

APR 11 1978

HOUSE FILE 2413

Cities

By CONNORS

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

A BILL FOR

1 An Act requiring reimbursement by the state to cities for
 2 fire protection provided for state-owned facilities located
 3 within the corporate limits of cities.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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2413

1 Section 1. NEW SECTION. Commencing July 1, 1980, each
2 city of this state shall be entitled to reimbursement as
3 provided in this Act for fire protection which the city
4 provides for state-owned buildings located within the corporate
5 limits of the city.

6 Sec. 2. NEW SECTION. Reimbursement under section one
7 (1) of this Act shall be payable in equal installments on
8 a quarterly basis by the state comptroller on warrants drawn
9 against the fire protection fund established under section
10 six (6) of this Act. Payment shall become due on the first
11 day of the months of July, October, January and April of each
12 year, and shall be paid not later than fifteen days thereafter.

13 Sec. 3. NEW SECTION. The amount of annual reimbursement
14 to which a city is entitled under section one (1) of this
15 Act shall be determined by dividing the actual market value
16 of all state-owned real property located within the corporate
17 limits of that city by the sum of the actual market values
18 of all real property, whether or not taxable, located within
19 the corporate limits of that city plus the market value of
20 all state-owned real property, and multiplying the quotient
21 thus obtained by the total amount appropriated by the city
22 for fire protection as shown in its certified budget. The
23 entitlement amount for any one year shall be determined on
24 the basis of actual market values of real property located
25 within the city as of July first of the preceding year, and
26 the amount appropriated for fire protection as shown in the
27 budget as initially certified on or after March fifteenth
28 of the preceding year.

29 Sec. 4. NEW SECTION. The director of the department of
30 general services shall promulgate rules under chapter seventeen
31 A (17A) of the Code as necessary to administer the provisions
32 of this Act. The director of the department of general
33 services also shall promulgate rules as follows:

- 34 1. Providing for the evaluation of state-owned buildings.
- 35 2. Providing for the submission by cities on an annual

1 basis of such information as may be necessary to determine
2 entitlements under section one (1) of this Act.

3 3. Providing for the methods of evaluating property other
4 than state-owned property when those values have not been
5 determined by local assessors for real property tax purposes.
6 Actual values as determined by local assessment shall be
7 conclusive evidence of those values for purposes of this Act.

8 4. Providing for certification to cities not later than
9 February first of each year the annual entitlement amounts
10 which will be payable for the ensuing fiscal year.

11 Sec. 5. NEW SECTION. The duty of determining entitlement
12 amounts under this Act shall be exercised by the director
13 of the department of general services. The director may
14 utilize hearing examiners, as provided in the rules promulgated
15 by the director, and may hold hearings in the manner required
16 for contested cases, in the event of disputes arising under
17 this Act. An appeal from a decision of the director may be
18 taken to the state board of tax review. The jurisdiction
19 of the board under this Act shall be exclusive, and decisions
20 of the board shall be conclusive. The director of the
21 department of general services and the board of tax review
22 shall adopt administrative rules establishing the procedures
23 applicable under this section. For purposes of this Act,
24 the director of the department of general services shall have
25 jurisdiction over all buildings owned by the state of Iowa,
26 and the director shall be given access to all relevant records
27 relating to those buildings and in the custody or control
28 of any other state officer or employee.

29 Sec. 6. NEW SECTION. There is created a single state
30 fund to be known as the "state properties fire protection
31 fund". The fund shall consist of such moneys as may be
32 appropriated by the general assembly to the fund. The fund
33 shall be used exclusively for payment of entitlements to
34 cities under this Act.

35 Sec. 7. NEW SECTION. A city shall have a right of action

1 against the state to collect amounts due and payable under
2 this Act.

3 EXPLANATION

4 This bill provides that commencing July 1, 1980, cities
5 shall be entitled to annual reimbursement from the state for
6 the costs of fire protection provided by cities for state-
7 owned buildings. The reimbursement would be payable on a
8 quarterly basis, the first payment being due July first, and
9 would be an amount equal to a percentage of the fire protection
10 appropriations by the city. The percentage is determined
11 by dividing the actual market value of state-owned real
12 property in a city by the sum of the actual market value of
13 all other real property in the city plus the value of state-
14 owned real property. The bill establishes procedures for
15 implementing the fire protection reimbursement program and
16 creates a single state fund out of which reimbursements for
17 all state-owned property would be paid.

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FISCAL NOTE
HOUSE FILE 2413

Requested by Representative Connors

April 4, 1978

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In compliance with a written request, there is submitted a Fiscal Note for H.F. 2413, pursuant to Joint Rule 16:

House File 2413, An Act requiring reimbursement by the state to cities for fire protection provided for state-owned facilities located within the corporate limits of cities.

This bill provides that commencing July 1, 1980, cities shall be entitled to annual reimbursement from the state for the costs of fire protection provided by cities for state-owned buildings. The reimbursement would be payable on a quarterly basis, the first payment being due July first, and would be an amount equal to a percentage of the fire protection appropriations by the city. The percentage is determined by dividing the actual market value of state-owned real property in a city by the sum of the actual market value of all other real property in the city plus the value of state-owned real property. The bill establishes procedures for implementing the fire protection reimbursement program and creates a single state fund out of which reimbursements for all state-owned property would be paid.

From a survey made of twenty-seven cities in the State, twenty six replies were received. From those twenty-six, seven cities are receiving state funds for fire protection of state-owned facilities:

	<u>Annually</u>
Rockwell City	\$ 500
Marshalltown	3,400 (Ia. Veterans Home)
Cedar Falls	117,106
Mitchellville	600
Iowa City	232,000
Ames	25% of Fire Department Operating Budget Yearly
Fort Madison	15,000

It should be noted that under Section 262.33 of the State Statutes, the Board of Regents is allowed to enter into fire contracts with cities and towns for fire protection of their buildings. That is true in the case of Cedar Falls, Iowa City and Ames as listed above.

Nineteen towns surveyed have state property, but receive no funds for fire protection of state property. The survey did not include Des Moines and Des Moines is receiving no funds.

Source: Des Moines Fire Department

FILED
APRIL 24, 1978

GERRY D. RANKIN
Legislative Fiscal Bureau