

BRACENS, Chair
HUSER
Hahn

HSB 177

LOCAL GOVERNMENT

SENATE/HOUSE FILE SF/HF
BY (PROPOSED GOVERNOR'S BILL)

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

A BILL FOR

1 An Act allowing certain school district bond issues to be issued
2 jointly by two or more school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 SCHOOL DISTRICT BOND FINANCING

2 Section 1. NEW SECTION. 28E.41 JOINT ISSUANCE OF SCHOOL
3 DISTRICT BONDS.

4 It is the intent of the general assembly to encourage
5 school districts to jointly issue general obligation bonds to
6 fund separate projects proposed in each district and, by
7 pooling their debt obligations, to realize a savings for
8 taxpayers in each of the participating districts. Two or more
9 school districts may enter an agreement pursuant to this
10 chapter for the purpose of financing projects for which debt
11 obligations may be or have been incurred pursuant to chapter
12 296 or 298. For purposes of this section, "school district"
13 means a public school district described in chapter 274.

14 EXPLANATION

15 This bill allows two or more school districts through a
16 chapter 28E agreement to jointly issue general obligation
17 bonds to fund separate projects in each of the districts.

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4/6/99 Returned to Local Gov

MAR 10 1999

Place On Calendar

HOUSE FILE 574
BY COMMITTEE ON LOCAL
GOVERNMENT

WITHDRAWN
1-26-2000
P.114

(SUCCESSOR TO HSB 177)

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

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HF 574

1 SCHOOL DISTRICT BOND FINANCING

2 Section 1. NEW SECTION. 28E.11 JOINT ISSUANCE OF SCHOOL
3 DISTRICT BONDS.

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5 school districts to jointly issue general obligation bonds to
6 fund separate projects proposed in each district and, by
7 pooling their debt obligations, to realize a savings for
8 taxpayers in each of the participating districts. Two or more
9 school districts may enter an agreement pursuant to this
10 chapter for the purpose of financing projects for which debt
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HOUSE FILE 574

H-1106

1 Amend House File 574 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 28E.41 JOINT COUNTY,
5 CITY, SCHOOL DISTRICT BUILDINGS.

6 1. Two or more counties, cities, or school
7 districts, each of which has areas within their
8 boundaries which overlap areas within the boundaries
9 of the others, or which are contiguous with each
10 other, may execute an agreement pursuant to this
11 section for the joint construction or acquisition,
12 furnishing, operation, and maintenance of a public
13 building or buildings for their common use within
14 their overlapping or contiguous areas. Noncontiguous
15 cities located within the same county, or contiguous
16 counties, may also execute an agreement for the joint
17 construction or acquisition, furnishing, operation,
18 and maintenance of a regional public building or
19 buildings for their common use. An agreement
20 regarding a joint county, city, or school district
21 public building may include, but is not limited to,
22 any of the following:

23 a. Acquisition of a construction site and
24 construction of a public building for common use.

25 b. Purchase of an existing building for joint
26 public use, or conversion of a building previously
27 owned and maintained by a county, city, or school
28 district for joint public use.

29 c. Equipping or furnishing a new or existing
30 building for joint public use.

31 d. Operation, maintenance, or improvement of a
32 joint public building.

33 e. Any other aspect of joint public building
34 acquisition or maintenance mutually agreed upon and
35 authorized by law in the county, city, or school
36 district.

37 2. An agreement pursuant to subsection 1 shall be
38 approved by resolution of the governing bodies of each
39 of the participating counties, cities, or school
40 districts and shall specify the purposes for which the
41 building or improvement shall be used, the estimated
42 cost thereof, the estimated amount of the cost to be
43 allocated to each of the participating counties,
44 cities, or school districts, the proportion and method
45 of allocating the expenses of the operation and
46 maintenance of the building or improvement, and the
47 disposition to be made of any revenues to be derived
48 therefrom, in addition to the provisions of sections
49 28E.5 and 28E.6, and any other applicable provision of
50 this chapter.

