as the proceedings conducted or actions taken pursuant
27 to those sections.

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29 immediate importance, takes effect upon enactment.

30 EXPLANATION

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32 school districts which were made by the city of Cedar Rapids
33 when it annexed land for inclusion within the municipality.
34 The changes to the boundaries occurred in 1985, which affected
35 the Cedar Rapids community school district and the College

1 community school district, and again in 1998, which affected
2 the Cedar Rapids community school district and the Linn Mar
3 community school district. In both instances the changes to
4 the boundaries were erroneously made by the office of city
5 assessor.

6 The bill legalizes proceedings conducted or actions taken
7 by or on behalf of the state, Linn county, the city of Cedar
8 Rapids, and the three school districts, including but not
9 limited to the appropriation or allocation and expenditure of
10 moneys, budgeting practices and decisions, the levy and
11 collection of taxes, and the enrollment of students. The bill
12 also provides for the legalization of those same types of
13 proceedings conducted or actions taken by or on behalf of the
14 entities on or after the bill becomes effective until June 30,
15 2006. By that date new boundaries are planned to be
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17 The bill takes effect upon enactment.

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DATE .

MNTH.DA.YR.

ACTION TEXT

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By State Government.

A bill for an act to legalize actions taken and proceedings conducted by the state of Iowa, Linn county, the city of Cedar Rapids, and three school districts including the Cedar Rapids community school district, the College community school district, and the Linn-Mar community school district, which relate to erroneously established boundaries, and providing an effective date. Effective 06-10-05.

- May 16 05 Introduced, placed on calendar. H.J. 1933.
- May 16 05 Asked and received unanimous consent for the immediate consideration. H.J. 1935.
- May 16 05 Amendment H-1700 filed, adopted. H.J. 1935.
- May 16 05 Passed House, ayes 95, nays none. H.J. 1936.
- May 16 05 Explanations of votes. H.J. 1945.
- May 16 05 Immediate message. H.J. 1936.
- May 16 05 Message from House. S.J. 1190.
- May 16 05 Read first time, referred to State Government. S.J. 1191.
- May 16 05 Subcommittee, Horn, Ward, McKibben, and Wood. S.J. 1193.
- May 16 05 Proof of publication certified. S.J. 1193.
- May 16 05 Committee report, recommending passage. S.J. 1193.
- May 20 05 Passed Senate, ayes 47, nays none. S.J. 1204.
- May 20 05 Immediate message. S.J. 1204.
- May 20 05 Message from Senate. H.J. 2006.
- May 20 05 Reported correctly enrolled, signed by Speaker and President. H.J. 2228.
- May 20 05 Sent to Governor. H.J. 2228.
- Jun. 10 05 Signed by Governor. H.J. 2236.

* * * * * END OF 2005 ACTIONS * * * * *

WHEREAS, the state of Iowa, Linn county, the city of Cedar Rapids, and the three school districts have continuously operated as if the erroneous boundaries were correct; NOW THEREFORE,

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

HOUSE FILE 883

AN ACT

TO LEGALIZE ACTIONS TAKEN AND PROCEEDINGS CONDUCTED BY THE STATE OF IOWA, LINN COUNTY, THE CITY OF CEDAR RAPIDS, AND THREE SCHOOL DISTRICTS INCLUDING THE CEDAR RAPIDS COMMUNITY SCHOOL DISTRICT, THE COLLEGE COMMUNITY SCHOOL DISTRICT, AND THE LINN-MAR COMMUNITY SCHOOL DISTRICT, WHICH RELATE TO ERRONEOUSLY ESTABLISHED BOUNDARIES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary between the Cedar Rapids community school district and the College community school district was changed in 1985 and the boundary between the Cedar Rapids community school district and the Linn-Mar community school district was changed in 1998; and

WHEREAS, the boundary changes were erroneously made by the office of city assessor of the city of Cedar Rapids as a result of the annexation of land in Linn county by the city of Cedar Rapids for inclusion within the territorial jurisdiction of the city; and

Section 1. PRIOR PROCEEDINGS AND ACTIONS. All proceedings conducted or actions taken by or on behalf of the state of Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids community school district, the College community school district, and the Linn-Mar community school district which were conducted or taken prior to the effective date of this Act are legalized, validated, and confirmed, if the proceedings were conducted or the actions were taken in reliance on the erroneous boundaries being correct, and if the actions taken or proceedings conducted were otherwise in accordance with state law.

Sec. 2. PROCEEDINGS AND ACTIONS DESCRIBED. The proceedings conducted or actions taken as provided in section 1 include but are not limited to the appropriation or allocation and expenditure of moneys, budgeting practices and decisions, the levy and collection of taxes, and the enrollment of students.

Sec. 3. FUTURE PROCEEDINGS AND ACTIONS. All proceedings conducted or actions taken by or on behalf of the state of Iowa, Linn county, the city of Cedar Rapids, the Cedar Rapids community school district, the College community school district, and the Linn-Mar community school district which are conducted or taken on or after the effective date of this Act until June 30, 2006, as provided in sections 1 and 2 of this Act, are legalized, validated, and confirmed in the same manner as the proceedings conducted or actions taken pursuant to those sections.

Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 883, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2005

THOMAS J. VILSACK
Governor