

Land Grant 1/25/85

Reprinted 2/12/85

Amended per 3119 & En. Bill 2/5 (p. 285)

SENATE FILE

103

BY HULTMAN

FILED JAN 24 1985

Passed Senate, Date 2-11-85 (p. 342) Passed House, Date 4-16-85 (p. 1583)  
 Vote: Ayes 45 Nays 3 Vote: Ayes 90 Nays 2  
 Approved May 23, 1985

### A BILL FOR

1 An Act authorizing the board of supervisors to sell, lease,  
 2 or convert a county public hospital to a private hospital  
 3 with voter approval.

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

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SF 103

1 Section 1. Section 331.361, subsection 5, paragraph c,  
2 Code 1985, is amended to read as follows:

3 c. Proceed upon a petition to, or with approval of the  
4 voters, establish a county public hospital under chapter 347  
5 or sell, lease, or convert a county public hospital to a  
6 private hospital, as provided in that chapter.

7 Sec. 2. Section 347.14, Code 1985, is amended by adding  
8 the following new subsection:

9 NEW SUBSECTION. 14. Submit to the voters at a regular or  
10 special election a proposition to sell or lease a county  
11 public hospital or convert a county public hospital to a  
12 private hospital. The authorization of the board of hospital  
13 trustees submitting the proposition may contain conditions  
14 which provide for maintaining hospital care within the county,  
15 for the retention of county public hospital employees and  
16 staff, and for the continuation of the board of trustees for  
17 the purpose of carrying out provisions of contracts. The  
18 property listed in section 347.13, subsection 12 may be  
19 included in the proposition, but the proceeds from the  
20 property shall be used for the purposes listed in section  
21 347.13, subsection 13 or for the purpose of providing health  
22 care for residents of the county. The proposition submitted  
23 to the voters of the county shall not be set forth at length,  
24 but it shall be in substantially the following form: "Shall  
25 the board of hospital trustees of \_\_\_\_\_  
26 county, state of Iowa, be authorized to \_\_\_\_\_  
27 (state authorization which may exclude the conditions) in  
28 accordance with the terms of authorization approved at the  
29 meeting of \_\_\_\_\_ (cite date) of the board of  
30 hospital trustees?" If the proposition is approved by a  
31 majority of the total votes cast for and against the  
32 proposition at the election, the board of hospital trustees  
33 shall proceed to carry out the authorization granted.

34 Sec. 3. This Act, being deemed of immediate importance,  
35 takes effect from and after its publication in The Red Oak

1 Express, a newspaper published in Red Oak, Iowa, and in the  
2 Clear Lake Mirror-Reporter, a newspaper published in Clear  
3 Lake, Iowa.

4 EXPLANATION

5 This bill authorizes the sale, lease, or conversion of a  
6 county public hospital to a private hospital after approval by  
7 the county electorate. Under current law, procedures are  
8 specified for the establishment of a county public hospital,  
9 but the authority of the board of supervisors or the board of  
10 hospital trustees to determine a subsequent use of the  
11 hospital facilities, except for certain hospital-related uses,  
12 is uncertain. The bill also provides that conditions on the  
13 sale, lease or other conversion of the public hospital can be  
14 made by the board of trustees. The conditions are not  
15 intended to be a part of the question submitted to the  
16 electorate, but if the proposition is approved, the board of  
17 supervisors would be limited to the conditions set forth in  
18 the authorization approved by the board of hospital trustees.  
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S-3119

SENATE FILE 103

1 Amend Senate File 103 as follows:

2 1. Page 1, by striking line 5 and inserting the  
3 following: "or sell or lease a county hospital for  
4 use as a".

5 2. Page 1, by striking line 11 and inserting the  
6 following: "public hospital for use as a".

7 3. Amend the title, lines 1 and 2, by striking  
8 the words "sell, lease, or convert a county hospital  
9 to" and inserting the words "sell or lease a county  
10 hospital for use as".

S-3119 Filed

February 5, 1985

*Adopted 2/11/85 (p. 342)*

COMMITTEE ON LOCAL GOVERNMENT

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1 Section 1. Section 331.361, subsection 5, paragraph c,  
2 Code 1985, is amended to read as follows:

3 c. Proceed upon a petition to, or with approval of the  
4 voters, establish a county public hospital under chapter 347  
5 or sell or lease a county hospital for use as a private  
6 hospital, as provided in that chapter.

