

Reported Recommending.....
Ind. Postponed.....
Passed House.....
Failed to Pass House.....
Passed Senate.....
Failed to Pass Senate.....

Senate File 380

February 24, 1941.
Passed on File.

By VRBA, AUGUSTINE, BALDWIN.

A BILL FOR

An Act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government; to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to make obligations issued for such projects of housing authorities legal investments and security for deposits.

WHEREAS, the national-defense program involves large increases in the military forces and personnel of this State, a great increase in the number of workers in already established manufacturing centers and the bringing of a large number of workers and their families to new centers of defense industries in the State; and

WHEREAS, there is an acute shortage of safe and sanitary dwellings available to such persons and their families in this State which impedes the national-defense program; and

WHEREAS, it is imperative that action be taken immediately to assure the availability of safe and sanitary dwellings for such persons to enable the rapid expansion of national-defense activities in this State and to avoid a large labor turn-over in defense industries which would seriously hamper their production; and

WHEREAS, the provisions hereinafter enacted are necessary to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities which otherwise would not be provided at this time; and

WHEREAS, such provisions are for the public use and purpose of facilitating the national-defense program in this State; and

WHEREAS, it is the purpose of this Act to authorize housing authorities to do any and all things necessary or desirable to secure the financial aid of the Federal Government, or to cooperate with or act as agent of the Federal Government, in the expeditious development and the administration of projects to assure the availability when needed of safe and sanitary dwellings for persons engaged in national-defense activities; therefore

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

1 Section 1. Any housing authority may undertake the develop-
2 ment and administration of projects to assure the availability
3 of safe and sanitary dwellings for persons engaged in national-
4 defense activities whom the housing authority determines would
5 not otherwise be able to secure safe and sanitary dwelling within
6 the vicinity thereof, but no housing authority shall initiate
7 the development of any such project pursuant to this Act after
8 December 31, 1943.

9 In the ownership, development or administration of such
10 projects, a housing authority shall have the right, powers,
11 privileges and immunities that such authority has under any
12 provision of law relating to the ownership, development or
13 administration of slum clearance and housing projects for persons
14 of low income, in the same manner as though all the provisions
15 of law applicable to slum clearance and housing for persons

16 of low income were applicable to projects developed or administered
17 to assure the availability of safe and sanitary dwellings for
18 persons engaged in national-defense activities are provided in
19 this Act, and housing projects developed or administered hereunder
20 shall constitute "housing projects" under the Housing Authorities
21 Law, as that term is used therein; provided, that during the
22 period (herein called the "National-defense Period") that a
23 housing authority finds (which finding shall be conclusive in
24 any suit, action or proceeding) that within its area of operation
25 (as defined in the Housing Authorities Law), or any part thereof,
26 there is an acute shortage of safe and sanitary dwellings which
27 impedes the national-defense program in this State and that the
28 necessary safe and sanitary dwellings would not otherwise be
29 provided when needed for persons engaged in national-defense
30 activities, any project developed or administered by such
31 housing authority (or by any housing authority cooperating with
32 it) in such area pursuant to this Act, with the financial aid
33 of the Federal Government (or as agent for the Federal Government
34 as hereinafter provided), shall not be subject to the limitations
35 on rentals and tenant selection provided in the Housing Authorities
36 Law; and provided further, that, during the National-Defense Period,
37 a housing authority may make payments in such amounts as it finds
38 necessary or desirable for any services, facilities, works,
39 privileges or improvements furnished for or in connection with
40 any such projects. After the National-Defense Period, any such
41 projects owned and administered by a housing authority shall be

42 administered for the purposes and in accordance with the pro-
43 visions of the Housing Authorities Law.

1 Sec. 2. A housing authority may exercise any or all of
2 its powers for the purpose of cooperating with, or acting as
3 agent for, the Federal Government in the development or
4 administration of projects by the Federal Government to assure
5 the availability of safe and sanitary dwellings for persons
6 engaged in national-defense activities and may undertake the
7 development or administration of any such project for the
8 Federal Government. In order to assure the availability of
9 safe and sanitary housing for persons engaged in national-
10 defense activities, a housing authority may sell (in whole or
11 in part) to the Federal Government any housing project developed
12 for persons of low income but not yet occupied by such persons ;
13 such sale shall be at such price and upon such terms as the
14 housing authority shall prescribe and shall include provisions
15 for the satisfaction of all debts and liabilities of the housing
16 authority relating to such project.

