

February 24, 1969
Cities and Towns, *Page 34*

HOUSE FILE 361

By VOORHEES, EWELL, BLOUIN,
ELLSWORTH, HANSEN of
Black Hawk and LIPPOLD
(Conklin)

Passed House, Date *4-2-69* Passed Senate, Date.....

Vote: Ayes *105* Nays *2* Vote: Ayes Nays

Approved

A BILL FOR

1 An Act relating to city civic centers.

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

3 Section 1. Chapter three hundred twenty-five (325), sec-
4 tion one (1), Acts of the Sixty-second General Assembly, is
5 hereby amended by striking from line four (4) the words "five
6 (5)" and inserting in lieu thereof the word "ten".

7 Sec. 2. Chapter three hundred twenty-five (325), section
8 two (2), Acts of the Sixty-second General Assembly, is hereby
9 amended as follows:

10 1. By striking from line two (2) the words and figures
11 "ninety thousand (90,000)" and inserting in lieu thereof the
12 words "fifty thousand".

13 2. By striking from line five (5) the words and figures
14 "ninety thousand (90,000)" and inserting in lieu thereof the
15 words "fifty thousand".

16 Sec. 3. Chapter three hundred twenty-five (325), section
17 three (3), Acts of the Sixty-second General Assembly, is
18 hereby amended by striking from line two (2) the words and
19 figures "ninety thousand (90,000)" and inserting in lieu
20 thereof the words "fifty thousand".

21 Sec. 4. Chapter three hundred twenty-five (325), section
22 eleven (11), of the Sixty-second General Assembly, is hereby
23 amended by striking from line three (3) the words and figures
24 "ninety thousand (90,000)" and inserting in lieu thereof the
25 words "fifty thousand".

EXPLANATION OF HOUSE FILE 361

This bill amends chapter three hundred twenty-five (325) of the Acts of the Sixty-second General Assembly to enable cities such as Waterloo and Dubuque to lease and operate a civic center and levy taxes therefor. As originally enacted, chapter three hundred twenty-five (325) was to provide authority for the city of Cedar Rapids to create such a facility. The amendment increasing the size of the area to ten acres takes into consideration the necessity for adequate parking space around such a civic center and would enable the city using this bill to lease and operate a civic center with adequate parking space on the site for all of the patrons of such a center.

HOUSE FILE 361

1 Amend House File 361 by adding the following new sections:

2 Sec. 5. Chapter three hundred twenty-five (325), section
3 one (1), Acts of the Sixty-second General Assembly, is hereby
4 amended by striking all of said section following the word
5 "uses" in line fifteen (15) thereof and inserting in lieu
6 thereof a period.

7 Sec. 6. Chapter three hundred twenty-five (325), section
8 one (1), Acts of the Sixty-second General Assembly, is
9 hereby amended by adding thereto the following subsection
10 four (4):

11 "4. 'Project' shall mean the acquisition by purchase
12 or construction of civic centers, additions thereto and
13 facilities therefore, the reconstruction, completion,
14 equipment, improvement, repair or remodeling of civic
15 centers, additions thereto and facilities therefore, and
16 the acquisition of property therefore of every kind and
17 description, whether real, personal or mixed, by gift,
18 purchase, lease, condemnation or otherwise and the im-
19 provement of the same."

20 Sec. 7. Chapter three hundred twenty-five (325),
21 section seven (7), Acts of the Sixty-second General
22 Assembly, is hereby amended by striking from line six
23 (6) thereof the word "restaurants, and retail shops,".

24 Sec. 8. Chapter three hundred twenty-five (325),
25 section ten (10), Acts of the Sixty-second General
26 Assembly, is hereby amended by inserting after the
27 word "into" in line two (2) thereof the words "or
28 bonds issued" and inserting after the word "lease" in
29 line four (4) thereof the words "or the adoption of
30 the resolution authorizing the issuance of such bonds",
31 and by renumbering said section as section 13.