7 Sec. 2. Section 347.14, Code 1985, is amended by adding  
8 the following new subsection:

9 NEW SUBSECTION. 14. Submit to the voters at a regular or  
10 special election a proposition to sell or lease a county  
11 public hospital for use as a private hospital. The  
12 authorization of the board of hospital trustees submitting the  
13 proposition may contain conditions which provide for  
14 maintaining hospital care within the county, for the retention  
15 of county public hospital employees and staff, and for the  
16 continuation of the board of trustees for the purpose of  
17 carrying out provisions of contracts. The property listed in  
18 section 347.13, subsection 12 may be included in the  
19 proposition, but the proceeds from the property shall be used  
20 for the purposes listed in section 347.13, subsection 13 or  
21 for the purpose of providing health care for residents of the  
22 county. The proposition submitted to the voters of the county  
23 shall not be set forth at length, but it shall be in  
24 substantially the following form: "Shall the board of  
25 hospital trustees of \_\_\_\_\_ county, state  
26 of Iowa, be authorized to \_\_\_\_\_ (state  
27 authorization which may exclude the conditions) in accordance  
28 with the terms of authorization approved at the meeting of  
29 \_\_\_\_\_ (cite date) of the board of hospital  
30 trustees?" If the proposition is approved by a majority of  
31 the total votes cast for and against the proposition at the  
32 election, the board of hospital trustees shall proceed to  
33 carry out the authorization granted.

34 Sec. 3. This Act, being deemed of immediate importance,  
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3 Lake, Iowa.

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SENATE FILE 103

H-3297

1 Amend Senate File 103 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, line 22, by inserting after the word  
4 "county." the following: "Proceeds from the sale or  
5 lease of the county hospital or other assets of the  
6 board of trustees shall not be used for the prepayment  
7 of health care services for residents of the county  
8 with the purchaser or lessee of the county hospital or  
9 to underwrite the sale or lease of the county  
10 hospital."

H-3297 FILED MARCH 11, 1985 BY HARBOR of Mills

*Adopted 4/16/85 (p. 1583)*

SENATE FILE 103

H-3798

1 Amend Senate File 103 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking line 6 and inserting the  
4 following: "hospital or as a merged area hospital  
5 under chapter 145A or sell or lease a county hospital  
6 in conjunction with the establishment of a merged area  
7 hospital, as provided in that chapter in accordance  
8 with procedures set out in chapter 347."

9 2. Page 1, by inserting before line 7 the  
10 following:

11 "Sec. \_\_\_\_ . Section 347.7, Code 1985, is amended by  
12 adding the following new unnumbered paragraph:

13 NEW UNNUMBERED PARAGRAPH. In addition to levies  
14 otherwise authorized by this section, the board of  
15 supervisors may levy a tax at the rate, not to exceed  
16 twenty-seven cents per thousand dollars of assessed  
17 value, necessary to raise the amount budgeted by the  
18 board of hospital trustees for support of ambulance  
19 service as authorized in section 347.14, subsection  
20 13.

21 Sec. \_\_\_\_ . Section 347.13, subsection 10, Code  
22 1985, is amended to read as follows:

23 10. Fix at its regular February meeting in each  
24 year, the amount necessary for the improvement and  
25 maintenance of the hospital and for support of  
26 ambulance service during the ensuing fiscal year, and  
27 cause the president and the secretary to certify the  
28 amount to the county auditor before March 1 of each  
29 year, subject to any limitation in section 347.7."

30 3. Page 1, line 11, by inserting after the words  
31 "private hospital" the following: "or as a merged  
32 area hospital under chapter 145A or to sell or lease a  
33 county hospital in conjunction with the establishment  
34 of a merged area hospital".

35 4. Page 1, line 13, by inserting after the word  
36 "may" the following: ", but is not required to,".

37 5. By renumbering as necessary. -

H-3798 FILED APRIL 15, 1985 BY O'KANE of Woodbury

*Adopted 4/16 (p. 1583)*

1 Amend Senate File 103 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking line 6 and inserting the  
4 following: "hospital or as a merged area hospital  
5 under chapter 145A or sell or lease a county hospital  
6 in conjunction with the establishment of a merged area  
7 hospital,--as-provided-in-that-chapter in accordance  
8 with procedures set out in chapter 347."

9 2. Page 1, by inserting before line 7 the  
10 following:

11 "Sec. \_\_\_\_ . Section 347.7, Code 1985, is amended by  
12 adding the following new unnumbered paragraph:

13 NEW UNNUMBERED PARAGRAPH. In addition to levies  
14 otherwise authorized by this section, the board of  
15 supervisors may levy a tax at the rate, not to exceed  
16 twenty-seven cents per thousand dollars of assessed  
17 value, necessary to raise the amount budgeted by the  
18 board of hospital trustees for support of ambulance  
19 service as authorized in section 347.14, subsection  
20 13.

21 Sec. \_\_\_\_ . Section 347.13, subsection 10, Code  
22 1985, is amended to read as follows:

23 10. Fix at its regular February meeting in each  
24 year, the amount necessary for the improvement and  
25 maintenance of the hospital and for support of  
26 ambulance service during the ensuing fiscal year, and  
27 cause the president and the secretary to certify the  
28 amount to the county auditor before March 1 of each  
29 year, subject to any limitation in section 347.7."

