

FILED MAR 10 2005

SENATE FILE 339  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1239)

Passed Senate, Date 3-22-05 Passed House, Date \_\_\_\_\_  
Vote: Ayes 49 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved 4/19/05

**A BILL FOR**

1 An Act relating to regional transit districts.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 339

**SENATE FILE 339**

**S-3018**

1 Amend Senate File 339 as follows:  
2 1. Page 1, by striking line 23, and inserting the  
3 following: "participating cities in the chapter 28E".  
By MATT McCOY

**S-3018 FILED MARCH 14, 2005**

**SENATE FILE 339**

**S-3025**

1 Amend Senate File 339 as follows:  
2 1. Page 2, by striking lines 11 and 12, and  
3 inserting the following: "the budget from other  
4 available revenue sources. However, for".  
By DICK L. DEARDEN

**S-3025 FILED MARCH 15, 2005**

1 Section 1. Section 28M.3, unnumbered paragraph 2, Code  
2 2005, is amended to read as follows:

3 The commission appointed pursuant to section 28M.4 shall  
4 have and may exercise all powers of the board of supervisors  
5 in management and administration of the regional transit  
6 district as if it were was a board of supervisors and as if  
7 the regional transit district was a county enterprise under  
8 sections 331.462 through 331.469.

9 Sec. 2. Section 28M.4, subsection 1, Code 2005, is amended  
10 to read as follows:

11 1. The governing bodies of counties and cities  
12 participating in a regional transit district shall appoint a  
13 commission to manage and administer the regional transit  
14 district. Commission Unless otherwise provided in the chapter  
15 28E agreement, commission members shall serve for staggered  
16 six-year terms. The agreement creating the regional transit  
17 district shall set the compensation of commission members.

18 Sec. 3. Section 28M.5, Code 2005, is amended to read as  
19 follows:

20 28M.5 REGIONAL TRANSIT DISTRICT LEVY.

21 1. The commission, with the approval of the board of  
22 supervisors of participating counties and the city council of  
23 participating cities, all parties to the chapter 28E  
24 agreement, may levy annually a tax not to exceed ninety-five  
25 cents per thousand dollars of the assessed value of all  
26 taxable property in a regional transit district to the extent  
27 provided in this section. The chapter 28E agreement may  
28 authorize the commission to levy the tax at different rates  
29 within the participating cities and counties in amounts  
30 sufficient to meet the revenue responsibilities of such cities  
31 and counties as allocated in the budget adopted by the  
32 commission. However, for a city participating in a regional  
33 transit district, the total of all the tax levies imposed in  
34 the city pursuant to section 384.12, subsection 10, and this  
35 section shall not exceed the aggregate of ninety-five cents

1 per thousand dollars of the assessed value of all taxable  
2 property in the participating city.

3 2. The If a regional transit district budget allocates  
4 revenue responsibilities to the board of supervisors of a  
5 participating county, the amount of the regional transit  
6 district levy that is the responsibility of a the  
7 participating county shall be deducted from the maximum rates  
8 of taxes authorized to be levied by the county pursuant to  
9 section 331.423, subsections 1 and 2, as applicable, unless  
10 the county meets its revenue responsibilities as allocated in  
11 the budget from other revenue sources or from levies other  
12 than the levies authorized in those subsections. However, for  
13 a regional transit district that includes a county with a  
14 population of less than three hundred thousand, the amount of  
15 the regional transit district levy that is the responsibility  
16 of a such participating county shall be deducted from the  
17 maximum rate of taxes authorized to be levied by the county  
18 pursuant to section 331.423, subsection 1.

19 3. The regional transit district tax levy imposed in a  
20 participating city located in a nonparticipating contiguous  
21 county shall, when collected, be paid to the county treasurer  
22 of the participating county.

23 2- 4. The proceeds of the tax levy shall be used for the  
24 operation and maintenance of a regional transit district, for  
25 payment of debt obligations of the district, and for the  
26 creation of a reserve fund. The commission may divide the  
27 territory of a regional transit district outside the  
28 boundaries of a city into separate service areas and impose a  
29 regional transit district levy not to exceed the maximum rate  
30 authorized by this section in each service area.

31 Sec. 4. NEW SECTION. 28M.6 EFFECT OF AGREEMENT ON COUNTY  
32 DUTY TO PROVIDE TRANSIT SERVICES.

33 Notwithstanding any provision of this chapter to the  
34 contrary, a county that enters into a chapter 28E agreement to  
35 create a regional transit district under this chapter, does

1 not, by virtue of such agreement, create a duty on the part of  
2 the county to provide transit services to any area of the  
3 county.

4 Sec. 5. Section 331.461, subsection 2, paragraph h, Code  
5 2005, is amended by striking the paragraph.

6 EXPLANATION

7 This bill makes changes relating to regional transit  
8 districts.

9 The bill provides that regional transit district commission  
10 members shall serve staggered six year terms unless the Code  
11 chapter 28E agreement creating the district provides  
12 otherwise.

13 The bill provides that the Code chapter 28E agreement may  
14 authorize a regional transit district commission to levy the  
15 transit district property tax at different rates within the  
16 participating cities and counties sufficient to meet the  
17 revenue responsibilities of such cities and counties. The  
18 bill further provides that a participating county which is  
19 allocated revenue responsibilities in a regional transit  
20 district budget is not required to deduct the amount of its  
21 revenue responsibilities from the general basic or rural basic  
22 fund of the county if the county is meeting its  
23 responsibilities from a revenue source or property tax levy  
24 other than the general basic or rural basic levy.

25 The bill clarifies that a county that is a party to a Code  
26 chapter 28E agreement creating a regional transit district  
27 does not create a duty on the part of the county to provide  
28 transit services to any area of the county.

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21 1. The commission, with the approval of the board of  
22 supervisors of participating counties and the city council of  
23 participating cities in the chapter 28E agreement, may levy  
24 annually a tax not to exceed ninety-five cents per thousand  
25 dollars of the assessed value of all taxable property in a  
26 regional transit district to the extent provided in this  
27 section. The chapter 28E agreement may authorize the  
28 commission to levy the tax at different rates within the  
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32 However, for a city participating in a regional transit  
33 district, the total of all the tax levies imposed in the city  
34 pursuant to section 384.12, subsection 10, and this section  
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1 thousand dollars of the assessed value of all taxable property  
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3 2. The If a regional transit district budget allocates  
4 revenue responsibilities to the board of supervisors of a  
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19 participating city located in a nonparticipating contiguous  
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23 operation and maintenance of a regional transit district, for  
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Dearden Chair  
Hahn  
Beall  
Zeman

SSB# 1239

Succeeded By  
SF/HF 339

Transportation

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CO-CHAIRPERSONS McCOY AND  
PUTNEY)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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SENATE FILE 339

AN ACT

RELATING TO REGIONAL TRANSIT DISTRICTS.

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

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section. The chapter 28E agreement may authorize the commission to levy the tax at different rates within the participating cities and counties in amounts sufficient to meet the revenue responsibilities of such cities and counties as allocated in the budget adopted by the commission.

However, for a city participating in a regional transit district, the total of all the tax levies imposed in the city pursuant to section 384.12, subsection 10, and this section shall not exceed the aggregate of ninety-five cents per thousand dollars of the assessed value of all taxable property in the participating city.

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JOHN P. KIBBIE  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 339, Eighty-first General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_ 4/19, 2005

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THOMAS J. VILSACK  
Governor