

Local Govt. 2/1 Do Pass 2/10 (p. 406)

SENATE FILE 159

Local Government  
Mann, Chair  
Goodwin  
C. Miller

FILED JAN 31 1983

SENATE FILE 159

BY MANN

Senate File 159 (Reassigned)

*Amend per 3564  
4/7/83*

Local Government: Sherzan, Chair: Grandia and Spear.

*Amend per 5023 & Do Pass 1/24/84 (p. 182)*

Passed Senate, Date 2-15-83 (p. 430) Passed House, Date 2-2-84 (p. 245)

Vote: Ayes 30 Nays 17 Vote: Ayes 91 Nays 6

Approved Feb 24, 1984 (p. 538)

*Repassed Senate as amended by House  
2-8-84 (p. 351)*

44-1

# A BILL FOR

- 1 An Act authorizing the establishment and maintenance of
- 2 an emergency warning system within townships.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

5060, 3763 >

SENATE FILE 159

H-5060

- 1 Amend Senate File 159 as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "trustees" the words "of a township which has a common
- 5 boundary with a city having a population of one hundred
- 6 eighty thousand or more".
- 7 2. Amend the title, line 2, by inserting after
- 8 the word "townships" the words "having a common
- 9 boundary with a city having a population of one hundred
- 10 eighty thousand or more".

BY SKOW of Gurhrie  
SHERZAN of Polk  
SCHROEDER of Pottawattamie  
HARBOR of Mills  
COREY of Louisa

H-5060 FILED FEBRUARY 1, 1984

*Adopted 2/2 (p. 245)*

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1 Section 1. Section 359.42, Code 1983, is amended to read  
2 as follows:

3 359.42 TOWNSHIP FIRE PROTECTION SERVICE, EMERGENCY WARNING  
4 SYSTEM, AND AMBULANCE SERVICE. The trustees of each township  
5 shall provide fire protection service for the township,  
6 exclusive of any part of the township within a benefited fire  
7 district and, in counties not providing ambulance services,  
8 may provide ambulance service. The trustees may purchase,  
9 own, rent or maintain fire protection service or ambulance  
10 service apparatus or equipment or both kinds of apparatus  
11 or equipment and provide housing for the equipment. The  
12 trustees may also establish and maintain an emergency warning  
13 system within the township. The trustees may contract with  
14 any public or private agency under chapter 28E for the purpose  
15 of providing ~~fire-protection-service-or-ambulance-service~~  
16 ~~or-both-services~~ any service or system required or authorized  
17 under this section.

5362, 3763

3564

18 Sec. 2. Section 359.43, Code 1983, is amended to read  
19 as follows:

20 359.43 TAX LEVY.

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21 1. The township trustees may levy an annual tax not  
22 exceeding forty and one-half cents per thousand dollars of  
23 assessed value of the taxable property in the township,  
24 excluding any property within a benefited fire district or  
25 within the corporate limits of a city, for the purpose of  
26 exercising the powers granted and duties specified in section  
27 359.42. However, in any township having a fire protection  
28 service or ambulance service agreement or both service  
29 agreements with a special charter city having a paid fire  
30 department, the township trustees may levy an annual tax not  
31 exceeding fifty-four cents per thousand dollars of the assessed  
32 value of the taxable property for those purposes and for fire  
33 protection and any other purpose authorized under section  
34 359.42 and in any township which has a common boundary with  
35 a city having a population of one hundred eighty thousand

1 or more, the township trustees may levy an annual tax not  
2 exceeding sixty-seven and one-half cents per thousand dollars  
3 of assessed value of taxable property for fire protection  
4 ~~service or ambulance service purposes or for both purposes~~  
5 or for fire protection and any other purpose or combination  
6 of purposes authorized under section 359.42.

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7 2. If the levy authorized under subsection 1 ~~of this~~  
8 ~~section~~ is insufficient to provide fire protection service  
9 and ambulance service or an emergency warning system or both,  
10 the township trustees may levy an additional annual tax not  
11 exceeding twenty and one-fourth cents per thousand dollars  
12 of assessed value of the taxable property in the township,  
13 excluding any property within the corporate limits of a city,  
14 to provide the ambulance service or the emergency warning  
15 system or both. ~~The township trustees may divide the township~~  
16 ~~into districts for the purpose of providing the ambulance~~  
17 ~~service and fire service and may levy a different tax rate~~  
18 ~~in each district, but the tax levy to provide ambulance service~~  
19 ~~shall not exceed twenty and one-fourth cents per thousand~~  
20 ~~dollars of taxable assessed value in a district.~~

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21 3. The township trustees may divide the township into  
22 tax districts for the purpose of providing fire protection  
23 ~~service~~ or fire protection and any other purpose or combination  
24 of purposes authorized under section 359.42 and may levy a  
25 different tax rate in each district, but the tax levied in  
26 a tax district for fire protection shall not exceed the tax  
27 ~~levy limitation~~ limitations for that township as provided  
28 in this section.