30 3. Page 1, line 11, by inserting after the words  
31 "private hospital" the following: "or as a merged  
32 area hospital under chapter 145A or to sell or lease a  
33 county hospital in conjunction with the establishment  
34 of a merged area hospital".

35 4. Page 1, line 13, by inserting after the word  
36 "may" the following: ", but is not required to,".

37 5. Page 1, line 22, by inserting after the word  
38 "county." the following: "Proceeds from the sale or  
39 lease of the county hospital or other assets of the  
40 board of trustees shall not be used for the prepayment  
41 of health care services for residents of the county  
42 with the purchaser or lessee of the county hospital or  
43 to underwrite the sale or lease of the county  
44 hospital."

45 6. By renumbering, relettering, or redesignating  
46 and correcting internal references as necessary.

1 Amend the House Amendment S-3821 to Senate File  
 2 103 as amended, passed and reprinted by the Senate  
 3 as follows:  
 4  
 5 2. Page 1, line 21, by striking the word "Sec."  
 6 and inserting the following: "Sec."

S-3943 Filed April 23, 1985 By JENSEN & VANDE HOEF  
*Adopted 4/24/85 (p. 1616)*

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 103  
 H-4003

1 Amend the House amendment S-3821 to Senate File  
 2 103 as amended, passed and reprinted by the Senate  
 3 as follows:  
 4 1. Page 1, by striking lines 11 through 20.  
 5 2. Page 1, line 21, by striking the word "Sec."  
 6 and inserting the following: "Sec."

H-4003 FILED APRIL 24, 1985

RECEIVED FROM THE SENATE  
*House referred to com. 4/26/85 (p. 1775)*  
*Senate Recalled 4/30 (p. 1797)*

SENATE FILE 103

AN ACT

AUTHORIZING THE BOARD OF SUPERVISORS TO SELL OR LEASE A COUNTY HOSPITAL FOR USE AS A PRIVATE HOSPITAL WITH VOTER APPROVAL.

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

Section 1. Section 331.361, subsection 5, paragraph c, Code 1985, is amended to read as follows:

c. Proceed upon a petition to, or with approval of the voters, establish a county public hospital under chapter 347 or sell or lease a county hospital for use as a private hospital or as a merged area hospital under chapter 145A or sell or lease a county hospital in conjunction with the establishment of a merged area hospital-as-provided-in-that chapter in accordance with procedures set out in chapter 347.

Sec. 2. Section 347.7, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to levies otherwise authorized by this section, the board of supervisors may levy a tax at the rate, not to exceed twenty-seven cents per thousand dollars of assessed value, necessary to raise the amount budgeted by the board of hospital trustees for support of ambulance service as authorized in section 347.14, subsection 13.

Sec. 3. Section 347.13, subsection 10, Code 1985, is amended to read as follows:

10. Fix at its regular February meeting in each year, the amount necessary for the improvement and maintenance of the hospital and for support of ambulance service during the ensuing fiscal year, and cause the president and the secretary to certify the amount to the county auditor before March 1 of each year, subject to any limitation in section 347.7.

Sec. 4. Section 347.14, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 14. Submit to the voters at a regular or special election a proposition to sell or lease a county public hospital for use as a private hospital or as a merged area hospital under chapter 145A or to sell or lease a county hospital in conjunction with the establishment of a merged area hospital. The authorization of the board of hospital trustees submitting the proposition may, but is not required to, contain conditions which provide for maintaining hospital care within the county, for the retention of county public hospital employees and staff, and for the continuation of the board of trustees for the purpose of carrying out provisions of contracts. The property listed in section 347.13, subsection 12 may be included in the proposition, but the proceeds from the property shall be used for the purposes listed in section 347.13, subsection 13 or for the purpose of providing health care for residents of the county. Proceeds from the sale or lease of the county hospital or other assets of the board of trustees shall not be used for the prepayment of health care services for residents of the county with the purchaser or lessee of the county hospital or to underwrite the sale or lease of the county hospital. The proposition submitted to the voters of the county shall not be set forth at length, but it shall be in substantially the following form: "Shall the board of hospital trustees of \_\_\_\_\_ county, state of Iowa, be authorized to \_\_\_\_\_ (state authorization which may exclude the conditions) in accordance with the terms of authorization approved at the meeting of \_\_\_\_\_ (cite date) of the board of hospital trustees?" If the proposition is approved by a majority of the total votes cast for and against the proposition at the election, the board of hospital trustees shall proceed to carry out the authorization granted.

Sec. 5. This Act, being deemed of immediate importance, takes effect from and after its publication in The Red Oak Express, a newspaper published in Red Oak, Iowa, and in the Clear Lake Mirror-Reporter, a newspaper published in Clear Lake, Iowa.

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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 103, Seventy-first General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved May 23, 1985

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TERRY E. BRANSTAD  
Governor