

CHAPTER 252

GREAT LAKES SEWAGE DISPOSAL SYSTEM

S. F. 290

AN ACT relating to the Iowa Great Lakes sewage disposal system in Dickinson county, Iowa; defining the state's title and jurisdiction in respect thereto; providing for the operation and maintenance thereof; and prescribing the powers and duties of the state conservation commission in relation thereto.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. **State ownership and title.** The title and ownership
2 of the Iowa Great Lakes Sewage Disposal System in Dickinson County,
3 Iowa, which was constructed pursuant to Senate File No. 278 (Chap-
4 ter 100) Acts of the 47th General Assembly of Iowa, consisting of
5 outfall sewer which extends from its northern terminus at or near the
6 south corporate limits of Orleans, Iowa, to the disposal plant located
7 at the outlet of said sewer into the Little Sioux River, and of a line
8 of outfall sewer from a point at or near the north corporate limits of
9 the town of Okoboji, Iowa, and extending in a southeasterly direction
10 through said town to its connection with the sewer line first described,
11 and the sewage treatment and disposal plant at the outlet of said
12 sewer, and of real estate and interests therein, and easements and
13 rights-of-way for the location of said outfall sewer and treatment
14 and disposal plant, and pumping stations, and all equipment and personal
15 property located upon said sewer right-of-way and disposal
16 plant premises or belonging thereto and used in connection therewith,
17 are hereby declared to be in the State of Iowa.

1 SEC. 2. **Jurisdiction.** The State Conservation Commission is here-
2 by vested with jurisdiction over said Sewage Disposal System and all
3 properties in connection therewith and belonging thereto, and any
4 hereafter acquired, and over the maintenance and operation thereof.

1 SEC. 3. **Specific powers.** The State Conservation Commission is
2 hereby authorized and empowered:

3 (1) to govern, control, manage, operate and maintain the Sewage
4 Disposal System and properties described in this Act as same are now
5 or may hereafter be constituted, and to make contracts for and in
6 connection therewith; and to acquire by purchase, condemnation,
7 lease, agreement, gift, and devise, such real and personal property
8 and interests therein as may be suitable for the operation and main-
9 tenance of said Sewage Disposal System and for any extensions there-
10 of or additions thereto, and to expend and utilize the same;

11 (2) to hire employees necessary for the operation and maintenance
12 of said Sewage Disposal System, to determine the number and com-
13 pensation of employees and the nature of their duties, and to pay the
14 salaries, wages, compensation and necessary expenses of said em-
15 ployees;

16 (3) to contract with municipalities and with persons, firms, asso-
17 ciations and corporations, either public or private, for use of said
18 Sewage Disposal System by connection therewith, without monopoly
19 by any such user, until its capacity has been reached, at such rentals,
20 rates and charges on a connection basis, or on the basis of quantity
21 and quality of sewage handled, and cost of handling same, as the Com-

22 mission shall determine to be fair and equitable and in proportion to
23 service rendered and cost of furnishing such service;

24 (4) to make such expenditures as may be necessary for carrying
25 into effect the purposes of this Act;

26 (5) to establish and enforce all necessary rules and regulations not
27 in conflict herewith for carrying out the purposes of this Act.

1 **SEC. 4. Receipts and expenditures.** All receipts from rentals, rates
2 and charges for use of said Sewage Disposal System shall be remitted
3 to the Treasurer of State in the manner provided by Section one thou-
4 sand seven hundred three point forty-five (1703.45), of the 1939 Code,
5 and shall be segregated in a fund known as "Iowa Great Lakes Sew-
6 age Disposal System Fund." Expenditures of the State Conservation
7 Commission for and in connection with this Sewage System shall be
8 limited to the moneys available in said fund and to any moneys ap-
9 propriated thereto.

1 **SEC. 5.** This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Pocahontas Record Democrat, a newspaper published at Poca-
4 hontas, Iowa, and in the Wright County Monitor, a newspaper pub-
5 lished at Clarion, Iowa.

Approved April 11, 1945.

I hereby certify that the foregoing act was published in the Pocahontas Record Demo-
crat, Pocahontas, Iowa, April 19, 1945, and the Wright County Monitor, Clarion, Iowa,
April 19, 1945.

WAYNE M. ROPES, *Secretary of State.*