

Veenstra
Gaskill
Shearer

SSB-1192
Education
introduced By
SF/HF 393

SENATE/HOUSE FILE _____
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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REPRINTED

FILED MAR 10 1999

SENATE FILE 393
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1192)
(COMPANION TO HF 574)

Passed Senate, Date ^(P.803) 3/25/99 Passed House, Date ^(P.1289) 4/14/99
Vote: Ayes 48 Nays 0 Vote: Ayes 96 Nays 0
Approved May 19, 1999

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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SF 393

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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SENATE FILE 393

S-3161

1 Amend Senate File 393 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

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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.

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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 JACK RIFE

S-3161 FILED MARCH 25, 1999
ADOPTED

(P. 803)

SENATE FILE 393

S-3130

1 Amend Senate File 393 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. Two or more counties, cities, fire districts,
7 or school districts, each of which has areas within
8 their boundaries which overlap areas within the
9 boundaries of the others, or which are contiguous with
10 each 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, fire district, or
21 school district public building may include, but is
22 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 acquisition or maintenance mutually agreed upon and
35 authorized by law in the county, city, fire district,
36 or school 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, fire districts,
40 or school districts and shall specify the purposes for
41 which the building or improvement shall be used, the
42 estimated cost thereof, the estimated amount of the
43 cost to be allocated to each of the participating
44 counties, cities, fire districts, or school districts,
45 the proportion and method of allocating the expenses
46 of the operation and maintenance of the building or
47 improvement, and the disposition to be made of any
48 revenues to be derived therefrom, in addition to the
49 provisions of sections 28E.5 and 28E.6, and any other
50 applicable provision of this chapter.

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Page 2

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

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 public building
36 exceeds that which was originally estimated and agreed
37 to, the governing body of a county, city, fire
38 district, or school district shall have the authority,
39 jointly or individually, to appropriate additional
40 moneys or issue additional bonds to pay their
41 respective portions of the increased costs.

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

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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 a
15 county, city, fire district, and school district."

By JACK RIPE

S-3130 FILED MARCH 24, 1999

Withdrawn
3/25/99
(p. 803)

3/30/99 Referred to Local Gov
3/31/99 No Pass

SENATE FILE 393
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1192)
(COMPANION TO HF 574)

(AS AMENDED AND PASSED BY THE SENATE MARCH 25, 1999)

ALL New Language by the Senate

Passed Senate, Date ^(p. 1304) 4/27/99 Passed House, Date ^(p. 1289) 4/14/99
Vote: Ayes 48 Nays 0 Vote: Ayes 96 Nays 0
Approved May 19, 1999

A BILL FOR

1 An Act providing for the joint construction or acquisition,
2 furnishing, operation, and maintenance of public buildings by
3 counties, cities, fire districts, and school districts.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 393

1 Section 1. NEW SECTION. 28E.41 JOINT COUNTY, CITY, FIRE
2 DISTRICT, SCHOOL DISTRICT BUILDINGS.

3 1. A county, city, fire district, or school district,
4 which has areas within its boundaries which overlap areas
5 within the boundaries of another county, city, fire district,
6 or school district, or whose boundaries are contiguous with
7 another county, city, fire district, or school district, may
8 execute an agreement pursuant to this section for the joint
9 construction or acquisition, furnishing, operation, and
10 maintenance of a public building or buildings for their common
11 use. Noncontiguous cities located within the same county, or
12 cities located in contiguous counties, may also execute an
13 agreement for the joint construction or acquisition,
14 furnishing, operation, and maintenance of a joint public
15 building or buildings for their common use. Such an agreement
16 regarding a joint public building may allow for, but is not
17 limited to, any of the following:

18 a. Acquisition of a construction site and construction of
19 a public building for common use.

20 b. Purchase of an existing building for joint public use,
21 or conversion of a building previously owned and maintained by
22 a county, city, fire district, or school district for joint
23 public use.

24 c. Equipping or furnishing a new or existing building for
25 joint public use.

26 d. Operation, maintenance, or improvement of a joint
27 public building.

