

Local Government
Wells, Chair
Brown
Waldstein

FILED FEB 1 1984

SENATE FILE 2122

BY DELUHERY

Passed Senate, Date 2-16-84 (p. 460) Passed House, Date 3-30-84 (p. 1515)
Vote: Ayes 45 Nays 0 Vote: Ayes 92 Nays 0
Approved Mar 2, 1984

A BILL FOR

- 1 An Act relating to county libraries.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2122

S-5113

- 1 Amend Senate File 2122 as follows:
- 2 1. Page 1, by striking lines 13 through 15 and
- 3 inserting in lieu thereof the following: "hold a
- 4 hearing on the estimate after notice of the hearing
- 5 is published as provided in section 331.305. On or
- 6 before January 10 of each year, the board of".

S-5113 FILED
FEBRUARY 14, 1984
Adopted 2/16 (p. 460)

BY JAMES D. WELLS

SENATE FILE 2122

S-5124

- 1 Amend Senate File 2122 as follows:
- 2 1. Page 2, line 9, by inserting after the word
- 3 "county." the following: "A copy of the notice
- 4 submitted for publication shall be mailed to the
- 5 county library on or before the date of publication."

S-5124 FILED
FEBRUARY 15, 1984
Adopted 2/16 (p. 460)

BY JOHN SOORHOLTZ

1 Section 1. Section 358B.13, Code Supplement 1983, is
2 amended by striking the section and inserting in lieu thereof
3 the following:

5/13 4 358B.13 MAINTENANCE EXPENSE ON PROPORTIONATE BASIS. The
5 maintenance of a county library shall be on the basis of each
6 participating unit bearing its share of the total cost in
7 proportion to its population as compared to the total popula-
8 tion of the county library district. The board of library
9 trustees shall make an estimate of the amount necessary for
10 the maintenance of the county library, the sources of direct
11 library revenue, and the amount to be contributed from taxes
12 or other revenues by the participating city or county and
13 hold a hearing on the estimates after public notice published
14 not less than ten nor more than twenty days before the hear-
15 ing. On or before January 10 of each year, the board of
16 library trustees shall transmit the estimate in dollars to
17 the board of supervisors and to the cities participating in
18 the district. The unincorporated area of each county in the
19 library district shall be considered as a separate supporting
20 unit. Each board of supervisors shall review the estimate
21 and appropriate for library purposes its share in the county
22 rural services fund budget. Each city council shall review
23 the estimate for the city and appropriate for library pur-
24 poses its share in the city general fund budget. Each
25 participating city or county shall contribute its share from
26 taxation or from other sources available for library purposes
27 on an equitable basis. With approval of a city council, the
28 county treasurer may withhold a reasonable portion of the
29 taxes collected for a city to meet the city's contribution
30 for library purposes and deliver a receipt to the city clerk
31 for the amount withheld.

32 Sec. 2. Section 358B.16, Code 1983, is amended by adding
33 the following new unnumbered paragraphs:

34 NEW UNNUMBERED PARAGRAPH. A county may withdraw from the
35 district after a majority of the voters of the unincorporated

1 area of the county voting on the issue favor the withdrawal.
2 The board of supervisors shall call for the election which
3 shall be held at the next general election.

4 NEW UNNUMBERED PARAGRAPH. A city or county election shall
5 not be called until a hearing has been held on the proposal
6 to submit a proposition of withdrawal to an election. A
7 hearing may be held only after public notice published as
8 provided in section 362.3 in the case of a city or section

5124> 9 331.305 in the case of a county. The proposal presented at
10 the hearing must include a plan for continuing adequate library
11 service with or without all participants and the respective
12 allocated costs and levels of service shall be stated. At
13 the hearing, any interested person shall be given a reasonable
14 time to be heard, either for or against the withdrawal or
15 the plan to accompany it.

16 EXPLANATION

17 This bill provides for the financing of a county library
18 by participating cities and the unincorporated area of the
19 county in proportion that the population of each city and
20 the unincorporated area of the county is to the total popula-
21 tion of the county library district. The unincorporated part
22 of the county is considered a separate support unit for the
23 district.

24 The bill also provides for the withdrawal by the unin-
25 corporated area of the county after an election at which
26 voters of the unincorporated area of the county favor the
27 withdrawal.

