

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 35

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO COOPERATIVE SERVICE AGENCIES; AMENDING SECTION 33-317A, IDAHO
2 CODE, TO PROVIDE THAT CERTAIN FACILITIES CONSTRUCTED SHALL BE FINANCED
3 FROM PROPERTY TAXES AND TO PROVIDE THAT NO DEBT SHALL BE INCURRED IN THE
4 CONSTRUCTION OF SUCH FACILITIES.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 33-317A, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-317A. LEGISLATIVE INTENT -- COOPERATIVE SERVICE AGENCY -- SCHOOL
10 PLANT FACILITY LEVY. (1) For the purpose of constructing and maintaining fa-
11 cilities of a cooperative service agency, a properly constituted coopera-
12 tive service agency may request from its member school districts additional
13 funding to be furnished by a tax levy not to exceed four-tenths of one percent
14 (.4%) of market value for assessment purposes in each year, as such valuation
15 existed on December 31, of the previous year, for a period not to exceed three
16 (3) years. Such levy shall be authorized by an election held in each of the
17 school districts pursuant to chapter 4, title 33, Idaho Code. The question
18 of a levy to be submitted to the electors of each member school district and
19 the notice of such election shall state the dollar amount proposed to be col-
20 lected each year during the period of years in each of which the collection is
21 proposed to be made, the percentage of votes in favor of the proposal which
22 are needed to approve the proposed dollar amount to be collected, and the
23 purposes for which such funds shall be used. Said notice shall be given, the
24 election shall be conducted and the returns canvassed as provided in chapter
25 4, title 33, Idaho Code; and the dollar amount to be collected shall be ap-
26 proved only if:

27 (a) Fifty-five percent (55%) of the district electors voting in such
28 election are in favor thereof if the levy will result in a total levy for
29 school plant facilities of less than two-tenths of one percent (.2%) of
30 market value for assessment purposes as such valuation existed on De-
31 cember 31 of the year immediately preceding the election;

32 (b) Sixty percent (60%) of the district electors voting in such elec-
33 tion are in favor thereof if the levy will result in a total levy for
34 school plant facilities of two-tenths of one percent (.2%) or more and
35 less than three-tenths of one percent (.3%) of market value for assess-
36 ment purposes as such valuation existed on December 31 of the year imme-
37 diately preceding the election; or

38 (c) Two-thirds (2/3) of the district electors voting in such election
39 are in favor thereof if the levy will result in a total levy for school
40 plant facilities of three-tenths of one percent (.3%) or more of market
41 value for assessment purposes as such valuation existed on December 31
42 of the year immediately preceding the election.

1 If the question be approved, each member school district of the cooper-
2 ative service agency may make a levy, not to exceed four-tenths of one per-
3 cent (.4%) of market value for assessment purposes as such valuation existed
4 on December 31 of the previous year, in each year for which the collection
5 was approved, sufficient to collect the dollar amount approved and may again
6 submit the question at the expiration of the period of such levy, for the dol-
7 lar amount to be collected during each year, and the number of years which the
8 board may at that time determine. Or, during the period approved at any such
9 election, if such period be less than three (3) years or the levy be less than
10 four-tenths of one percent (.4%) of market value for assessment purposes as
11 such valuation existed on December 31 of the previous year, the cooperative
12 service agency may request that its member school districts submit to the
13 qualified school district electors in the same manner as before, the ques-
14 tion whether the number of years, not to exceed three (3), or the levy, or
15 both, be increased, but not to exceed the maximum herein authorized. If such
16 increase or increases be approved by the electors, the terms of such levy
17 shall be in lieu of those approved in the first instance, but disapproval
18 shall not affect any terms theretofore in effect.

19 ~~(2) No physical construction shall commence on any facility to be fi-~~
20 ~~nced pursuant to the provisions of this section until the estimated cost~~
21 ~~of constructing such facility has been collected by the cooperative service~~
22 ~~agency~~ Facilities constructed pursuant to the provisions of this section
23 shall be financed from property taxes collected over the term of the autho-
24 rized levy and paid out during the course of construction. No debt shall be
25 incurred in the construction of such facilities.

26 (3) If one (1) or more of the member districts fails to approve the tax
27 levy in such election, the cooperative service agency may construct the fa-
28 cility through the support of the member districts approving the levy, but in
29 no event shall the levy limits authorized in this section be exceeded.

30 (4) Nothing shall prevent a member district that initially failed to
31 approve the levy from conducting a subsequent election, held pursuant to
32 chapter 4, title 33, Idaho Code, to authorize that district's participation
33 in construction of the facility.

34 (5) The administration and accounting of moneys received by imposition
35 of the levy provided for in this section shall be the same as provided in sec-
36 tion 33-317(2), Idaho Code.