28 e. Any other aspect of joint public building construction,
29 acquisition, furnishing, operation, or maintenance mutually
30 agreed upon by the county, city, fire district, or school
31 district and not otherwise prohibited by law.

32 2. An agreement pursuant to subsection 1 shall be approved
33 by resolution of the governing bodies of each of the
34 participating counties, cities, fire districts, or school
35 districts and shall specify the purposes for which the joint

1 public building shall be used, the estimated cost thereof, the
2 estimated amount of the cost to be allocated to each of the
3 participating counties, cities, fire districts, or school
4 districts, the proportion and method of allocating the
5 expenses of the operation and maintenance of the building or
6 improvement, and the disposition to be made of any revenues to
7 be derived therefrom, in addition to the provisions of
8 sections 28E.5 and 28E.6, and any other applicable provision
9 of this chapter.

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

32 b. Bonds shall not be issued by a county, city, fire
33 district, or school district until provision has been made by
34 each of the other participating counties, cities, fire
35 districts, or school districts to the agreement for the

1 payment of their shares of the cost of the joint public
2 building. In the event that the cost of the construction or
3 acquisition, furnishing, operation, and maintenance of the
4 joint public building exceeds that which was originally
5 estimated and agreed to, the governing body of a county, city,
6 fire district, or school district shall have the authority,
7 jointly or individually, as appropriate, to expend additional
8 moneys or issue additional bonds to pay their respective
9 portions of the increased costs.

10 c. The governing body of a county, city, fire district, or
11 school district is authorized to enter into an agreement under
12 this section to construct, acquire, furnish, operate, or
13 maintain the public building which is the subject of the
14 agreement for its own purposes to the same extent and in the
15 same manner as if the public building were wholly owned by and
16 devoted to the uses of the county, city, fire district, or
17 school district.

18 d. The authority granted to a county, city, fire district,
19 or school district pursuant to this section shall be in
20 addition to, and not in derogation of, any other powers
21 conferred by law upon a county, city, fire district, or school
22 district to make agreements, appropriate and expend moneys,
23 and to issue bonds for the same or similar purposes.

24 4. For purposes of this section, "fire district" means any
25 governmental entity which provides fire protection services.

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SENATE FILE 393

H-1513

1 Amend Senate File 393, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 25 the
4 following:

5 "Sec. ____ . NEW SECTION. 28E.42 JOINT ISSUANCE OF
6 SCHOOL DISTRICT OR FIRE DISTRICT BONDS.

7 It is the intent of the general assembly to
8 encourage school districts or fire districts to
9 jointly issue general obligation bonds to fund
10 separate projects proposed in each district and, by
11 pooling their debt obligations, to realize a savings
12 for taxpayers in each of the participating districts.

13 1. Two or more school districts may enter an
14 agreement pursuant to this chapter for the purpose of
15 financing projects for which debt obligations may be
16 or have been incurred pursuant to chapter 296 or 298.
17 For purposes of this section, "school district" means
18 a public school district described in chapter 274.

19 2. Two or more fire districts may enter an
20 agreement pursuant to this chapter for the purpose of
21 financing projects for which debt obligations may be
22 or have been incurred pursuant to chapter 74, 75, 331,
23 or 384. For purposes of this section, "fire district"
24 means any governmental entity which provides fire
25 protection services."

26 2. Title page, line 3, by inserting after the
27 words "school districts" the following: "and
28 providing for joint issuance of school district or
29 fire district bonds".

30 3. By renumbering as necessary.

By FORD of Polk

H-1513 FILED APRIL 7, 1999

o/o 4/14/99 (p. 1288)

SENATE FILE 393 (CORRECTED AMENDMENT)

H-1512

1 Amend Senate File 393, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 25 the
4 following:

5 "Sec. ____ . NEW SECTION. 28E.42 JOINT ISSUANCE OF
6 SCHOOL DISTRICT BONDS.

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

19 2. Title page, line 3, by inserting after the
20 words "school districts" the following: "and
21 providing for joint issuance of school district
22 bonds".

