

County Govt.

To Pass 4/2 (p.1057)

MAR 9 1979

HOUSE FILE 672

Place On Calendar

By COMMITTEE ON COUNTY GOVERNMENT

(Formerly Study Bill 111)

Passed House, Date 3-16-79 (p.993) Passed Senate, Date 4-25-79 (p.1391)

Vote: Ayes 83 Nays 0 Vote: Ayes 43 Nays 1

Approved June 4 1979

Repassed House per Senate 5-2-79 (p.1992) *Repassed Senate 5-8-79 (p.1573)*
92-5 27-0

A BILL FOR

2500 - 1 An Act authorizing township trustees to divide a township
2 into taxing districts to provide fire protection service.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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672

3500 >

1 Section 1. Section three hundred fifty-nine point forty-
2 three (359.43), Code 1979, is amended by adding the following
3 new unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. The township trustees may divide
5 the township into tax districts for the purpose of providing
6 fire protection service and may levy a different tax rate
7 in each district, but the tax levied in a tax district for
8 fire protection shall not exceed the tax levy limitation for
9 that township as provided in this section.

10 EXPLANATION

11 This bill authorizes township trustees to divide the
12 township into tax districts to provide fire protection and
13 levy a different tax rate in each district. The tax levy
14 in a tax district is limited to the maximum levy authorized
15 for the township as a whole.

16 This bill is effective July first following its enactment.

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S-3500

1 Amend House File 672 as follows:

2 1. Page 1, by adding before line 1 the following:

3 "Section 1. Section three hundred fifty-nine point
4 forty-two (359.42), Code 1979, is amended to read
5 as follows:

6 359.42 TOWNSHIP FIRE PROTECTION AND AMBULANCE
7 SERVICE. The trustees of each township in this state
8 shall provide fire protection for the township,
9 exclusive of any part of the township within a
10 benefited fire district and, in counties not providing
11 ambulance services under section three hundred thirty-
12 two point three (332.3), subsection twenty-three (23)
13 of the Code, may provide ambulance service. The
14 trustees may purchase, own, rent or maintain fire
15 protection or ambulance apparatus or equipment and
16 provide housing for such the equipment. The trustees
17 may contract with any public or private agency under
18 chapter 28E for the purpose of providing fire
19 protection or ambulance service under this section.

20 Sec. 2. Section three hundred fifty-nine point
21 forty-three (359.43), Code 1979, is amended to read
22 as follows:

23 359.43 TAX LEVY.

24 1. The township trustees may levy an annual tax
25 not exceeding forty and one-half cents per thousand
26 dollars of assessed value of the taxable property
27 in the township, excluding any property within a
28 benefited fire district or within the corporate limits
29 of a city, for the purpose of exercising the powers
30 granted in section 359.42. However, in any township
31 having a fire protection or ambulance service agreement
32 with a special charter city having a paid fire
33 department, the township trustees may levy an annual
34 tax not exceeding fifty-four cents per thousand dollars
35 of the assessed value of the taxable property for
36 such purpose those purposes and in any township which
37 has a common boundary with a city having a population
38 of two hundred thousand or more, the township trustees
39 may levy an annual tax not exceeding sixty-seven and
40 one-half cents per thousand dollars of assessed value
41 of taxable property for fire protection or ambulance
42 service purposes.

43 2. If the levy authorized under subsection one
44 (1) of this section is insufficient to provide fire
45 protection and ambulance service, the township trustees
46 may levy an additional annual tax not exceeding twenty
47 and one-fourth cents per thousand dollars of assessed
48 value of the taxable property in the township, ex-
49 cluding any property within the corporate limits of
50 a city, to provide the ambulance service. The township

S-3500
PAGE 2

- 1 trustees may divide the township into districts for
- 2 the purpose of providing the ambulance and fire service
- 3 and may levy a different tax rate in each district,
- 4 but the tax levy to provide ambulance service shall
- 5 not exceed twenty and one-fourth cents per thousand
- 6 dollars of taxable assessed value in a district."
- 7 2. Renumber the remaining section.
- 8 3. Amend the title, line 1, by inserting after
- 9 the word "authorizing" the words "ambulance service
- 10 by townships and authorizing".

