

January 23, 1967
Tax Revision, Pass as amended 4-4
Keys and Means 5-23, Pass 6-23

House File 15

By DODERER, DUNTON,
YODER and LIPSKY

Passed House, Date 5-22-67 Passed Senate, Date 7-1-67
Vote: Ayes 65 Nays 40 Vote: Ayes 39 Nays 11

*Passed House as Approved
further amended by
Senate 7-1-67; 88-12.*

A BILL FOR

An Act relating to the millage levy necessary to pay interest and principal on school bonded indebtedness.

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

1 Section 1. Section two hundred ninety-eight point eighteen
2 (298.18), Code 1966, is hereby amended by striking all of such
3 section after the period in line eleven (11).

4 Sec. 2. Section two hundred ninety-eight point nineteen
5 (298.19), Code 1966, is hereby amended by striking from line
6 six (6) the words "and within the limitation of said section"
7 and inserting in lieu thereof a comma.

EXPLANATION

The purpose of this bill is to remove the restriction on school corporations from levying in excess of ten (10) mills for paying interest and principal on school bonded indebtedness.

1 Amend House File 15 as follows:

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2 1. By striking from the title all after the word
3 "Act" and inserting in lieu thereof the words "to amend section
4 two hundred ninety-eight point eighteen (298.18), Code 1966,
5 relating to school bond taxes".

6 2. By striking all after the enacting clause and
7 inserting in lieu thereof the following:

8 Section 1. Section two hundred ninety-eight point
9 eighteen (298.18), Code 1966, is hereby amended by inserting in
10 line sixteen (16) after the word "corporation" the following:
11 "except as hereinafter provided."

12 Section 2. Section two hundred ninety-eight point
13 eighteen (298.18), Code 1966, is hereby further amended by adding
14 the following at the end thereof:

15 "The estimated and certified to apply on princi-
16 pal and interest for any one year may exceed ten mills by such
17 number of mills as may be approved by the voters of the school
18 corporation, but not exceeding fifteen mills, on the dollar of
19 the assessed valuation of the taxable property within any school
20 corporation, provided that the qualified voters of such school
21 corporation have first approved such increased millage at a
22 special election, which may be held at the same time as the
23 regular school election. The proposition submitted to the voters
24 at such special election shall be in substantially the following
25 form:

26 "Shall the board of directors of the (insert
27 name of school corporation), in the County of
28 _____, State of Iowa, be authorized to
29 levy annually a tax exceeding ten mills, but not
30 exceeding _____ mills, on the dollar of
31 the assessed valuation of the taxable property
32 within said school corporation to pay the principal
33 of and interest on bonded indebtedness of said
34 school corporation, it being understood that the
35 approval of this proposition shall not limit the
36 source of payment of the bonds and interest but
37 shall only operate to restrict the amount of
38 bonds which may be issued?"

39 Notice of such election shall be given by publication once each
40 week for four consecutive weeks in a newspaper published in the
41 school corporation, or if there is no newspaper published in the
42 school corporation, in a newspaper published in the county and
43 of general circulation in the school corporation. Such notice

44 shall state the date of the election, the hours of opening and
 45 closing the polls and the exact location thereof, and the question
 46 to be submitted. The election shall be held on a date not less
 47 than five nor more than twenty days after the last publication
 48 of the notice. Such notice shall be sufficient and shall be in
 49 lieu of any other notice required by any other statute. At such
 50 election the ballot used for the submission of said proposition
 51 shall be in substantially the form for submitting special ques-
 52 tions at general elections. Such proposition shall not be deemed
 53 carried or adopted unless the vote in favor of such proposition
 54 is equal to at least sixty per cent of the total vote cast for
 55 and against said proposition at said election. Whenever such a
 56 proposition has been approved by the voters of a school corporation
 57 as hereinbefore provided, no further approval of the voters of
 58 such school corporation shall be required as a result of any
 59 subsequent change in the boundaries of such school corporation.

60 The voted millage referred to herein shall not limit the
 61 source of payment of bonds and interest but shall only restrict
 62 the amount of bonds which may be issued."

63 Section 3. In addition to the limitations contained
 64 in Section 298.21, the proposition for the increased millage
 65 to be submitted to qualified voters of school districts shall
 66 be limited to public school districts operating elementary
 67 and secondary schools.