1 Sec. 3. Any state public body, as defined in the Housing
2 Cooperation Law (Chapter....., acts of the Forty-Ninth General
3 Assembly and any amendments thereto) shall have the same rights
4 and powers to cooperate with housing authorities, or with the
5 Federal Government, with respect to the development or administration
6 of projects to assure the availability of safe and sanitary
7 dwellings for persons engaged in national-defense activities that
8 such state public body has pursuant to such Law for the purpose

9 of assisting the development or administration of slum clearance
10 or housing projects for persons of low income.

1 Sec. 4 Bonds or other obligations issued by a housing
2 authority for a project developed or administered pursuant
3 to this Act shall be security for public deposits and legal
4 investments to the same extent and for the same persons,
5 institutions, associations, corporations, bodies and officers
6 as bonds or other obligations issued pursuant to the Housing
7 Authorities Law for the development of a slum clearance or
8 housing project for persons of low income.

1 Sec. 5. This Act shall constitute an independent
2 authorization for a housing authority to undertake the develop-
3 ment or administration of projects to assure the availability
4 of safe and sanitary dwellings for persons engaged in national-
5 defense activities as provided in this Act and for a housing
6 authority to cooperate with, or act as agent for, the Federal
7 Government in the development or administration of similar
8 projects by the Federal Government. In acting under this
9 authorization, a housing authority shall not be subject to
10 any limitations, restrictions or requirements of other laws
11 (except those relating to land acquisition) prescribing the
12 procedure or action to be taken in the development or administration
13 or any public works, including slum clearance and housing pro-
14 jects for persons of low income or undertakings or projects of
15 municipal or public corporations or political subdivisions or
16 agencies of the State. A housing authority may do any and all

17 things necessary or desirable to cooperate with, or act as
18 agent for, the Federal Government, or to secure financial aid,
19 in the expeditious development or in the administration of
20 projects to assure the availability of safe and sanitary
21 dwellings for persons engaged in national-defense activities and
22 to effectuate the purposes of this Act.

1 Sec. 6. (a) “Persons engaged in national-defense activities”,
2 as used in this Act shall include: enlisted men in the military
3 and naval services of the United States and employees of the
4 War and Navy Departments assigned to duty at military or naval
5 reservations, posts or bases; and workers engaged or to be
6 engaged in industries connected with and essential to the
7 national-defense program; and shall include the families of
8 the aforesaid persons who are living with them.

9 (b) “Persons of low income”, as used in this Act, shall
10 mean persons or families who lack the amount of income which is
11 necessary (as determined by the housing authority undertaking
12 the housing project) to enable them, without financial
13 assistance, to live in decent, safe and sanitary dwellings,
14 without overcrowding.

15 (c) “Development” as used in this Act, shall mean any and
16 all undertakings necessary for the planning, land acquisition,
17 demolition, financing, construction or equipment in connection
18 with a project (including the negotiation or award of contracts
19 therefor), and shall include the acquisition of any project
20 (in whole or in part) from the Federal Government.

21 (d) "Administration", as used in this Act, shall mean
22 any and all undertakings necessary for management, operation
23 or maintenance, in connection with any project, and shall
24 include the leasing of any project (in whole or in part) from
25 the Federal Government.

26 (e) "Federal Government", as used in this Act, shall mean
27 the United States of America or any agency or instrumentality,
28 corporate or otherwise, of the United States of America.

29 (f) The development of a project shall be deemed to be
30 "initiated", within the meaning of this Act, if a housing
31 authority has issued any bonds, notes or other obligations with
32 respect to financing the development of such project of the
33 of the housing authority, or has contracted with the Federal
34 Government with respect to the exercise of power hereunder
35 in the development of such project of the Federal Government
36 for which allocation of funds has been made prior to
37 December 31, 1943.

38 (g) "Housing authority", as used in this Act, shall mean
39 any housing authority established or hereafter established
40 pursuant to the Housing Authorities Law (Chapter —, acts
41 of the Forty-Ninth General Assembly, and any amendments thereto).

1 Sec. 7. The powers conferred by this Act shall be in
2 addition and supplemental to the powers conferred by any other
3 law, and nothing contained herein shall be construed as limiting
4 any other powers of a housing authority.

1 Sec. 8. Notwithstanding any other evidence of legislative

2 , intent it is hereby declared to be the controlling legislative
3 intent that if any provision of this Act, or the application
4 thereof to any persons or circumstances, is held invalid, the
5 remainder of the Act and the application of such provision to
6 persons or circumstances other than those as to which it is
7 held invalid, shall not be affected thereby.

1 Sec. 9. This Act, being deemed of immediate importance,
2 shall be in full force and effect after its publication in
3 the Oskaloosa Daily Herald, a newspaper published at
4 Oskaloosa, Iowa, and the, a newspaper published
5 at, Iowa.