23 3. By renumbering as necessary.

By FORD of Polk

H-1512 FILED APRIL 8, 1999

O/O 4/14/99
(p. 1288)

SENATE FILE 393

H-1545

1 Amend Senate File 393, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, line 24, by inserting after the figure
4 "75," the following: "296,".

5 2. Page 2, line 24, by inserting after the figure
6 "331," the following: "357B, 359,".

7 3. Page 3, by inserting after line 25 the
8 following:

9 "Sec. ____ . NEW SECTION. 28E.42 JOINT ISSUANCE OF
10 SCHOOL DISTRICT OR FIRE DISTRICT BONDS.

11 It is the intent of the general assembly to
12 encourage school districts or fire districts to
13 jointly issue general obligation bonds to fund
14 separate projects proposed in each district and, by
15 pooling their debt obligations, to realize a savings
16 for taxpayers in each of the participating districts.

17 1. Two or more school districts may enter an
18 agreement pursuant to this chapter for the purpose of
19 financing projects for which debt obligations may be
20 or have been incurred pursuant to chapter 296 or 298.
21 For purposes of this section, "school district" means
22 a public school district described in chapter 274.

23 2. Two or more fire districts may enter an
24 agreement pursuant to this chapter for the purpose of
25 financing projects for which debt obligations may be
26 or have been incurred pursuant to chapter 74, 75, 331,
27 357B, 359, or 384. For purposes of this section,
28 "fire district" means any governmental entity which
29 provides fire protection services."

30 4. Title page, line 3, by inserting after the
31 words "school districts" the following: "and
32 providing for joint issuance of school district or
33 fire district bonds".

34 5. By renumbering as necessary.

By HUSER of Polk
BRAUNS of Muscatine

H-1545 FILED APRIL 12, 1999

Adopted
4-14-99 (p.1288)

HOUSE AMENDMENT TO
SENATE FILE 393

S-3378

- 1 Amend Senate File 393, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 24, by inserting after the figure
4 "75," the following: "296,".
- 5 2. Page 2, line 24, by inserting after the figure
6 "331," the following: "357B, 359,".
- 7 3. Page 3, by inserting after line 25 the
8 following:
- 9 "Sec. ____ . NEW SECTION. 28E.42 JOINT ISSUANCE OF
10 SCHOOL DISTRICT OR FIRE DISTRICT BONDS.
- 11 It is the intent of the general assembly to
12 encourage school districts or fire districts to
13 jointly issue general obligation bonds to fund
14 separate projects proposed in each district and, by
15 pooling their debt obligations, to realize a savings
16 for taxpayers in each of the participating districts.
- 17 1. Two or more school districts may enter an
18 agreement pursuant to this chapter for the purpose of
19 financing projects for which debt obligations may be
20 or have been incurred pursuant to chapter 296 or 298.
21 For purposes of this section, "school district" means
22 a public school district described in chapter 274.
- 23 2. Two or more fire districts may enter an
24 agreement pursuant to this chapter for the purpose of
25 financing projects for which debt obligations may be
26 or have been incurred pursuant to chapter 74, 75, 331,
27 357B, 359, or 384. For purposes of this section,
28 "fire district" means any governmental entity which
29 provides fire protection services."
- 30 4. Title page, line 3, by inserting after the
31 words "school districts" the following: "and
32 providing for joint issuance of school district or
33 fire district bonds".
- 34 5. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3378 FILED APRIL 14, 1999

Senate Concurred
4-27-99
(P. 1303)

AN ACT

PROVIDING FOR THE JOINT CONSTRUCTION OR ACQUISITION, FURNISHING, OPERATION, AND MAINTENANCE OF PUBLIC BUILDINGS BY COUNTIES, CITIES, FIRE DISTRICTS, AND SCHOOL DISTRICTS AND PROVIDING FOR JOINT ISSUANCE OF SCHOOL DISTRICT OR FIRE DISTRICT BONDS.

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

Section 1. NEW SECTION. 28E.41 JOINT COUNTY, CITY, FIRE DISTRICT, SCHOOL DISTRICT BUILDINGS.