32 Sec. 9. Chapter three hundred twenty-five (325), Acts
33 of the Sixty-second General Assembly, is hereby amended
34 by adding thereto the following new sections as Sections 10, 11 and
35 12:

36 "Sec. 10. In addition to the powers otherwise conferred
37 upon cities having a population in excess of fifty thousand
38 (50,000) as provided by this Act and as an alternative to
39 leasing civic centers from nonprofit corporations as herein-
40 before provided, such cities are hereby authorized to under-
41 take and carry out any project as hereinbefore defined, and
42 the governing bodies thereof are authorized to operate,
43 control, maintain and manage civic centers and additions
44 thereto and facilities therefor. To pay the cost of
45 operating, maintaining and managing a civic center which
46 is owned and operated by any such city, the city council
47 thereof is authorized to levy an annual special tax not
48 exceeding one-half mill per annum on all the taxable
49 property in the city, said levy to be in addition to all
50 other levies authorized by law for similar purposes.

51 Sec. 11. To pay all or any part of the cost of carrying
52 out any project said cities are authorized to borrow money
53 and to issue and sell general obligation bonds, and to
54 refund bonds issued for any project or for refunding
55 purposes at the same rate or rates, at a higher rate or
56 rates, or at a lower rate or rates, and from time to time
57 as often as the city council shall find it advisable and
58 necessary so to do. The city council may provide for the
59 retirement of the bonds at any time prior to maturity,
60 and in such manner and upon payment of such premiums as it
61 may determine in the resolution providing for the issuance
62 of the bonds. It shall not be necessary to submit to the
63 voters the proposition of issuing bonds for refunding purposes,
64 but prior to the issuance of bonds for other purposes, the
65 city council shall submit to the voters of the city the propo-
66 sition of issuing the bonds, and in this connection the city
67 council is hereby authorized to call a special election, on
68 its own motion, at which the proposition shall be submitted
69 to the voters. Notice of said election shall be published
70 once each week for at least four (4) consecutive weeks in a
71 newspaper published and having a general circulation in the
72 city, which notice shall state the date of the election,
73 the hours of opening and closing the polls and the precincts
74 and polling places, as well as the question to be submitted.
75 The election shall be held on a date not less than five (5)
76 nor more than twenty (20) days after the last publication
77 of the notice. At such election the ballot shall be pre-
78 pared and used in substantially the form for submitting
79 special questions at general elections and the form of
80 proposition shall be substantially as follows:

81 'Shall the city of _____, in the county of _____,
82 State of Iowa, issue bonds in the amount of _____
83 for the purpose of _____?'

84 No such proposition shall be declared carried unless the
85 vote in favor of the issuance of the bonds is equal to at
86 least sixty (60) per cent of the total vote cast for and
87 against the proposition at the election. Before the issuance
88 of bonds under this Act, the city council shall adopt a
89 resolution providing for the levy of annual taxes sufficient
90 to pay maturing installments of the principal of and
91 interest on said bonds in accordance with the provisions
92 of chapter seventy-six (76) of the Code, and said bonds
93 shall mature within a period not exceeding twenty (20)
94 years from date of issue, shall bear interest at a rate
95 or rates not exceeding six (6) per cent per annum and
96 shall be of such form as the city council shall by reso-
97 lution provide, but the aggregate indebtedness of any such
98 city shall not exceed five (5) per cent of the actual value
99 of the taxable property within the city as ascertained by
100 the last preceding state and county tax lists.

101 Bonds issued pursuant to the provisions of this Act
102 shall be sold by the city council in the manner prescribed

House 8

103 by chapter seventy-five (75) of the Code; provided,
104 however, that refunding bonds may either be sold and the
105 proceeds thereof applied to the payment of the bonds being
106 refunded, or the refunding bonds may be issued in exchange
107 for and upon surrender and cancellation of the bonds being
108 refunded.

109 "Sec. 12. The city council of any such city is authorized
110 to apply for and accept federal aid or none-federal gifts
111 or grants of funds and to use the same to pay all or any
112 part of the cost of carrying out any project, or of oper-
113 ating and maintaining the same, or to pay principal of or
114 interest on any bonds issued under the provisions of this
115 Act. All bonds issued under the terms of this Act shall
116 be exempt from taxation by the State of Iowa and the interest
117 thereon shall be exempt from the state income tax."

