

FEB 3 1994

HOUSE FILE 2116

BY COMMITTEE ON WAYS AND MEANS

WAYS & MEANS CALENDAR

(SUCCESSOR TO HF 2009)

Passed House, ^(P.303) Date 2-17-94 Passed Senate, ^(P.1028) Date 4-5-94
 Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 1
 Approved April 14, 1994

A BILL FOR

1 An Act relating to the establishment of city emergency medical
 2 services districts, and the levying of a property tax, and
 3 providing an effective date.

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

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HOUSE FILE 2116

H-5085

- 1 Amend House File 2116 as follows:
- 2 1. Page 5, by striking lines 27 and 28 and
- 3 inserting the following:
- 4 "Sec. ____ . This Act is retroactively applicable to
- 5 districts established on or after January 1, 1993."
- 6 2. Title page, line 3, by striking the words "an
- 7 effective" and inserting the following: "a
- 8 retroactive applicability".

By DODERER of Johnson

H-5085 FILED FEBRUARY 17, 1994

(P.303) adopted 2-17-94

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HF 2116

1 Section 1. NEW SECTION. 357G.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Council" means the city council of a city.

5 2. "District" means a city emergency medical services
6 district.

7 3. "Trustee" means a trustee of a district.

8 Sec. 2. NEW SECTION. 357G.2 PETITION FOR PUBLIC HEARING.

9 1. The council shall, on the petition of twenty-five
10 percent of the resident property owners in a proposed district
11 if the assessed valuation of the property owned by the
12 petitioners represents at least twenty-five percent of the
13 total assessed value of the proposed district, hold a public
14 hearing concerning the establishment of a proposed district.
15 The petition shall include a statement containing the
16 following information:

17 a. The need for emergency medical services.

18 b. The district to be served.

19 c. The approximate number of families in the district.

20 d. The proposed personnel, equipment, and facilities to
21 provide the emergency medical services.

22 2. The council may require a bond of the petitioners
23 conditioned for the payment of all costs and expenses incurred
24 in the proceedings in case the district is not established.

25 Sec. 3. NEW SECTION. 357G.3 LIMITATION ON AREA.

26 A district shall include all of the incorporated area of a
27 city except property assessed as agricultural land, or
28 centrally assessed property.

29 Sec. 4. NEW SECTION. 357G.4 TIME OF HEARING.

30 The public hearing required in section 357G.2 shall be held
31 within thirty days of the presentation of the petition.
32 Notice of hearing shall be given by publication in two
33 successive issues of any paper of general circulation within
34 the district. The last publication shall be not less than one
35 week before the proposed hearing.

1 Sec. 5. NEW SECTION. 357G.5 ACTION BY COUNCIL.

2 After, and within ten days of, the hearing, the council
3 shall either establish the district by resolution or disallow
4 the petition.

5 Sec. 6. NEW SECTION. 357G.6 ENGINEER.

6 1. When the council establishes a district, the council
7 shall appoint a competent disinterested civil engineer, who
8 shall prepare a preliminary plat showing:

9 a. The proper design in general outline of the district.

10 b. The lots and parcels of land within the proposed
11 district as they appear on the city assessor's or county
12 auditor's plat books with the names of the owners.

13 c. The assessed valuation of the lots and parcels.

14 2. The compensation of the engineer on the preliminary
15 investigation shall be determined by the council. The
16 engineer shall file a report with the city assessor within
17 thirty days of appointment. The council may extend the time
18 upon good cause shown.

19 Sec. 7. NEW SECTION. 357G.7 HEARING ON ENGINEER'S
20 REPORT.

21 After the engineer's report is filed, the council shall
22 give notice, as provided in section 357G.4, of a public
23 hearing to be held concerning the engineer's preliminary plat.

24 Sec. 8. NEW SECTION. 357G.8 ELECTION ON PROPOSED LEVY.

25 When a preliminary plat has been approved by the council,
26 an election shall be held within the district within sixty
27 days to approve or disapprove the levy of a tax of not more
28 than one dollar per thousand dollars of assessed value on all
29 the taxable property within the district and to choose
30 candidates for the offices of trustees of the district. The
31 ballot shall set out the reason for the tax and the amount
32 needed. The tax shall be set to raise only the amount needed.
33 Notice of the election, including the time and place of
34 holding the election, shall be given as provided in section
35 357G.4. The vote shall be by ballot which shall state clearly

1 the proposition to be voted upon and any qualified elector
2 residing within the district at the time of the election may
3 vote. It is not mandatory for the county commissioner of
4 elections to conduct elections held pursuant to this chapter,
5 but the elections shall be conducted in accordance with
6 chapter 49 where not in conflict with this chapter. Judges
7 shall be appointed to serve without pay by the council from
8 among the qualified electors of the district to be in charge
9 of the election. The proposition is approved if sixty percent
10 of those voting on the proposition vote in favor of it.

11 Sec. 9. NEW SECTION. 357G.9 TRUSTEES -- TERM AND
12 QUALIFICATION.

13 At the election, the names of up to three candidates for
14 trustee shall be written in by the voters on blank ballots
15 without formal nomination and the council shall appoint three
16 from among the five receiving the highest number of votes as
17 trustees for the district. One trustee shall be appointed to
18 serve for one year, one for two years, and one for three
19 years. The trustees and their successors must be residents of
20 the district and shall give bond in the amount required by the
21 council, the premium of which shall be paid by the district.
22 Vacancies shall be filled by election, but if there are no
23 candidates for a trustee office, the vacancy may be filled by
24 appointment by the council. The term of succeeding trustees
25 shall be three years.