H-1106

H-1106

Page 2

1 3. a. A county, city, or school district may
2 appropriate funds or issue general obligation bonds
3 for the payment of its share of the cost of
4 constructing, acquiring, furnishing, operating, or
5 maintaining a joint public building pursuant to
6 subsection 1. Section 28E.16 shall apply regarding a
7 single election to be authorized by the board of
8 supervisors, city council, and board of directors of a
9 school district, in the event that a single bond issue
10 throughout the overlapping or contiguous areas, or
11 noncontiguous cities contained within the same county
12 or contiguous counties, is contemplated. If separate
13 bond issues are authorized by a board of supervisors,
14 city council, or board of directors of a school
15 district for their respective share of the cost of the
16 joint public building, the applicable bonding
17 provisions of chapters 74, 75, 298, 331, and 384 shall
18 apply. With regard to any issuance of bonds pursuant
19 to this section, however, a proposition to authorize
20 an issuance of bonds by a county, city, or school
21 district shall be deemed carried or adopted if a vote
22 in favor of the authorization equal to at least sixty
23 percent of the vote cast for and against the
24 proposition in each participating authority is
25 received.

26 b. Bonds shall not be issued by a county, city, or
27 school district until provision has been made by each
28 of the other participating counties, cities, or school
29 districts to the agreement for the payment of their
30 shares of the cost of the joint public building. In
31 the event that the cost of the construction or
32 acquisition, furnishing, operation, and maintenance of
33 the public building exceeds that which was originally
34 estimated and agreed to, the governing body of a
35 county, city, or school district shall have the
36 authority, jointly or individually, to appropriate
37 additional moneys or issue additional bonds to pay
38 their respective portions of the increased costs.

39 c. A county, city, or school district shall be
40 authorized, with the consent of the governing bodies
41 of the other parties, to an agreement under this
42 section, to improve, add to, or equip the building
43 which is the subject of the agreement for its own
44 purposes to the same extent and in the same manner as
45 if the building were wholly owned by and devoted to
46 the uses of the county, city, or school district.

47 d. The authority granted to a county, city, or
48 school district pursuant to this section shall be in
49 addition to, and not in derogation of, any other
50 powers conferred by law upon a county, city, or school

H-1106

-2-

H-1106

Page 3

1 district to make agreements, appropriate and expend
2 moneys, and to issue bonds for the same or similar
3 purposes."

4 2. Title page, by striking lines 1 and 2 and
5 inserting the following: "An Act providing for the
6 joint construction or acquisition, furnishing,
7 operation, and maintenance of public buildings by a
8 county, city, and school district."

By HUSER of Polk
BRAUNS of Muscatine

H-1106 FILED MARCH 17, 1999

SEVENTY-EIGHTH GENERAL ASSEMBLY
1999 REGULAR SESSION
DAILY
HOUSE CLIP SHEET

MARCH 30, 1999

HOUSE FILE 574

H-1281

1 Amend House File 574 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 28E.41 JOINT COUNTY,
5 CITY, FIRE DISTRICT, SCHOOL DISTRICT BUILDINGS.
6 1. A county, city, fire district, or school
7 district, which has areas within its boundaries which
8 overlap areas within the boundaries of another county,
9 city, fire district, or school district, or whose
10 boundaries are contiguous with another county, city,
11 fire district, or school district, may execute an
12 agreement pursuant to this section for the joint
13 construction or acquisition, furnishing, operation,
14 and maintenance of a public building or buildings for
15 their common use. Noncontiguous cities located within
16 the same county, or cities located in contiguous
17 counties, may also execute an agreement for the joint
18 construction or acquisition, furnishing, operation,
19 and maintenance of a joint public building or
20 buildings for their common use. Such an agreement
21 regarding a joint public building may allow for, but
22 is not limited to, any of the following:
23 a. Acquisition of a construction site and
24 construction of a public building for common use.
25 b. Purchase of an existing building for joint
26 public use, or conversion of a building previously
27 owned and maintained by a county, city, fire district,
28 or school district for joint public use.
29 c. Equipping or furnishing a new or existing
30 building for joint public use.
31 d. Operation, maintenance, or improvement of a
32 joint public building.
33 e. Any other aspect of joint public building
34 construction, acquisition, furnishing, operation, or
35 maintenance mutually agreed upon by the county, city,
36 fire district, or school district and not otherwise
37 prohibited by law.
38 2. An agreement pursuant to subsection 1 shall be
39 approved by resolution of the governing bodies of each
40 of the participating counties, cities, fire districts,
41 or school districts and shall specify the purposes for
42 which the joint public building shall be used, the
43 estimated cost thereof, the estimated amount of the
44 cost to be allocated to each of the participating
45 counties, cities, fire districts, or school districts,
46 the proportion and method of allocating the expenses
47 of the operation and maintenance of the building or
48 improvement, and the disposition to be made of any
49 revenues to be derived therefrom, in addition to the
50 provisions of sections 28E.5 and 28E.6, and any other

