

JAN 17 1996
LOCAL GOVERNMENT

2/26/96 Do Pass
3/25/96 Referred to Local Gov.

HOUSE FILE 2067
BY TYRRELL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the authority of a benefited fire district to
2 provide emergency medical services.

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

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HF 2067

1 Section 1. Section 357B.1, Code 1995, is amended to read
2 as follows:

3 357B.1 BENEFITED FIRE DISTRICTS CONTINUED.

4 A benefited fire district established under this chapter
5 prior to July 1, 1975 shall provide fire protection and may
6 provide emergency medical services as defined in section
7 147A.1 within its boundaries until it is dissolved as provided
8 in section 357B.5. A benefited fire district shall not be
9 established nor shall the territorial boundaries of an
10 established benefited fire district be enlarged after June 30,
11 1975 except as provided in section 357B.7.

12 Sec. 2. Section 357B.3, subsection 1, Code 1995, is
13 amended to read as follows:

14 1. The board of trustees may purchase, own, rent, or
15 maintain fire apparatus or equipment and emergency medical
16 services equipment within the state or outside the territorial
17 jurisdiction and boundary limits of this state and provide
18 housing for such apparatus or equipment. The board of
19 trustees may contract with any public or private agency under
20 chapter 28E for the purpose of providing fire protection and
21 emergency medical services under this chapter. The board of
22 trustees may levy an annual tax not exceeding forty and one-
23 half cents per thousand dollars of assessed value for the
24 purpose of exercising the powers granted in this section. The
25 board of trustees may purchase material and employ persons to
26 provide for the maintenance and operation of the benefited
27 fire district. The trustees shall be allowed reimbursement
28 for any necessary expenses incurred in the performance of
29 their duties, but they shall not receive any other
30 compensation for their services.

31 Sec. 3. Section 357B.4, Code 1995, is amended to read as
32 follows:

33 357B.4 ANTICIPATION OF TAX.

34 The board of trustees of a benefited fire district may
35 anticipate the collection of taxes authorized under section

1 357B.3 and, for the purpose of providing fire protection and
2 emergency medical services, may issue bonds payable in not
3 more than ten equal installments at an interest rate not
4 exceeding that permitted by chapter 74A. The bonds shall be
5 in such form and payable at such place as specified by
6 resolution of the board of trustees. The provisions of
7 sections 73A.12 to 73A.16 and chapter 384 shall apply to such
8 bonds to the extent applicable.

9 Sec. 4. Section 357B.6, Code 1995, is amended to read as
10 follows:

11 357B.6 USE OF FEDERAL REVENUE-SHARING FUNDS.

12 The board of supervisors may appropriate federal revenue-
13 sharing funds to aid in providing fire protection services and
14 equipment and emergency medical services and equipment jointly
15 with any other public agency of this state to residents of
16 such county. The board of supervisors may use federal revenue-
17 sharing funds for providing other services and equipment for
18 use of the residents of the county. The use of federal
19 revenue-sharing funds shall be consistent with federal law and
20 rules promulgated pursuant to such law.

21 Sec. 5. Section 357B.7, Code 1995, is amended to read as
22 follows:

23 357B.7 EXCHANGE OF TERRITORY.

24 The trustees of a benefited fire district may exchange
25 territory with the trustees of a township to provide fire
26 protection services and emergency medical services by
27 agreement. The agreement shall provide for the satisfaction
28 of any outstanding obligation to which the affected territory
29 is subject, the disposition of property affected by the
30 exchange, the effective date of the exchange, and any other
31 matter deemed necessary to carry out the exchange. The
32 agreement shall be filed with the county recorder and auditor
33 of each county in which the exchanged property is located.

34 Sec. 6. Section 357B.8, Code 1995, is amended to read as
35 follows:

1 357B.8 FIRE DISTRICT INCLUDING A CITY -- BUDGET PAYMENT OR
2 SEPARATE LEVY.

3 1. A city that was part of a benefited fire district prior
4 to the city's incorporation may continue to receive fire
5 protection and emergency medical services from the district
6 under a contract or direct levy by the district. The annual
7 amount paid by the city to the benefited fire district shall
8 be included in the city's annual budget and shall be a part of
9 the city's general fund tax levy.

10 2. In lieu of subsection 1, a benefited fire district that
11 includes a city within the boundaries of the fire district may
12 certify an annual tax levy not exceeding forty and one-half
13 cents per thousand dollars of assessed valuation of the
14 taxable property within the city for the purpose of fire
15 protection and emergency medical services. The benefited fire
16 district shall certify the tax levy as provided in this
17 subsection only after agreement granted by resolution of the
18 city council. The amount of the tax rate levied under this
19 subsection shall reduce by an equal amount the maximum tax
20 levy authorized for the general fund of that city under
21 section 384.1. If the district levies directly against
22 property within a city to provide fire protection for that
23 city, the city shall not be responsible for providing fire
24 protection as provided in section 364.16, and shall have no
25 liability for the method, manner, or means in which the
26 district provides the fire protection.

27 EXPLANATION

28 This bill authorizes a benefited fire district to provide
29 emergency medical services in addition to fire protection.

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