29 EXPLANATION

30 This bill authorizes township trustees to establish and  
31 maintain an emergency warning system within the township.  
32 The trustees may use revenue from current tax levies authorized  
33 to fund fire protection and ambulance services to establish  
34 and maintain the emergency warning system.

35 This bill takes effect July 1 following its enactment.

TUESDAY, FEBRUARY 7, 1984

HOUSE AMENDMENT TO SENATE FILE 159

S-5089

1 Amend Senate File 159 as passed by the Senate,  
2 as follows:

3 1. Page 1, line 12, by inserting after the word  
4 "trustees" the words "of a township which has a common  
5 boundary with a city having a population of one hundred  
6 eighty thousand or more".

7 2. Page 1, by striking lines 32 through 34 and  
8 inserting in lieu thereof the words "value of the  
9 taxable property for ~~these purposes~~ the services  
10 authorized or required under section 359.42 and in  
11 any township which has a common boundary with".

12 3. Page 2, by striking lines 3 through 6 and  
13 inserting in lieu thereof the words "of assessed value  
14 of taxable property for ~~fire-protection-service-or~~  
15 ~~ambulance-service-purposes-or-for-both-purposes~~ the  
16 services authorized or required under section 359.42."

17 4. Page 2, by striking lines 8 and 9 and inserting  
18 in lieu thereof the following: "~~section~~ is  
19 insufficient to provide ~~fire-protection-service-and~~  
20 ~~ambulance-service~~ the services authorized or required  
21 under section 359.42,".

22 5. Page 2, by striking lines 14 and 15 and  
23 inserting in lieu thereof the following: "to provide  
24 the ~~ambulance-service~~ services. The township trustees  
25 may divide the township".

26 6. Page 2, by striking lines 22 through 24 and  
27 inserting in lieu thereof the following: "tax  
28 districts for the purpose of providing ~~fire-protection~~  
29 ~~service~~ the services authorized or required under  
30 section 359.42 and may levy a".

31 7. Page 2, by striking line 26 and inserting in  
32 lieu thereof the following: "a tax district for fire  
33 protection the authorized or required services shall  
34 not exceed the tax".

35 8. Amend the title, line 2, by inserting after  
36 the word "townships" the words "having a common  
37 boundary with a city having a population of one hundred  
38 eighty thousand or more".

5089 FILED  
FEBRUARY 6, 1984

RECEIVED FROM THE HOUSE

*Senate concurred 2/8 (p. 351)*

## SENATE FILE 159

H-3564

1 Amend Senate File 159 as passed by the Senate,  
2 as follows:

3 1. Page 1, by inserting after line 17 the  
4 following:

5 "When equipment or real estate is purchased while  
6 an agreement under chapter 28E is in effect to provide  
7 the fire protection service or ambulance service,  
8 or both services, the township receiving the service  
9 shall be credited with a share of the value of the  
10 equipment or real estate acquired in proportion to  
11 the amount of financial support to be contributed  
12 by the township. The proportionate share of each  
13 party shall be included in the agreement as provided  
14 in section 28E.6, subsection 2."

H-3564 FILED APRIL 7, 1983

BY COMMITTEE ON LOCAL GOVERNMENT

*4/15 11/30/84 (p. 216)*

## SENATE FILE 159

H-5023

1 Amend Senate File 159 as passed by the Senate,  
2 as follows:

3 1. Page 1, by striking lines 32 through 34 and  
4 inserting in lieu thereof the words "value of the  
5 taxable property for ~~these purposes~~ the services  
6 authorized or required under section 359.42 and in  
7 any township which has a common boundary with".

8 2. Page 2, by striking lines 3 through 6 and  
9 inserting in lieu thereof the words "of assessed value  
10 of taxable property for ~~fire-protection-service-or~~  
11 ~~ambulance-service-purposes-or-for-both-purposes~~ the  
12 services authorized or required under section 359.42."

13 3. Page 2, by striking lines 8 and 9 and inserting  
14 in lieu thereof the following: "~~section~~ is  
15 insufficient to provide ~~fire-protection-service-and~~  
16 ~~ambulance-service~~ the services authorized or required  
17 under section 359.42,".

18 4. Page 2, by striking lines 14 and 15 and  
19 inserting in lieu thereof the following: "to provide  
20 the ~~ambulance-service~~ services. The-township-trustees  
21 may-divide-the-township".

22 5. Page 2, by striking lines 22 through 24 and  
23 inserting in lieu thereof the following: "tax  
24 districts for the purpose of providing ~~fire-protection~~  
25 ~~service~~ the services authorized or required under  
26 section 359.42 and may levy a".

27 6. Page 2, by striking line 26 and inserting in  
28 lieu thereof the following: "a tax district for ~~fire~~  
29 protection the authorized or required services shall  
30 not exceed the tax".