H-1281

H-1281

Page 2

1 applicable provision of this chapter.

2 3. a. A county, city, fire district, or school
3 district may expend funds or issue general obligation
4 bonds for the payment of its share of the cost of
5 constructing, acquiring, furnishing, operating, or
6 maintaining a joint public building pursuant to
7 subsection 1. Section 28E.16 shall apply regarding a
8 single election to be authorized by the board of
9 supervisors, city council, governing body of a fire
10 district, and board of directors of a school district,
11 in the event that a single bond issue throughout the
12 overlapping or contiguous areas, or noncontiguous
13 cities located in the same county or cities located in
14 contiguous counties, is contemplated. If separate
15 bond issues are authorized by the governing body of a
16 county, city, fire district, or school district for
17 its respective share of the cost of the joint public
18 building, the applicable bonding provisions of
19 chapters 74, 75, 298, 331, and 384 shall apply. With
20 regard to any issuance of bonds pursuant to this
21 section, a proposition to authorize an issuance of
22 bonds by a county, city, fire district, or school
23 district shall be deemed carried or adopted if the
24 vote in favor of the proposition is equal to at least
25 sixty percent of the vote cast for and against the
26 proposition in each participating county, city, fire
27 district, or school district.

28 b. Bonds shall not be issued by a county, city,
29 fire district, or school district until provision has
30 been made by each of the other participating counties,
31 cities, fire districts, or school districts to the
32 agreement for the payment of their shares of the cost
33 of the joint public building. In the event that the
34 cost of the construction or acquisition, furnishing,
35 operation, and maintenance of the joint public
36 building exceeds that which was originally estimated
37 and agreed to, the governing body of a county, city,
38 fire district, or school district shall have the
39 authority, jointly or individually, as appropriate, to
40 expend additional moneys or issue additional bonds to
41 pay their respective portions of the increased costs.

42 c. The governing body of a county, city, fire
43 district, or school district is authorized to enter
44 into an agreement under this section to construct,
45 acquire, furnish, operate, or maintain the public
46 building which is the subject of the agreement for its
47 own purposes to the same extent and in the same manner
48 as if the public building were wholly owned by and
49 devoted to the uses of the county, city, fire
50 district, or school district.

H-1281

-2-

H-1281

Page 3

1 d. The authority granted to a county, city, fire
2 district, or school district pursuant to this section
3 shall be in addition to, and not in derogation of, any
4 other powers conferred by law upon a county, city,
5 fire district, or school district to make agreements,
6 appropriate and expend moneys, and to issue bonds for
7 the same or similar purposes.

8 4. For purposes of this section, "fire district"
9 means any governmental entity which provides fire
10 protection services."

11 2. Title page, by striking lines 1 and 2 and
12 inserting the following: "An Act providing for the
13 joint construction or acquisition, furnishing,
14 operation, and maintenance of public buildings by
15 counties, cities, fire districts, and school
16 districts."

By HUSER of Polk
BRAUNS of Muscatine

H-1281 FILED MARCH 29, 1999