

where a court appearance is required are fifteen dollars as stated in section 602.8106, subsection 1. This subsection does not prevent the charging of any of those violations by information, by private complaint filed under chapter 804, or by a simple notice of fine where permitted by section 321.236, subsection 1. Each uniform citation and complaint shall be serially numbered and shall be in quintuplicate, and the officer shall deliver the original and a copy to the court where the defendant is to appear, two copies to the defendant, and a copy to the law enforcement agency of the officer. The court shall forward an abstract of the uniform citation and complaint in accordance with section 321.491 when applicable.

Sec. 16. Section 805.6, subsection 1, paragraph a, Code 1993, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** Notwithstanding other contrary requirements of this section, a uniform citation may be originated from a computerized device. The officer issuing the citation through a computerized device shall give two copies of the citation to the person cited and shall provide a record of the citation to the court where the person cited is to appear and to the law enforcement agency of the officer by an electronic process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image or copy of the citation.

Sec. 17. Section 911.1, Code 1993, is amended to read as follows:

**911.1 CRIMINAL PENALTY SURCHARGE ESTABLISHED.**

A criminal penalty surcharge shall be levied against certain law violators as provided in section 911.2. The surcharge shall be deposited as provided in section ~~911.3~~ 602.8108, subsection 3, and shall be used for the maintenance and improvement of criminal justice programs, law enforcement efforts, victim compensation, crime prevention, and improvement of the professional training of personnel, and the planning and support services of the criminal justice system.

Sec. 18. Section 911.3, Code 1993, is repealed.

Approved April 14, 1994

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## CHAPTER 1075

### CITY EMERGENCY MEDICAL SERVICES DISTRICTS

*H.F. 2116*

**AN ACT** relating to the establishment of city emergency medical services districts, and the levying of a property tax, and providing a retroactive applicability date.

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

Section 1. **NEW SECTION. 357G.1 DEFINITIONS.**

As used in this chapter, unless the context otherwise requires:

1. "Council" means the city council of a city.
2. "District" means a city emergency medical services district.
3. "Trustee" means a trustee of a district.

Sec. 2. **NEW SECTION. 357G.2 PETITION FOR PUBLIC HEARING.**

1. The council shall, on the petition of twenty-five percent of the resident property owners in a proposed district if the assessed valuation of the property owned by the petitioners represents at least twenty-five percent of the total assessed value of the proposed district, hold a public hearing concerning the establishment of a proposed district. The petition shall

include a statement containing the following information:

- a. The need for emergency medical services.
  - b. The district to be served.
  - c. The approximate number of families in the district.
  - d. The proposed personnel, equipment, and facilities to provide the emergency medical services.
2. The council may require a bond of the petitioners conditioned for the payment of all costs and expenses incurred in the proceedings in case the district is not established.

Sec. 3. NEW SECTION. 357G.3 LIMITATION ON AREA.

A district shall include all of the incorporated area of a city except property assessed as agricultural land, or centrally assessed property.

Sec. 4. NEW SECTION. 357G.4 TIME OF HEARING.

The public hearing required in section 357G.2 shall be held within thirty days of the presentation of the petition. Notice of hearing shall be given by publication in two successive issues of any paper of general circulation within the district. The last publication shall be not less than one week before the proposed hearing.

Sec. 5. NEW SECTION. 357G.5 ACTION BY COUNCIL.

After, and within ten days of, the hearing, the council shall either establish the district by resolution or disallow the petition.

Sec. 6. NEW SECTION. 357G.6 ENGINEER.

1. When the council establishes a district, the council shall appoint a competent disinterested civil engineer, who shall prepare a preliminary plat showing:

- a. The proper design in general outline of the district.
- b. The lots and parcels of land within the proposed district as they appear on the city assessor's or county auditor's plat books with the names of the owners.
- c. The assessed valuation of the lots and parcels.

2. The compensation of the engineer on the preliminary investigation shall be determined by the council. The engineer shall file a report with the city assessor within thirty days of appointment. The council may extend the time upon good cause shown.

Sec. 7. NEW SECTION. 357G.7 HEARING ON ENGINEER'S REPORT.

After the engineer's report is filed, the council shall give notice, as provided in section 357G.4, of a public hearing to be held concerning the engineer's preliminary plat.

Sec. 8. NEW SECTION. 357G.8 ELECTION ON PROPOSED LEVY.

When a preliminary plat has been approved by the council, an election shall be held within the district within sixty days to approve or disapprove the levy of a tax of not more than one dollar per thousand dollars of assessed value on all the taxable property within the district and to choose candidates for the offices of trustees of the district. The ballot shall set out the reason for the tax and the amount needed. The tax shall be set to raise only the amount needed. Notice of the election, including the time and place of holding the election, shall be given as provided in section 357G.4. The vote shall be by ballot which shall state clearly the proposition to be voted upon and any qualified elector residing within the district at the time of the election may vote. It is not mandatory for the county commissioner of elections to conduct elections held pursuant to this chapter, but the elections shall be conducted in accordance with chapter 49 where not in conflict with this chapter. Judges shall be appointed to serve without pay by the council from among the qualified electors of the district to be in charge of the election. The proposition is approved if sixty percent of those voting on the proposition vote in favor of it.

Sec. 9. NEW SECTION. 357G.9 TRUSTEES — TERM AND QUALIFICATION.