118 Sec. 10. Chapter three hundred twenty-five (325),
119 sections eleven (11) and twelve (12), Acts of the
120 Sixty-second General Assembly, as amended hereby, are
121 hereby renumbered as sections fourteen (14) and fifteen (15).

122 Sec. 11. This Act shall be construed as providing an
123 alternative and independent method for carrying out any
124 project, for the issuance and sale or exchange of bonds in
125 connection therewith and for refunding bonds pertinent
126 thereto, without reference to any other statute, and shall
127 not be construed as an amendment of or subject to the provisions
128 of any other law, and no other further proceedings in respect
129 to the issuance or sale or exchange of bonds under this Act
130 shall be required, except such as are prescribed by this Act,
131 any provisions of other statutes of the state to the contrary
132 notwithstanding.

133 Amend the title as follows:

134 "An Act to amend chapter three hundred twenty-five (325),
135 Acts of the Sixty-second General Assembly to author-
136 ize certain cities to acquire by purchase, lease or
137 construction and to reconstruct, complete, equip,
138 improve, repair, remodel, operate, control, maintain
139 and manage civic centers and additions thereto; to
140 acquire and improve property therefor; to levy taxes
141 for the maintenance and operation thereof; to
142 borrow money and issue bonds and to refund bonds
143 and to levy taxes to pay bonds and interest
144 thereon."

Filed - *Adopted 4-2-69*
March 27, 1969

McINTYRE of Linn

1 Amend House File 361 by striking all after the enacting clause
2 and inserting in lieu thereof the following:

3 Section 1. Chapter three hundred twenty-five (325), Acts of
4 the Sixty-second General Assembly, is hereby amended as follows:

5 1. Section one (1), by striking from line four (4) the word
6 and figure "five (5)" and inserting in lieu thereof the word and
7 figure "ten (10)".

8 2. Section two (2), is hereby repealed and the following
9 enacted in lieu thereof:

10 "It is hereby found, determined, and declared that urban
11 living conditions create a need for the establishment of
12 recreational facilities and that the operation of civic
13 centers by cities will promote the health, happiness, and
14 general welfare of the inhabitants of such cities and will
15 be for a public purpose."

16 3. Section three (3), by striking lines one (1) through
17 four (4) and inserting in lieu thereof the following:

18 "Sec. 3. Cities may lease from any nonprofit corporation
19 which is".

20 4. Section eleven (11), by striking from lines two (2),
21 three (3) and four (4) the words "now having or hereafter
22 attaining a population in excess of ninety thousand (90,000),
23 as shown by the then most recent certified and published
24 general federal census,".

25 Page 2, by striking the explanation and inserting in lieu
26 thereof the following:

27 **EXPLANATION OF HOUSE FILE 361**

28 This bill amends chapter 325, Acts of the Sixty-second
29 General Assembly, to enable all cities to lease, operate and
30 levy taxes for the operation of civic centers. Current law
31 limits such action to cities of more than 90,000 population.
32 The bill also increases the maximum permissible acreage for
33 civic center building sites from 5 to 10 acres so that more
34 adequate parking facilities may be provided the users of such
35 centers.

Filed - *Lot 42*
March 27, 1969

BRINCK of Lee

April 7, 1969

HOUSE FILE 361

By VOORHEES, EWELL, BLOUIN,
ELLSWORTH, HANSEN of
Black Hawk, and LIPPOLD
(Conklin)
(AS PASSED BY THE HOUSE)

Passed House, Date 4-2-69 Passed Senate, Date 4-25-69

Vote: Ayes 125 Nays 2 Vote: Ayes 45 Nays 0

Approved May 8, 1969

A BILL FOR

Sub. for S. F. 349, 4-25

- 1 An Act to amend chapter three hundred twenty-five (325),
- 2 Acts of the Sixty-second General Assembly to authorize
- 3 certain cities to acquire by purchase, lease or
- 4 construction and to reconstruct, complete, equip,
- 5 improve, repair, remodel, operate, control, maintain
- 6 and manage civic centers and additions thereto; to
- 7 acquire and improve property therefor; to levy taxes
- 8 for the maintenance and operation thereof; to
- 9 borrow money and issue bonds and to refund bonds
- 10 and to levy taxes to pay bonds and interest thereon.

