## FILED FEB 2 4 1998

STATE GOVERNMENT

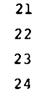
SENATE FILE 2304

BY NEUHAUSER, CONNOLLY, and HANSEN

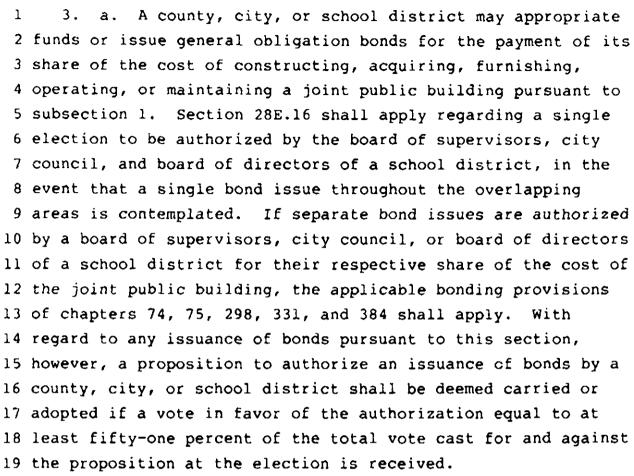
Passed	Senate, Date	e	Passed	House,	Date	
Vote:	Ayes	Nays	Vote:	Ayes	Nays	s
Approved				<u> </u>	_	

A BILL FOR 1 An Act providing for the joint construction or acquisition, furnishing, operation, and maintenance of public buildings by a county, city, and school district. 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 

S.F. 2304



- 1 Section 1. NEW SECTION. 28E.41 JOINT COUNTY, CITY,
- 2 SCHOOL DISTRICT BUILDINGS.
- 1. Two or more counties, cities, or school districts, each
- 4 of which has areas within their boundaries which overlap areas
- 5 within the boundaries of the others, may execute an agreement
- 6 pursuant to this section for the joint construction or
- 7 acquisition, furnishing, operation, and maintenance of a
- 8 public building or buildings for their common use within their
- 9 overlapping areas. An agreement regarding a joint county,
- 10 city, or school district public building may include, but is
- 11 not limited to, any of the following:
- 12 a. Acquisition of a construction site and construction of
- 13 a public building for common use.
- b. Purchase of an existing building for joint public use,
- 15 or conversion of a building previously owned and maintained by
- 16 a county, city, or school district for joint public use.
- 17 c. Equipping or furnishing a new or existing building for
- 18 joint public use.
- d. Operation, maintenance, or improvement of a joint
- 20 public building.
- 21 e. Any other aspect of joint public building acquisition
- 22 or maintenance mutually agreed upon and authorized by law in
- 23 the county, city, or school district.
- 24 2. An agreement pursuant to subsection 1 shall be approved
- 25 by resolution of the governing bodies of each of the
- 26 participating counties, cities, or school districts and shall
- 27 specify the purposes for which the building or improvement
- 28 shall be used, the estimated cost thereof, the estimated
- 29 amount of the cost to be allocated to each of the
- 30 participating counties, cities, or school districts, the
- 31 proportion and method of allocating the expenses of the
- 32 operation and maintenance of the building or improvement, and
- 33 the disposition to be made of any revenues to be derived
- 34 therefrom, in addition to the provisions of sections 28E.5 and
- 35 28E.6, and any other applicable provision of this chapter.



- b. Bonds may not be issued by a county, city, or school district until provision has been made by each of the other participating counties, cities, or school districts to the agreement for the payment of their shares of the cost of the joint public building. In the event that the cost of the construction or acquisition, furnishing, operation, and maintenance of the public building exceeds that which was originally estimated and agreed to, the governing body of a county, city, or school district shall have the authority, jointly or individually, to appropriate additional moneys or issue additional bonds to pay their respective portions of the increased costs.
- 32 c. A county, city, or school district shall be authorized, 33 with the consent of the governing bodies of the other parties, 34 to an agreement under this section, to improve, add to, or 35 equip the building which is the subject of the agreement for

- 1 its own purposes to the same extent and in the same manner as
- 2 if the building were wholly owned by and devoted to the uses
- 3 of the county, city, or school district.
- 4 d. The authority granted to a county, city, or school
- 5 district pursuant to this section shall be in addition to, and
- 6 not in derogation of, any other powers conferred by law upon a
- 7 county, city, or school district to make agreements,
- 8 appropriate and expend moneys, and to issue bonds for the same
- 9 or similar purposes.

## 10 EXPLANATION

- 11 This bill provides for the joint construction or
- 12 acquisition, furnishing, operation, and maintenance of public
- 13 buildings by a county, city, and school district. The bill
- 14 provides that two or more counties, cities, or school
- 15 districts, each of which has areas within their boundaries
- 16 which overlap areas within the boundaries of the others, may
- 17 execute an agreement for the joint construction or
- 18 acquisition, furnishing, operation, and maintenance of a
- 19 public building or buildings for their common use within their
- 20 overlapping areas. The agreement shall be approved by
- 21 resolution of the governing bodies of each of the
- 22 participating counties, cities, or school districts and shall
- 23 specify the purposes for which the building or improvement
- 24 shall be used, the estimated cost thereof, the estimated
- 25 amount of the cost to be allocated to each of the
- 26 participating counties, cities, or school districts, the
- 27 proportion and method of allocating the expenses of the
- 28 operation and maintenance of the building or improvement, and
- 29 the disposition to be made of any revenues to be derived
- 30 therefrom.
- 31 The bill provides that a county, city, or school district
- 32 may appropriate funds or issue general obligation bonds for
- 33 the payment of its share of the cost of constructing,
- 34 acquiring, furnishing, operating, or maintaining a joint
- 35 public building, either on a joint or an individual basis, and

1 that bonds may not be issued by a county, city, or school 2 district until provision has been made by each of the other 3 participating counties, cities, or school districts to the 4 agreement for the payment of their shares of the cost of the 5 joint public building. A vote in favor of authorization of 6 bonds cast by at least fifty-one percent of the electors 7 voting on the question of a bond issue shall be necessary for 8 approval of the bond issue. In the event that the cost of the 9 construction or acquisition, furnishing, operation, and 10 maintenance of the public building exceeds original estimates, 11 the bill provides that a county, city, or school district 12 shall have the authority, jointly or individually, to 13 appropriate additional moneys or issue additional bonds to pay 14 their respective portions of the increased costs. The bill additionally provides that a county, city, or 16 school district shall be authorized, with the consent of the 17 governing bodies of the other counties, cities, or school 18 districts which are parties to the agreement, to improve, add 19 to, or equip any such building for its own purposes to the 20 same extent and in the same manner as if the building were 21 wholly owned by and devoted to the uses of the county, city, 22 or school district. 23 24 25 26

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