H-5023 FILED JANUARY 25, 1984 BY COMMITTEE ON LOCAL GOVERNMENT

*A. dePietri 1/30 (p. 217)*

SENATE FILE 159

H-3763

1 Amend Senate File 159 as passed by the Senate,  
2 as follows:

3 1. Page 1, line 12, by inserting after the word  
4 "trustees" the words "of a township which has a common  
5 boundary with a city having a population of one hundred  
6 eighty thousand or more".

7 2. Page 1, by striking lines 32 through 34 and  
8 inserting in lieu thereof the words "value of the  
9 taxable property for those purposes and in any township  
10 which has a common boundary with".

11 3. Page 2, by striking lines 8 and 9 and inserting  
12 in lieu thereof the following: "~~section~~ is  
13 insufficient to provide fire-protection-service-and  
14 ambulance-service the services authorized or required  
15 under section 359.42,".

16 4. Page 2, by striking lines 14 and 15 and  
17 inserting in lieu thereof the following: "to provide  
18 the ambulance-service services. ~~The-township-trustees~~  
19 ~~may-divide-the-township"~~.

20 5. Page 2, by striking lines 22 through 24 and  
21 inserting in lieu thereof the following: "tax  
22 districts for the purpose of providing fire-protection  
23 service the services authorized or required under  
24 section 359.42 and may levy a".

25 6. Page 2, by striking line 26 and inserting in  
26 lieu thereof the following: "a tax district for ~~fire~~  
27 protection the authorized or required services shall  
28 not exceed the tax".

29 7. Amend the title, line 2, by inserting after  
30 the word "townships" the words "having a common  
31 boundary with a city having a population of one hundred  
32 eighty thousand or more".

H-3763 FILED APRIL 14, 1983 BY SKOW of Guthrie

A- *W/D 1/30/84 (p. 217)*  
B- *Placed out of order (p. 218)*

SENATE FILE 159

AN ACT

AUTHORIZING THE ESTABLISHMENT AND MAINTENANCE OF AN EMERGENCY WARNING SYSTEM WITHIN TOWNSHIPS HAVING A COMMON BOUNDARY WITH A CITY HAVING A POPULATION OF ONE HUNDRED EIGHTY THOUSAND OR MORE.

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

Section 1. Section 359.42, Code 1983, is amended to read as follows:

359.42 TOWNSHIP FIRE PROTECTION SERVICE, EMERGENCY WARNING SYSTEM, AND AMBULANCE SERVICE. The trustees of each township shall provide fire protection service for the township, exclusive of any part of the township within a benefited fire district and, in counties not providing ambulance services, may provide ambulance service. The trustees may purchase, own, rent or maintain fire protection service or ambulance service apparatus or equipment or both kinds of apparatus or equipment and provide housing for the equipment. The trustees of a township which has a common boundary with a city having a population of one hundred eighty thousand or more may also establish and maintain an emergency warning system within the township. The trustees may contract with any public or private agency under chapter 28E for the purpose of providing fire-protection-service-or-ambulance-service or-both-services any service or system required or authorized under this section.

Sec. 2. Section 359.43, Code 1983, is amended to read as follows:

359.43 TAX LEVY.

1. The township trustees may levy an annual tax not exceeding forty and one-half cents per thousand dollars of assessed value of the taxable property in the township,

excluding any property within a benefited fire district or within the corporate limits of a city, for the purpose of exercising the powers granted and duties specified in section 359.42. However, in any township having a fire protection service or ambulance service agreement or both service agreements with a special charter city having a paid fire department, the township trustees may levy an annual tax not exceeding fifty-four cents per thousand dollars of the assessed value of the taxable property for these-purposes the services authorized or required under section 359.42 and in any township which has a common boundary with a city having a population of one hundred eighty thousand or more, the township trustees may levy an annual tax not exceeding sixty-seven and one-half cents per thousand dollars of assessed value of taxable property for fire-protection-service-or-ambulance-service purposes-or-for-both-purposes the services authorized or required under section 359.42.

2. If the levy authorized under subsection 1 ~~of this section~~ is insufficient to provide fire-protection-service and-ambulance-service the services authorized or required under section 359.42, the township trustees may levy an additional annual tax not exceeding twenty and one-fourth cents per thousand dollars of assessed value of the taxable property in the township, excluding any property within the corporate limits of a city, to provide the ambulance-service services. ~~The-township-trustees-may-divide-the-township-into districts-for-the-purpose-of-providing-the-ambulance-service and-fire-service-and-may-levy-a-different-tax-rate-in-each district,-but-the-tax-levy-to-provide-ambulance-service-shall not-exceed-twenty-and-one-fourth-cents-per-thousand-dollars of-taxable-assessed-value-in-a-district-~~

3. The township trustees may divide the township into tax districts for the purpose of providing fire-protection service the services authorized or required under section 359.42 and may levy a different tax rate in each district,

S.F. 159

but the tax levied in a tax district for ~~fire-protection~~ the authorized or required services shall not exceed the tax levy ~~limitation~~ limitations for that township as provided in this section.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 159, Seventieth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved \_\_\_\_\_, 1984

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TERRY E. BRANSTAD  
Governor