28 Before calling for a vote on the withdrawal, a city or
29 the county board of supervisors must hold a public hearing
30 on the proposed withdrawal. The proposal to withdraw must
31 also be accompanied with a plan for continuing adequate library
32 services with or without all participants and the reallocation
33 of costs and level of service.

34 This bill takes effect July 1 following its enactment.

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Sec. Local Gov. 2/22

SENATE FILE 2122

BY DELUHERY

Substituted for H.F. 2333 3/23

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 16, 1984)

By Passed Senate, Date 4-6-84 (p. 1360) Passed House, Date 3-30-84 (p. 1515)

Vote: Ayes 46 Nays 0 Vote: Ayes 92 Nays 0

Approved May 2, 1984

A BILL FOR

- 1 An Act relating to county libraries.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE AMENDMENT TO SENATE FILE 2122

S-5757

- 1 Amend Senate File 2122, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 2 the following:
- 4 "NEW UNNUMBERED PARAGRAPH. A county library
- 5 district may be terminated upon a majority vote of
- 6 the electors of the unincorporated area of the county
- 7 and the cities included in the county library district.
- 8 The election shall be held upon motion of the board
- 9 of supervisors and simultaneously with a general
- 10 election."
- 11 2. Page 2, by inserting after line 16 the
- 12 following:
- 13 "NEW UNNUMBERED PARAGRAPH. An election for
- 14 withdrawal from or termination of a county library
- 15 district shall not be held more than once each four
- 16 years."

S-5757 FILED RECEIVED FROM THE HOUSE
 APRIL 5, 1984
 NOTE: DISCARD S-5757 FILED APRIL 4, 1984

Senate concurred 4/6 (p. 1359)

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1 Section 1. Section 358B.13, Code Supplement 1983, is
2 amended by striking the section and inserting in lieu thereof
3 the following:

4 358B.13 MAINTENANCE EXPENSE ON PROPORTIONATE BASIS. The
5 maintenance of a county library shall be on the basis of each
6 participating unit bearing its share of the total cost in
7 proportion to its population as compared to the total popula-
8 tion of the county library district. The board of library
9 trustees shall make an estimate of the amount necessary for
10 the maintenance of the county library, the sources of direct
11 library revenue, and the amount to be contributed from taxes
12 or other revenues by the participating city or county and
13 hold a hearing on the estimate after notice of the hearing
14 is published as provided in section 331.305. On or before
15 January 10 of each year, the board of library trustees shall
16 transmit the estimate in dollars to the board of supervisors
17 and to the cities participating in the district. The
18 unincorporated area of each county in the library district
19 shall be considered as a separate supporting unit. Each board
20 of supervisors shall review the estimate and appropriate for
21 library purposes its share in the county rural services fund
22 budget. Each city council shall review the estimate for the
23 city and appropriate for library purposes its share in the
24 city general fund budget. Each participating city or county
25 shall contribute its share from taxation or from other sources
26 available for library purposes on an equitable basis. With
27 approval of a city council, the county treasurer may withhold
28 a reasonable portion of the taxes collected for a city to
29 meet the city's contribution for library purposes and deliver
30 a receipt to the city clerk for the amount withheld.

31 Sec. 2. Section 358B.16, Code 1983, is amended by adding
32 the following new unnumbered paragraphs:

5471 33 NEW UNNUMBERED PARAGRAPH. A county may withdraw from the
34 district after a majority of the voters of the unincorporated
35 area of the county voting on the issue favor the withdrawal.

1 The board of supervisors shall call for the election which
2 shall be held at the next general election.

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3 NEW UNNUMBERED PARAGRAPH. A city or county election shall
4 not be called until a hearing has been held on the proposal
5 to submit a proposition of withdrawal to an election. A
6 hearing may be held only after public notice published as
7 provided in section 362.3 in the case of a city or section
8 331.305 in the case of a county. A copy of the notice
9 submitted for publication shall be mailed to the county library
10 on or before the date of publication. The proposal presented
11 at the hearing must include a plan for continuing adequate
12 library service with or without all participants and the
13 respective allocated costs and levels of service shall be
14 stated. At the hearing, any interested person shall be given
15 a reasonable time to be heard, either for or against the
16 withdrawal or the plan to accompany it.