At the election, the names of up to three candidates for trustee shall be written in by the voters on blank ballots without formal nomination and the council shall appoint three from

among the five receiving the highest number of votes as trustees for the district. One trustee shall be appointed to serve for one year, one for two years, and one for three years. The trustees and their successors must be residents of the district and shall give bond in the amount required by the council, the premium of which shall be paid by the district. Vacancies shall be filled by election, but if there are no candidates for a trustee office, the vacancy may be filled by appointment by the council. The term of succeeding trustees shall be three years.

**Sec. 10. NEW SECTION. 357G.10 TRUSTEES' POWERS.**

The trustees may purchase, own, rent, or maintain emergency medical services apparatus or equipment within the state or outside the territorial jurisdiction and boundary limits of this state, provide housing for such apparatus and equipment, provide emergency medical service and facilities, and may certify for levy an annual tax as provided in section 357G.8. The trustees may purchase material, employ emergency medical service and other personnel, and may perform all other acts necessary to properly maintain and operate the district. The trustees may contract with any other city or county or public or private agency under chapter 28E for the purpose of providing emergency medical services under this chapter. The trustees are allowed necessary expenses in the discharge of their duties, but they shall not receive a salary.

**Sec. 11. NEW SECTION. 357G.11 BONDS IN ANTICIPATION OF REVENUE.**

A district may anticipate the collection of taxes by the levy authorized in this chapter, and to carry out the purposes of this chapter may issue bonds payable in not more than ten equal installments with the rate of interest not exceeding that permitted by chapter 74A. An indebtedness shall not be incurred under this chapter until authorized by an election. The election shall be held and notice given in the same manner as provided in section 357G.8, and the same sixty percent vote shall be necessary to authorize indebtedness. Both propositions may be submitted to the voters at the same election.

**Sec. 12. NEW SECTION. 357G.12 DISSOLUTION OF DISTRICT.**

Upon petition of thirty-five percent of the resident eligible electors, the council may dissolve a district and dispose of any remaining property, the proceeds of which shall first be applied against outstanding obligations and any balance shall be applied to tax credit of property owners of the district. The council shall continue to levy a tax after dissolution of a district, of not to exceed twenty-seven cents per thousand dollars of assessed value on all the taxable property of the district, until all outstanding obligations of the district are paid.

**Sec. 13. NEW SECTION. 357G.13 ADDING PROPERTY TO DISTRICT.**

Any property in an unincorporated area contiguous to the boundaries of an established district which is annexed by the city shall be included in the district. The tax levy for the next year shall be applied to the property and on the first day of the next fiscal year, the property shall become a part of the district.

**Sec. 14. NEW SECTION. 357G.14 DETERMINATION OF FEE.**

1. The owner of any property joining an established district shall pay to the trustees of the district an initial fee to be computed as follows:

a. The trustees shall first determine fair market value of all property and improvements owned by the district, less any indebtedness.

b. The council shall then determine the assessed value of all property in the district which is not assessed as agricultural land. This shall be divided into the value determined in paragraph "a".

c. The council shall determine the assessed value of the property of each landowner joining the established district which is not assessed as agricultural land.

d. The result obtained in paragraph "b" shall be multiplied by the result obtained in paragraph "c". The result shall be the initial fee to be charged each landowner.

2. The initial fees paid to the trustees shall be used to help defray the cost and maintenance of the district's emergency medical services.

Sec. 15. Section 384.12, Code 1993, is amended by adding the following new subsection: NEW SUBSECTION. 18A. A tax to fund an emergency medical services district under chapter 357G.

Sec. 16. This Act is retroactively applicable to districts established on or after January 1, 1993.

Approved April 14, 1994

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**CHAPTER 1076**  
**TARGETED BUSINESSES**  
*H.F. 2403*

**AN ACT** relating to direct purchasing from vendors for the purpose of attaining targeted small business procurement goals.

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

Section 1. Section 10A.104, subsection 8, Code Supplement 1993, is amended to read as follows:

8. Establish by rule standards and procedures for certifying that targeted small businesses are eligible to participate in the procurement set-aside program and that small businesses are eligible to participate in the construction procurement set-aside program established in sections 73.15 through 73.21. The procedure for determination of eligibility shall not include self-certification by a business. Rules and guidelines adopted pursuant to this subsection are subject to review and approval by the director of the department of management. The director shall maintain a current directory of targeted small businesses which have been certified pursuant to this subsection.

Sec. 2. Section 15.102, subsection 5, Code 1993, is amended to read as follows:

5. a. "Targeted small business" means a small business which is fifty-one percent or more owned, operated, and actively managed by one or more women, ~~or~~ minority persons, or persons with a disability provided the business meets all of the following requirements:

a. (1) Is located in this state.

b. (2) Is operated for profit.

c. (3) Has an annual gross income of less than three million dollars computed as an average of the three preceding fiscal years.

b. As used in this subsection:

(1) "~~minority~~ Minority person" means an individual who is a Black, Hispanic, Asian or Pacific Islander, American Indian, or Alaskan native American.

(2) "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual. "Disability" does not include any of the following:

(a) Homosexuality or bisexuality.

(b) Transvestitism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identify\* disorders not resulting from physical impairments, or other sexual behavior disorders.

(c) Compulsive gambling, kleptomania, or pyromania.

(d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

\*"identity" probably intended