S-3500 FILED *Adopted 4/25*
APRIL 17, 1979 *(p. 1391)*

BY JOHN R. SCOTT
JAMES BRILES
EARL M. WILLITS

SENATE AMENDMENT TO
HOUSE FILE 672

H-4150

1 Amend House File 672 as follows:

2 1. Page 1, by adding before line 1 the following:

3 "Section 1. Section three hundred fifty-nine point
4 forty-two (359.42), Code 1979, is amended to read
5 as follows:

6 359.42 TOWNSHIP FIRE PROTECTION AND AMBULANCE
7 SERVICE. The trustees of each township in this state
8 shall provide fire protection for the township,
9 exclusive of any part of the township within a
10 benefited fire district and, in counties not providing
11 ambulance services under section three hundred thirty-
12 two point three (332.3), subsection twenty-three (23)
13 of the Code, may provide ambulance service. The
14 trustees may purchase, own, rent or maintain fire
15 protection or ambulance apparatus or equipment and
16 provide housing for ~~such~~ the equipment. The trustees
17 may contract with any public or private agency under
18 chapter 28E for the purpose of providing fire
19 protection or ambulance service under this section.

20 Sec. 2. Section three hundred fifty-nine point
21 forty-three (359.43), Code 1979, is amended to read
22 as follows:

23 359.43 TAX LEVY.

24 1. The township trustees may levy an annual tax
25 not exceeding forty and one-half cents per thousand
26 dollars of assessed value of the taxable property
27 in the township, excluding any property within a
28 benefited fire district or within the corporate limits
29 of a city, for the purpose of exercising the powers
30 granted in section 359.42. However, in any township
31 having a fire protection or ambulance service agreement
32 with a special charter city having a paid fire
33 department, the township trustees may levy an annual
34 tax not exceeding fifty-four cents per thousand dollars
35 of the assessed value of the taxable property for
36 ~~such purpose~~ those purposes and in any township which
37 has a common boundary with a city having a population
38 of two hundred thousand or more, the township trustees
39 may levy an annual tax not exceeding sixty-seven and
40 one-half cents per thousand dollars of assessed value
41 of taxable property for fire protection or ambulance
42 service purposes.

43 2. If the levy authorized under subsection one
44 (1) of this section is insufficient to provide fire
45 protection and ambulance service, the township trustees
46 may levy an additional annual tax not exceeding twenty
47 and one-fourth cents per thousand dollars of assessed
48 value of the taxable property in the township, ex-
49 cluding any property within the corporate limits of
50 a city, to provide the ambulance service. The township

Page Two
H-4150

- 1 trustees may divide the township into districts for
- 2 the purpose of providing the ambulance and fire service
- 3 and may levy a different tax rate in each district,
- 4 but the tax levy to provide ambulance service shall
- 5 not exceed twenty and one-fourth cents per thousand
- 6 dollars of taxable assessed value in a district."
- 7 2. Renumber the remaining section.
- 8 3. Amend the title, line 1, by inserting after
- 9 the word "authorizing" the words "ambulance service
- 10 by townships and authorizing".