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SENATE FILE 2122

H-5471

1 Amend Senate File 2122, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 33 through page 2,
4 line 2 and inserting in lieu thereof the following:

5 NEW UNNUMBERED PARAGRAPH. A city which has elected
6 to withdraw from a county library district before
7 or after the effective date of this Act and which
8 fails to maintain a free public library or contract
9 for library services with a free public library of
10 a city, shall be included in the county library
11 district from which it withdrew if the district exists.
12 The effective date of inclusion in the county library
13 district shall be July 1 following notification by
14 the board of supervisors that the city has failed
15 to provide the required library services if the
16 notification is given by certified mail to the city
17 council not later than December 1 preceding the
18 proposed effective date.

19 NEW UNNUMBERED PARAGRAPH. A county library district
20 may be terminated upon a majority vote of the electors
21 of the unincorporated area of the county and the
22 cities included in the county library district. The
23 election shall be held upon motion of the board of
24 supervisors and simultaneously with a general
25 election."

26 2. Page 2, by inserting after line 16 the
27 following:

28 "NEW UNNUMBERED PARAGRAPH. An election for
29 withdrawal from or termination of a county library
30 district shall not be held more than once each four
31 years."

H-5471 FILED MARCH 7, 1984 BY CONNOLLY of Dubuque

n/d 3/30 (p. 1515)

SENATE FILE 2122

H-5632

1 Amend Senate File 2122, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 2 the following:

4 "NEW UNNUMBERED PARAGRAPH. A county library
5 district may be terminated upon a majority vote of
6 the electors of the unincorporated area of the county
7 and the cities included in the county library district.
8 The election shall be held upon motion of the board
9 of supervisors and simultaneously with a general
10 election."

11 2. Page 2, by inserting after line 16 the
12 following:

13 "NEW UNNUMBERED PARAGRAPH. An election for
14 withdrawal from or termination of a county library
15 district shall not be held more than once each four
16 years."

BY CONNOLLY of Dubuque
LAGESCHULTE of Bremer

H-5632 FILED MARCH 13, 1984

Adopted 3/30 (p. 1515)

SENATE FILE 2122

AN ACT

RELATING TO COUNTY LIBRARIES.

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

Section 1. Section 358B.13, Code Supplement 1983, is amended by striking the section and inserting in lieu thereof the following:

358B.13 MAINTENANCE EXPENSE ON PROPORTIONATE BASIS. The maintenance of a county library shall be on the basis of each participating unit bearing its share of the total cost in proportion to its population as compared to the total population of the county library district. The board of library trustees shall make an estimate of the amount necessary for the maintenance of the county library, the sources of direct library revenue, and the amount to be contributed from taxes or other revenues by the participating city or county and hold a hearing on the estimate after notice of the hearing is published as provided in section 331.305. On or before January 10 of each year, the board of library trustees shall transmit the estimate in dollars to the board of supervisors and to the cities participating in the district. The unincorporated area of each county in the library district shall be considered as a separate supporting unit. Each board of supervisors shall review the estimate and appropriate for library purposes its share in the county rural services fund budget. Each city council shall review the estimate for the

city and appropriate for library purposes its share in the city general fund budget. Each participating city or county shall contribute its share from taxation or from other sources available for library purposes on an equitable basis. With approval of a city council, the county treasurer may withhold a reasonable portion of the taxes collected for a city to meet the city's contribution for library purposes and deliver a receipt to the city clerk for the amount withheld.

Sec. 2. Section 358B.16, Code 1983, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. A county may withdraw from the district after a majority of the voters of the unincorporated area of the county voting on the issue favor the withdrawal. The board of supervisors shall call for the election which shall be held at the next general election.

NEW UNNUMBERED PARAGRAPH. A county library district may be terminated upon a majority vote of the electors of the unincorporated area of the county and the cities included in the county library district. The election shall be held upon motion of the board of supervisors and simultaneously with a general election.

NEW UNNUMBERED PARAGRAPH. A city or county election shall not be called until a hearing has been held on the proposal to submit a proposition of withdrawal to an election. A hearing may be held only after public notice published as provided in section 362.3 in the case of a city or section 331.305 in the case of a county. A copy of the notice submitted for publication shall be mailed to the county library on or before the date of publication. The proposal presented at the hearing must include a plan for continuing adequate library service with or without all participants and the respective allocated costs and levels of service shall be stated. At the hearing, any interested person shall be given a reasonable time to be heard, either for or against the withdrawal or the plan to accompany it.

NEW UNNUMBERED PARAGRAPH. An election for withdrawal from or termination of a county library district shall not be held more than once each four years.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2122, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 2, 1984

TERRY E. BRANSTAD
Governor