A BILL FOR

An Act establishing a process for voter approval of a proposition to require a township to provide emergency medical service.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 331.385, subsection 2, Code 2020, is amended to read as follows:

2. The board of supervisors shall publish notice of the proposed resolution, and of a public hearing to be held on the proposed resolution, in a newspaper of general circulation in the county at least ten days but no more than twenty days before the date of the public hearing. If, after notice and hearing, the resolution is adopted, the board of supervisors shall assume the exercise of the powers and duties of township trustees relating to fire protection service and emergency medical service as set forth in sections 359.42 through 359.45.

Sec. 2. Section 359.42, Code 2020, is amended to read as follows:

359.42 Township fire protection service, emergency warning system, and emergency medical service.

Except as otherwise provided in section 331.385, the trustees of each township shall provide fire protection service for the township, exclusive of any part of the township within a benefited fire district and may provide emergency medical service. However, except as otherwise provided in section 331.385, the trustees of a township shall provide emergency medical service for the township if required to do so by a proposition approved under section 359.44. The trustees may purchase, own, rent, or maintain fire protection service or emergency medical service apparatus or equipment or both kinds of apparatus or equipment and provide housing for the equipment. The trustees of a township which is located within a county having a population of three hundred thousand or more may also establish and maintain an emergency warning system within the township. The trustees may contract with a public or private agency under chapter 28E for the purpose of providing any service or system required or authorized under this section.

Sec. 3. NEW SECTION. 359.44 Emergency medical service —
motion or petition — election.
1 a. Unless the county is providing emergency medical
2 service to a township pursuant to section 331.385, the board
3 of township trustees may on its own motion, and upon receipt
4 of a valid petition shall, direct the county commissioner of
5 elections to submit to the registered voters of the township,
6 excluding those areas of the township within corporate
7 boundaries of a city, the proposition of requiring the township
8 to provide emergency medical service to those areas of the
9 township outside the corporate limits of a city and outside
10 those areas being provided emergency medical service under
11 chapter 357F or 357J for a period of time stated in the
12 proposition not to exceed ten years but not less than four
13 years.
14 b. A valid petition shall be signed by eligible electors of
15 the township residing outside the corporate limits of a city
16 equal in number to at least twenty-five percent of the number
17 of votes cast in the township outside the corporate limits
18 of a city for the office of president of the United States
19 or governor at the preceding general election. The petition
20 shall include the signatures of the petitioners, a statement
21 of their place of residence, and the date on which they signed
22 the petition.
23 c. The election shall be held at the next general election
24 following adoption of the board’s motion or receipt of the
25 valid petition. However, a petition authorized by this section
26 shall be filed not later than eighty-two days before the date
27 of the general election if the proposition is to be voted upon
28 at the general election. If a valid petition is filed after
29 that date, the proposition shall be voted on at the general
30 election following the next general election.
31 d. A petition shall be examined before it is accepted for
32 filing. If it appears valid on its face, it shall be accepted
33 for filing. If it lacks the required number of signatures, it
34 shall be returned to the petitioners.
e. Petitions which have been accepted for filing are valid unless written objections are filed. Objections must be filed with the county auditor within five working days after the petition was filed. The objection process in section 44.7 shall be followed for objections filed pursuant to this section.

2. The question shall be submitted to the voters in substantially the following form:

Shall the township of .................., in ................ County, Iowa, be required to provide emergency medical service for a period of ............... years to those areas of ............... township outside the corporate limits of a city and outside the areas receiving emergency medical service from another political subdivision of this state and provide such service through imposition of a property tax in those areas of the township outside the corporate limits of a city?

3. The proposition is adopted if a majority of those voting on the proposition at the election approves it. If the proposition is approved at election, the township trustees shall provide emergency medical service to all areas of the township outside the corporate limits of a city and those areas not otherwise receiving such service under chapter 357F or 357J using methods and funding authorized in sections 359.42 and 359.43 for the period of time approved at election, beginning with the fiscal year beginning July 1 following the general election at which the proposition was approved.

4. The proposition is not affected by a change in the boundaries of the township.

5. An extension of the period of time for requiring the township to provide emergency medical service under this section or the rescission of the requirement to provide emergency medical service may be completed using the same procedure as is required for initial approval.

EXPLANATION

The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

Current law authorizes but does not require the board of township trustees to provide emergency medical service for the township and to fund such service through imposition of a property tax levy. This bill establishes a process for voter approval of a proposition to require a board of township trustees to provide emergency medical service to specified areas of the township.

The bill provides that unless the county is providing emergency medical service to a township pursuant to Code section 331.385, the board of township trustees may on its own motion, and upon receipt of a valid petition shall, direct the county commissioner of elections to submit to the registered voters of the township, excluding those areas of the township within corporate boundaries of a city, the proposition of requiring the township to provide emergency medical service to those areas of the township outside the corporate limits of a city and outside those areas being provided emergency medical service under Code chapter 357F (benefited emergency medical services district) or 357J (emergency response district) for a period of time stated in the proposition not to exceed 10 years but not less than four years.

A valid petition must be signed by eligible electors of the township residing outside the corporate limits of a city equal in number to at least 25 percent of the number of votes cast in the township outside the corporate limits of a city for the office of president of the United States or governor at the preceding general election. The election to vote on the proposition is required to be held at the next general election following adoption of the board's motion or receipt of the valid petition, subject to a filing deadline specified in the bill. The bill also specifies the process for filing and hearing objections to the petition and the form of the question that appears on the ballot.

A proposition is adopted if a majority of those voting on the
proposition at the election approves it. If the proposition
is approved at election, the township trustees are required
to provide emergency medical service to those specified areas
of the township using methods and funding authorized in Code
sections 359.42 and 359.43 for the period of time approved
at election, beginning with the fiscal year beginning July 1
following the general election at which the proposition was
approved.
An extension of the period of time for requiring the township
to provide emergency medical service or the rescission of
the requirement to provide emergency medical service may be
completed using the same procedure as is required for initial
approval.