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

12 Section 1. Chapter three hundred twenty-five (325), sec-
13 tion one (1), Acts of the Sixty-second General Assembly, is
14 hereby amended by striking from line four (4) the word "five
15 (5)" and inserting in lieu thereof the word "ten".

16 Sec. 2. Chapter three hundred twenty-five (325), section
17 two (2), Acts of the Sixty-second General Assembly, is hereby
18 amended as follows:

19 1. By striking from line two (2) the words and figures
20 "ninety thousand (90,000)" and inserting in lieu thereof the
21 words "fifty thousand".

22 2. By striking from line five (5) the words and figures
23 "ninety thousand (90,000)" and inserting in lieu thereof the
24 words "fifty thousand".

25 Sec. 3. Chapter three hundred twenty-five (325), section

1 three (3), Acts of the Sixty-second General Assembly, is
2 hereby amended by striking from line two (2) the words and
3 figures "ninety thousand (90,000)" and inserting in lieu
4 thereof the words "fifty thousand".

5 Sec. 4. Chapter three hundred twenty-five (325), section
6 eleven (11), of the Sixty-second General Assembly, is hereby
7 amended by striking from line three (3) the words and figures
8 "ninety thousand (90,000)" and inserting in lieu thereof the
9 words "fifty thousand".

10 Sec. 5. Chapter three hundred twenty-five (325), section
11 one (1), Acts of the Sixty-second General Assembly, is hereby
12 amended by striking all of said section following the word
13 "uses" in line fifteen (15) thereof and inserting in lieu
14 thereof a period.

15 Sec. 6. Chapter three hundred twenty-five (325), section
16 one (1), Acts of the Sixty-second General Assembly, is
17 hereby amended by adding thereto the following subsection
18 four (4):

19 "4. 'Project' shall mean the acquisition by purchase
20 or construction of civic centers, additions thereto and
21 facilities therefor, the reconstruction, completion,
22 equipment, improvement, repair or remodeling of civic
23 centers, additions thereto and facilities therefor, and
24 the acquisition of property therefore of every kind and
25 description, whether real, personal or mixed, by gift,
26 purchase, lease, condemnation or otherwise and the
27 improvement of the same."

28 Sec. 7. Chapter three hundred twenty-five (325),
29 section seven (7), Acts of the Sixty-second General Assembly,
30 is hereby amended by striking from line six (6) thereof the
31 words "restaurants, and retail shops,".

32 Sec. 8. Chapter three hundred twenty-five (325), section
33 ten (10), Acts of the Sixty-second General Assembly, is hereby
34 amended by inserting after the word "into" in line two (2)
35 thereof the words "or bonds issued" and inserting after the

1 word "lease" in line four (4) thereof the words "or the
2 adoption of the resolution authorizing the issuance of
3 such bonds", and by renumbering said section as section 13.

4 Sec. 9. Chapter three hundred twenty-five (325), Acts
5 of the Sixty-second General Assembly, is hereby amended
6 by adding thereto the following new sections as Sections 10,
7 11 and 12:

8 "Sec. 10. In addition to the powers otherwise conferred
9 upon cities having a population in excess of fifty thousand
10 (50,000) as provided by this Act and as an alternative to
11 leasing civic centers from nonprofit corporations as herein-
12 before provided, such cities are hereby authorized to under-
13 take and carry out any project as hereinbefore defined, and
14 the governing bodies thereof are authorized to operate,
15 control, maintain and manage civic centers and additions
16 thereto and facilities therefore. To pay the cost of
17 operating, maintaining and managing a civic center which
18 is owned and operated by any such city, the city council
19 thereof is authorized to levy an annual special tax not
20 exceeding one-half mill per annum on all the taxable
21 property in the city, said levy to be in addition to all
22 other levies authorized by law for similar purposes.

23 "Sec. 11. To pay all or any part of the cost of carrying
24 out any project said cities are authorized to borrow money
25 and to issue and sell general obligation bonds, and to
26 refund bonds issued for any project or for refunding
27 purposes at the same rate or rates, at a higher rate or
28 rates, or at a lower rate or rates, and from time to time
29 as often as the city council shall find it advisable and
30 necessary so to do. The city council may provide for the
31 retirement of the bonds at any time prior to maturity,
32 and in such manner and upon payment of such premiums as it
33 may determine in the resolution providing for the issuance
34 of the bonds. It shall not be necessary to submit to the
35 voters the proposition of issuing bonds for refunding purposes.

