

FEB 13 2002
STATE GOVERNMENT

HOUSE FILE 2312
BY STEVENS, HATCH, WINCKLER,
D. TAYLOR, DOTZLER, and
HUSER

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

A BILL FOR

1 An Act relating to joint agreements between local governments,
2 including community cluster agreements and metropolitan
3 service area agreements.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

HF 2312

1 Section 1. Section 28E.36, Code 2001, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Each governmental unit seeking
4 to join a community cluster shall approve the community
5 cluster agreement by resolution of the governing body of the
6 governmental unit. A community cluster agreement shall, as
7 far as practicable, include the provisions enumerated in
8 sections 28E.5 and 28E.6.

9 Sec. 2. Section 28E.38, Code 2001, is amended to read as
10 follows:

11 28E.38 REVENUE SHARING.

12 The agreement establishing a community cluster may provide
13 for the sharing of revenues, including ad valorem property tax
14 revenues, by the governmental units forming the community
15 cluster.

16 Sec. 3. Section 28E.40, Code 2001, is amended by adding
17 the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Each city or county seeking to
19 join a metropolitan service area shall approve the agreement
20 by resolution of the governing body of the city or county. A
21 metropolitan service area agreement shall, as far as
22 practicable, include the provisions enumerated in sections
23 28E.5 and 28E.6. The agreement establishing a metropolitan
24 service area may provide for the sharing of revenues,
25 including ad valorem property tax revenues, by the cities and
26 counties forming the metropolitan service area.

27 Sec. 4. Section 28E.39, Code 2001, is repealed.

28 EXPLANATION

29 This bill strikes the requirement that a community cluster
30 agreement that provides for property tax revenue sharing be
31 approved by referendum.

32 The bill provides that a community cluster agreement or a
33 metropolitan service area agreement be approved by resolution
34 of the governing bodies of the governmental units seeking to
35 enter into the agreement.

1 The bill also allows property tax and other revenue sharing
2 between cities and counties that have entered into a
3 metropolitan service area agreement.

4 Finally, the bill requires that a community cluster
5 agreement or a metropolitan service area agreement contain
6 certain provisions already required of Code chapter 28E
7 agreements.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35