Filed - *adapted as amended 5-22*
 April 28, 1967

YODER of Johnson.
 DODERER of Johnson.
 VAN NOSTRAND of Pottawattamie.

1 Amend House File 15 by striking all after the enacting
 2 clause and inserting the following:

3 Section 1. Section two hundred ninety-eight point
 4 eighteen (298.18), Code 1966, is hereby amended by striking
 5 all of such section after the period in line sixteen (16),
 6 and inserting in lieu thereof: Provided that the interest
 7 and principal deemed necessary to service certain bond
 8 issues need not be considered as part of the estimate and
 9 certification for purposes of applying the ten-mill tax
 10 limitation. Bond issues entitled to this exclusion must have
 11 all of the following characteristics:

12 1. Published notice of the election on the bond issue
 13 and the ballot used at said election shall both have notified
 14 the voter of the ten-mill limitation contained in this section
 15 and that the bond issue voted upon was considered in excess
 16 of this limitation.

17 2. The vote in favor of the issuance of such bonds must
 18 have been equal to at least two-thirds of the total vote cast
 19 for and against said proposition at the election held for
 20 that purpose.

21 3. In addition to the limitations contained in section
 22 298.21, the excluded bond issue is further limited as one in
 23 support of primary or secondary school purposes and no others.

24 4. At no time since the issuance of said bonds has a
 25 ten-mill tax been sufficient to pay the annual interest and
 26 principal payments on the bonds proposed for exclusion, after
 27 first servicing according to their unaccelerated terms all
 28 bonds of the school corporation legally issued at an earlier
 29 date.

Filed - *with 5-12*
 April 4, 1967

By COMMITTEE ON TAX REVISION.

1 Amend House File 15 by adding the following sections thereto:
2 Sec. 4. This Act shall operate retroactively and retro-
3 spectively, with full force and effect, to and from July 1,
4 1967.
5 Sec. 5. This Act, being deemed of immediate importance,
6 shall take effect after its passage, approval and publication
7 in The Boone News-Republican, a newspaper published at Boone,
8 Iowa, and in The Perry Daily Chief, a newspaper published
9 at Perry, Iowa.

Filed and adopted
July 1, 1967

By KRUCK and SHIRLEY

Senate

1 Amend House File 15 by adding the following sections thereto:
2 Sec. 4. This Act shall operate retroactively and retro-
3 spectively, with full force and effect, to and from Jul 1,
4 1967.
5 Sec. 5. This Act, being deemed of immediate importance,
6 shall take effect after its passage, approval and publication
7 in The Boone News-Republican, a newspaper published at Boone,
8 Iowa, and in The Perry Daily Chief, a newspaper published
9 at Perry, Iowa.

As Adopted by the Senate

House concurred 7-1

House

1 Amend the Yoder-Doderer-Van Nostrand amendment of April 28
2 to House File 15, line fifty-four (54), by striking the
3 word "sixty" and inserting in lieu thereof the word
4 "seventy-five".

Filed - *Lost 5-22*
May 9, 1967

BUSCH of Bremer.

House

1 Amend the Yoder et al amendment to House File 15
2 filed April 28 by inserting in line four (4) of Section 2
3 thereof after the word "The", the word "amount".

Filed - *Adopted 5-9*
May 3, 1967

YODER of Johnson.

1 Amend the Yoder et al amendment to House File 15 filed
2 April 28 as follows:
3 1. By striking the word "fifteen" in line eighteen (18)
4 and inserting in lieu thereof the word "twelve (12)".

Filed - *Lost 5-22-67*
May 9, 1967

VAN DRIE of Story.

1 Amend the Yoder et al amendment to House File 15, filed
2 April 28, 1967, by striking Section 3 and substituting in
3 lieu thereof the following:
4 "The ability of a school corporation to exceed ten (10)
5 mills to service principal and interest payments on bonded
6 indebtedness is limited and conferred only to those school
7 corporations engaged in the administration of elementary and
8 secondary education."

Filed and adopted
May 22, 1967

WOOD of Scott.

1 Amend House File 15 as follows:
2 Amend the Yoder et al amendment to House File 15 filed
3 April 28, Section 1, by inserting in line four (4) thereof
4 after the word "The", the word "amount".

Filed
May 2, 1967

YODER of Johnson.