1. A county, city, fire district, or school district, which has areas within its boundaries which overlap areas within the boundaries of another county, city, fire district, or school district, or whose boundaries are contiguous with another county, city, fire district, or school district, may

execute an agreement pursuant to this section for the joint construction or acquisition, furnishing, operation, and maintenance of a public building or buildings for their common use. Noncontiguous cities located within the same county, or cities located in contiguous counties, may also execute an agreement for the joint construction or acquisition, furnishing, operation, and maintenance of a joint public building or buildings for their common use. Such an agreement regarding a joint public building may allow for, but is not limited to, any of the following:

- a. Acquisition of a construction site and construction of a public building for common use.
- b. Purchase of an existing building for joint public use, or conversion of a building previously owned and maintained by a county, city, fire district, or school district for joint public use.
- c. Equipping or furnishing a new or existing building for joint public use.
- d. Operation, maintenance, or improvement of a joint public building.
- e. Any other aspect of joint public building construction, acquisition, furnishing, operation, or maintenance mutually agreed upon by the county, city, fire district, or school district and not otherwise prohibited by law.

2. An agreement pursuant to subsection 1 shall be approved by resolution of the governing bodies of each of the participating counties, cities, fire districts, or school districts and shall specify the purposes for which the joint public building shall be used, the estimated cost thereof, the estimated amount of the cost to be allocated to each of the participating counties, cities, fire districts, or school districts, the proportion and method of allocating the expenses of the operation and maintenance of the building or improvement, and the disposition to be made of any revenues to be derived therefrom, in addition to the provisions of

sections 28E.5 and 28E.6, and any other applicable provision of this chapter.

3. a. A county, city, fire district, or school district may expend funds or issue general obligation bonds for the payment of its share of the cost of constructing, acquiring, furnishing, operating, or maintaining a joint public building pursuant to subsection 1. Section 28E.16 shall apply regarding a single election to be authorized by the board of supervisors, city council, governing body of a fire district, and board of directors of a school district, in the event that a single bond issue throughout the overlapping or contiguous areas, or noncontiguous cities located in the same county or cities located in contiguous counties, is contemplated. If separate bond issues are authorized by the governing body of a county, city, fire district, or school district for its respective share of the cost of the joint public building, the applicable bonding provisions of chapters 74, 75, 296, 298, 331, 357B, 359, and 384 shall apply. With regard to any issuance of bonds pursuant to this section, a proposition to authorize an issuance of bonds by a county, city, fire district, or school district shall be deemed carried or adopted if the vote in favor of the proposition is equal to at least sixty percent of the vote cast for and against the proposition in each participating county, city, fire district, or school district.

b. Bonds shall not be issued by a county, city, fire district, or school district until provision has been made by each of the other participating counties, cities, fire districts, 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 joint public building exceeds that which was originally estimated and agreed to, the governing body of a county, city, fire district, or school district shall have the authority,

jointly or individually, as appropriate, to expend additional moneys or issue additional bonds to pay their respective portions of the increased costs.

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

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

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

Sec. 2. NEW SECTION. 28E.42 JOINT ISSUANCE OF SCHOOL DISTRICT OR FIRE DISTRICT BONDS.

It is the intent of the general assembly to encourage school districts or fire districts to jointly issue general obligation bonds to fund separate projects proposed in each district and, by pooling their debt obligations, to realize a savings for taxpayers in each of the participating districts.

1. Two or more school districts may enter an agreement pursuant to this chapter for the purpose of financing projects for which debt obligations may be or have been incurred pursuant to chapter 296 or 298. For purposes of this section, "school district" means a public school district described in chapter 274.

2. Two or more fire districts may enter an agreement pursuant to this chapter for the purpose of financing projects for which debt obligations may be or have been incurred

pursuant to chapter 74, 75, 331, 357B, 359, or 384. For purposes of this section, "fire district" means any governmental entity which provides fire protection services.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 393, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved May 19, 1999

THOMAS J. VILSACK
Governor