1 but prior to the issuance of bonds for other purposes, the
2 city council shall submit to the voters of the city the pro-
3 position of issuing the bonds, and in this connection the city
4 council is hereby authorized to call a special election, on
5 its own motion, at which the proposition shall be submitted
6 to the voters. Notice of said election shall be published
7 once each week for at least four (4) consecutive weeks in a
8 newspaper published and having a general circulation in the
9 city, which notice shall state the date of the election,
10 the hours of opening and closing the polls and the precincts
11 and polling places, as well as the question to be submitted.
12 The election shall be held on a date not less than five (5)
13 nor more than twenty (20) days after the last publication
14 of the notice. At such election the ballot shall be pre-
15 pared and used in substantially the form for submitting
16 special questions at general elections and the form of
17 proposition shall be substantially as follows:

18 'Shall the city of, in the county of,
19 State of Iowa, issue bonds in the amount of
20 for the purpose of?'

21 No such proposition shall be declared carried unless the
22 vote in favor of the issuance of the bonds is equal to at
23 least sixty (60) per cent of the total vote cast for and
24 against the proposition at the election. Before the issuance
25 of bonds under this Act, the city council shall adopt a
26 resolution providing for the levy of annual taxes sufficient
27 to pay maturing installments of the principal of and
28 interest on said bonds in accordance with the provisions
29 of chapter seventy-six (76) of the Code, and said bonds
30 shall mature within a period not exceeding twenty (20)
31 years from date of issue, shall bear interest at a rate
32 or rates not exceeding six (6) percent per annum and
33 shall be of such form as the city council shall by reso-
34 lution provide, but the aggregate indebtedness of any such
35 city shall not exceed five (5) per cent of the actual value

1 of the taxable property within the city as ascertained by
2 the last preceding state and county tax lists.

3 Bonds issued pursuant to the provisions of this Act
4 shall be sold by the city council in the manner prescribed
5 by chapter seventy-five (75) of the Code; provided,
6 however, that refunding bonds may either be sold and the
7 proceeds thereof applied to the payment of the bonds being
8 refunded, or the refunding bonds may be issued in exchange
9 for and upon surrender and cancellation of the bonds being
10 refunded.

11 "Sec. 12. The city council of any such city is authorized
12 to apply for and accept federal aid or non-federal gifts
13 or grants of funds and to use the same to pay all or any
14 part of the cost of carrying out any project, or of oper-
15 ating and maintaining the same, or to pay principal of or
16 interest on any bonds issued under the provisions of this
17 Act. All bonds issued under the terms of this Act shall
18 be exempt from taxation by the State of Iowa and the interest
19 thereon shall be exempt from the state income tax."

20 Sec. 10. Chapter three hundred twenty-five (325),
21 sections eleven (11) and twelve (12), Acts of the
22 Sixty-second General Assembly, as amended hereby, are
23 hereby renumbered as sections fourteen (14) and fifteen (15).

24 Sec. 11. This Act shall be construed as providing an
25 alternative and independent method for carrying out any
26 project, for the issuance and sale or exchange of bonds in
27 connection therewith and for refunding bonds pertinent
28 thereto, without reference to any other statute, and shall
29 not be construed as an amendment of or subject to the provisions
30 of any other law, and no other further proceedings in respect
31 to the issuance or sale or exchange of bonds under this Act
32 shall be required, except such as are prescribed by this Act,
33 any provisions of other statutes of the state to the contrary
34 notwithstanding.

EXPLANATION OF HOUSE FILE 361

This bill amends chapter 325 of the Acts of the Sixty-second General Assembly to enable cities such as Waterloo and Dubuque to lease and operate a civic center and levy taxes therefor. As originally enacted, chapter 325 was to provide authority for the city of Cedar Rapids to create such a facility. The amendment increasing the size of the area to ten acres takes into consideration the necessity for adequate parking space around such a civic center and would enable the city using this bill to lease and operate a civic center with adequate parking space on the site for all of the patrons of such a center.