H-4150 FILED
APRIL 27, 1979

RECEIVED FROM THE SENATE

*House amended (4223) and
conferred 5/2 (p. 1991)*

HOUSE FILE 672

H-4223

- 1 Amend the Senate amendment, H-4150, to House File
- 2 672, as passed by the House, as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "PROTECTION" the word "SERVICE".
- 5 2. Page 1, line 8, by inserting after the word
- 6 "protection" the word "service".
- 7 3. Page 1, line 15, by inserting after the word
- 8 "protection" the word "service".
- 9 4. Page 1, line 15, by inserting after the word
- 10 "ambulance" the word "service".
- 11 5. Page 1, line 15, by inserting after the word
- 12 "equipment" the words "or both kinds of apparatus
- 13 or equipment".
- 14 6. Page 1, line 19, by inserting after the word
- 15 "protection" the word "service".
- 16 7. Page 1, line 19, by inserting after the word
- 17 "service" the words "or both services".
- 18 8. Page 1, line 31, by inserting after the word
- 19 "protection" the word "service".
- 20 9. Page 1, line 31, by inserting after the word
- 21 "agreement" the words "or both service agreements".
- 22 10. Page 1, line 41, by inserting after the word
- 23 "protection" the word "service".
- 24 11. Page 1, line 42, by inserting after the word
- 25 "purposes" the words "or for both purposes".
- 26 12. Page 1, line 45, by inserting after the word
- 27 "protection" the word "service".
- 28 13. Page 1, lines 48 through 50, by striking the
- 29 words ", excluding any property within the corporate
- 30 limits of a city,".
- 31 14. Page 2, line 2, by inserting after the word
- 32 "ambulance" the word "service".

H-4223 FILED *Adopted 5/2*
MAY 1, 1979 *(p. 1991)*

BY SCHROEDER of Pottawattamie

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 672

S-3681

1 Amend the Senate amendment, H-4150, to House File
2 672, as passed by the House, as follows:

3 1. Page 1, line 6, by inserting after the word
4 "PROTECTION" the word "SERVICE".

5 2. Page 1, line 8, by inserting after the word
6 "protection" the word "service".

7 3. Page 1, line 15, by inserting after the word
8 "protection" the word "service".

9 4. Page 1, line 15, by inserting after the word
10 "ambulance" the word "service".

11 5. Page 1, line 15, by inserting after the word
12 "equipment" the words "or both kinds of apparatus
13 or equipment".

14 6. Page 1, line 19, by inserting after the word
15 "protection" the word "service".

16 7. Page 1, line 19, by inserting after the word
17 "service" the words "or both services".

18 8. Page 1, line 31, by inserting after the word
19 "protection" the word "service".

20 9. Page 1, line 31, by inserting after the word
21 "agreement" the words "or both service agreements".

22 10. Page 1, line 41, by inserting after the word
23 "protection" the word "service".

24 11. Page 1, line 42, by inserting after the word
25 "purposes" the words "or for both purposes".

26 12. Page 1, line 45, by inserting after the word
27 "protection" the word "service".

28 13. Page 2, line 2, by inserting after the word
29 "ambulance" the word "service".

S-3681 FILED
MAY 2, 1979

RECEIVED FROM THE HOUSE

Senate concurred 5/8 (p. 1573)

HOUSE FILE 672

AN ACT

AUTHORIZING AMBULANCE SERVICE BY TOWNSHIPS AND AUTHORIZING TOWNSHIP TRUSTEES TO DIVIDE A TOWNSHIP INTO TAXING DISTRICTS TO PROVIDE FIRE PROTECTION SERVICE.

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

Section 1. Section three hundred fifty-nine point forty-two (359.42), Code 1979, is amended to read as follows:

359.42 TOWNSHIP FIRE PROTECTION SERVICE AND AMBULANCE SERVICE. The trustees of each township in this state 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 under section three hundred thirty-two point three (332.3), subsection twenty-three (23) of the Code, 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 ~~such~~ the equipment. 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 under this section.

Sec. 2. Section three hundred fifty-nine point forty-three (359.43), Code 1979, 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 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 ~~such purpose~~ those purposes and in any township which has a common boundary with a city having a population of two hundred 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.

2. If the levy authorized under subsection one (1) of this section is insufficient to provide fire protection service and ambulance service, 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. 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.

Sec. 3. Section three hundred fifty-nine point forty-three (359.43), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The township trustees may divide the township into tax districts for the purpose of providing fire protection service and may levy a different tax rate in each district, but the tax levied in a tax district for

fire protection shall not exceed the tax levy limitation for that township as provided in this section.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 672, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 4, 1979

ROBERT D. RAY
Governor