26 Sec. 10. NEW SECTION. 357G.10 TRUSTEES' POWERS.

27 The trustees may purchase, own, rent, or maintain emergency
28 medical services apparatus or equipment within the state or
29 outside the territorial jurisdiction and boundary limits of
30 this state, provide housing for such apparatus and equipment,
31 provide emergency medical service and facilities, and may
32 certify for levy an annual tax as provided in section 357G.8.
33 The trustees may purchase material, employ emergency medical
34 service and other personnel, and may perform all other acts
35 necessary to properly maintain and operate the district. The

1 trustees may contract with any other city or county or public
2 or private agency under chapter 28E for the purpose of
3 providing emergency medical services under this chapter. The
4 trustees are allowed necessary expenses in the discharge of
5 their duties, but they shall not receive a salary.

6 Sec. 11. NEW SECTION. 357G.11 BONDS IN ANTICIPATION OF
7 REVENUE.

8 A district may anticipate the collection of taxes by the
9 levy authorized in this chapter, and to carry out the purposes
10 of this chapter may issue bonds payable in not more than ten
11 equal installments with the rate of interest not exceeding
12 that permitted by chapter 74A. An indebtedness shall not be
13 incurred under this chapter until authorized by an election.
14 The election shall be held and notice given in the same manner
15 as provided in section 357G.8, and the same sixty percent vote
16 shall be necessary to authorize indebtedness. Both
17 propositions may be submitted to the voters at the same
18 election.

19 Sec. 12. NEW SECTION. 357G.12 DISSOLUTION OF DISTRICT.

20 Upon petition of thirty-five percent of the resident
21 eligible electors, the council may dissolve a district and
22 dispose of any remaining property, the proceeds of which shall
23 first be applied against outstanding obligations and any
24 balance shall be applied to tax credit of property owners of
25 the district. The council shall continue to levy a tax after
26 dissolution of a district, of not to exceed twenty-seven cents
27 per thousand dollars of assessed value on all the taxable
28 property of the district, until all outstanding obligations of
29 the district are paid.

30 Sec. 13. NEW SECTION. 357G.13 ADDING PROPERTY TO
31 DISTRICT.

32 Any property in an unincorporated area contiguous to the
33 boundaries of an established district which is annexed by the
34 city shall be included in the district. The tax levy for the
35 next year shall be applied to the property and on the first

1 day of the next fiscal year, the property shall become a part
2 of the district.

3 Sec. 14. NEW SECTION. 357G.14 DETERMINATION OF FEE.

4 1. The owner of any property joining an established
5 district shall pay to the trustees of the district an initial
6 fee to be computed as follows:

7 a. The trustees shall first determine fair market value of
8 all property and improvements owned by the district, less any
9 indebtedness.

10 b. The council shall then determine the assessed value of
11 all property in the district which is not assessed as
12 agricultural land. This shall be divided into the value
13 determined in paragraph "a".

14 c. The council shall determine the assessed value of the
15 property of each landowner joining the established district
16 which is not assessed as agricultural land.

17 d. The result obtained in paragraph "b" shall be
18 multiplied by the result obtained in paragraph "c". The
19 result shall be the initial fee to be charged each landowner.

20 2. The initial fees paid to the trustees shall be used to
21 help defray the cost and maintenance of the district's
22 emergency medical services.

23 Sec. 15. Section 384.12, Code 1993, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 18A. A tax to fund an emergency medical
26 services district under chapter 357G.

27 Sec. 16. This Act, being deemed of immediate importance,
28 takes effect upon enactment.

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EXPLANATION

30 This bill provides that a city may establish a city
31 emergency medical services district similar to a benefited
32 emergency medical services district for unincorporated areas.
33 The bill provides that the city council, after a public
34 hearing, may place the issue of a levy of up to one dollar per
35 \$1,000 of assessed valuation on the ballot for approval by

1 residents of the proposed city district. The bill further
2 sets out the procedure for residents to petition for the
3 formation of a district and for adding property to the
4 district.

5 The bill takes effect upon enactment.

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(P. 375) 2/22/94 Senate - Ways & Means

(P. 944) 3/30/94 Senate - Do Pass

HOUSE FILE 2116

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2009)

(As Amended and Passed by the House February 17, 1994)

Passed House, ^(P. 305) Date 2/17/94 Passed Senate, ^(P. 1028) Date 4/5/94
 Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 1
 Approved April 14, 1994

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House Amendments _____

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26 services district under chapter 357G.

27 Sec. 16. This Act is retroactively applicable to districts
28 established on or after January 1, 1993.

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HOUSE FILE 2116

AN ACT

RELATING TO THE ESTABLISHMENT OF CITY EMERGENCY MEDICAL SERVICES DISTRICTS, AND THE LEVYING OF A PROPERTY TAX, AND PROVIDING A RETROACTIVE APPLICABILITY DATE.

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

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2. "District" means a city emergency medical services district.
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- a. The need for emergency medical services.
 - b. The district to be served.
 - c. The approximate number of families in the district.
 - d. The proposed personnel, equipment, and facilities to provide the emergency medical services.
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A district may anticipate the collection of taxes by the levy authorized in this chapter, and to carry out the purposes of this chapter may issue bonds payable in not more than ten equal installments with the rate of interest not exceeding that permitted by chapter 74A. An indebtedness shall not be incurred under this chapter until authorized by an election. The election shall be held and notice given in the same manner as provided in section 357G.8, and the same sixty percent vote shall be necessary to authorize indebtedness. Both propositions may be submitted to the voters at the same election.

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d. The result obtained in paragraph "b" shall be multiplied by the result obtained in paragraph "c". The result shall be the initial fee to be charged each landowner.

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Sec. 15. Section 384.12, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 18A. A tax to fund an emergency medical services district under chapter 357G.

Sec. 16. This Act is retroactively applicable to districts established on or after January 1, 1993.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2116, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 14, 1994

TERRY E. BRANSTAD
Governor