

County Government  
Redmond, Chairperson  
Hutchins  
Briles

*Reprinted 3/78*

**EMED FEB 16 1978**

SENATE FILE 2118

By WILLITS

**REPRINTED**

Passed Senate, Date 3-9-78 (p. 497) Passed House, Date 5-11-78  
Vote: Ayes 46 Nays 0 Vote: Ayes 85 Nays 0  
Approved June 12, 1978

**A BILL FOR**

1 An Act granting certain counties the authority to acquire  
2 and finance certain public improvements.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19

SENATE FILE 2118

S-5285

- 1 Amend Senate File 2118 as follows:
- 2 1. Page 1, lines 5 and 6, by striking the words
- 3 "having a population over one hundred thousand".
- 4 2. Page 2, by striking line 2.

S-5285 FILED *Adopted 3/9 (497)* BY JAMES M. REDMOND, Chairperson  
MARCH 2, 1978 COMMITTEE ON COUNTY GOVERNMENT

1 Section 1. Chapter three hundred thirty-two (332), Code  
2 1977, is amended by adding the following new section:

3 NEW SECTION. CERTAIN PUBLIC IMPROVEMENTS AUTHORIZED.

4 1. In addition to the powers and duties otherwise pro-  
5 vided in this chapter, a county having a population over one  
6 hundred thousand may plan, establish, own, acquire by purchase,  
7 condemnation or otherwise, lease, sell, construct, reconstruct,  
8 extend, remodel, improve, repair, equip, maintain, operate,  
9 levy assessments, issue bonds or otherwise finance works and  
10 facilities useful for the collection, treatment, and disposal  
11 of sewage and industrial waste in a sanitary manner, for the  
12 collection and disposal of solid waste, for the collection  
13 and disposal of surface waters and streams, and for waterworks  
14 utilities in the same manner as a city may exercise such  
15 powers under divisions three (III) through six (VI) of chap-  
16 ter three hundred eighty-four (384) of the Code.

17 2. In exercising the powers granted under subsection one  
18 (1) of this section, the board of supervisors shall be con-  
19 sidered the governing body, acting by resolution, and the  
20 board shall substantially comply with the procedural require-  
21 ments of divisions three (III) through six (VI) of chapter  
22 three hundred eighty-four (384) of the Code.

23 3. The power of a county to levy special assessments under  
24 this section shall be limited to property which, on the date  
25 of commencement of any project for works and facilities  
26 authorized under subsection one (1) of this section, is lo-  
27 cated outside the corporate limits of any city; however, a  
28 county may contract with a city to provide such works and  
29 facilities within the incorporated area of a city and may  
30 continue to provide improvements or service to areas annexed  
31 by a city after the commencement of a project or establishment  
32 of service.

33 4. Chapters twenty-three (23), three hundred forty-five  
34 (345), and three hundred forty-six (346) of the Code shall  
35 not apply to counties in the exercise of their powers

1 authorized under this section.

2 Sec. 2. This Act is effective January 1, 1979.

3 EXPLANATION

4 This bill authorizes counties having a population over  
5 one hundred thousand to plan, construct, reconstruct, remodel,  
6 improve or otherwise finance works and facilities for the  
7 collection, treatment and disposal of sewage and industrial  
8 waste, for the collection and disposal of solid waste, for  
9 the collection and disposal of surface water and streams,  
10 and for waterworks utilities. The counties are granted the  
11 same powers as cities to carry out such projects as provided  
12 in divisions III through VI of chapter 384 of the Code.

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

*See County Gov. 3/15 To Pass 4/12 (p. 1662)*

Senate File 2118

County Government: Byerly, Chair; Stromer and Baker.

SENATE FILE 2118

By WILLITS

(AS AMENDED AND PASSED BY THE SENATE MARCH 9, 1978)

Passed Senate, Date 5-12-78 (p. 1526) Passed House, Date 5-11-78 (p. 2601)

Vote: Ayes 46 Nays 0 Vote: Ayes 85 Nays 0

Approved June 12, 1978

## A BILL FOR

1 An Act granting certain counties the authority to acquire  
2 and finance certain public improvements.

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

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

\* = Language Stricken  
by the Senate

SENATE FILE 2118

H-6131

- 1 Amend Senate File 2118, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Amend the title, line 1, by striking the word
- 4 "certain".

H-6131 FILED *April 19 1978* BY SPEAR of Lee  
APRIL 19, 1978 *4 20 78*

1 Section 1. Chapter three hundred thirty-two (332), Code  
2 1977, is amended by adding the following new section:

3 NEW SECTION. CERTAIN PUBLIC IMPROVEMENTS AUTHORIZED.

4 1. In addition to the powers and duties otherwise pro-  
\* 5 vided in this chapter, a county may plan, establish, own,  
\* 6 acquire by purchase, condemnation or otherwise, lease, sell,  
7 construct, reconstruct, extend, remodel, improve, repair,  
- 8 equip, maintain, operate, levy assessments, issue bonds or  
9 otherwise finance works and facilities useful for the  
10 collection, treatment, and disposal of sewage and industrial  
11 waste in a sanitary manner, for the collection and disposal  
12 of solid waste, for the collection and disposal of surface  
13 waters and streams, and for waterworks utilities in the same  
14 manner as a city may exercise such powers under divisions  
15 three (III) through six (VI) of chapter three hundred eighty-  
16 four (384) of the Code.

17 2. In exercising the powers granted under subsection one  
18 (1) of this section, the board of supervisors shall be con-  
19 sidered the governing body, acting by resolution, and the  
20 board shall substantially comply with the procedural require-  
21 ments of divisions three (III) through six (VI) of chapter  
22 three hundred eighty-four (384) of the Code.

23 3. The power of a county to levy special assessments under  
24 this section shall be limited to property which, on the date  
25 of commencement of any project for works and facilities  
26 authorized under subsection one (1) of this section, is lo-  
27 cated outside the corporate limits of any city; however, a  
28 county may contract with a city to provide such works and  
29 facilities within the incorporated area of a city and may  
30 continue to provide improvements or service to areas annexed  
31 by a city after the commencement of a project or establishment  
32 of service.

33 4. Chapters twenty-three (23), three hundred forty-five  
34 (345), and three hundred forty-six (346) of the Code shall  
35 not apply to counties in the exercise of their powers

1 authorized under this section.

\* 2

EXPLANATION

3 This bill authorizes counties having a population over  
4 one hundred thousand to plan, construct, reconstruct, remodel,  
5 improve or otherwise finance works and facilities for the  
6 collection, treatment and disposal of sewage and industrial  
7 waste, for the collection and disposal of solid waste, for  
8 the collection and disposal of surface water and streams,  
9 and for waterworks utilities. The counties are granted the  
10 same powers as cities to carry out such projects as provided  
11 in divisions III through VI of chapter 384 of the Code.

12  
--

HOUSE AMENDMENT TO SENATE FILE 2118

S-5923

- 1 Amend Senate File 2118, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 8, by striking the words "levy
- 4 assessments,".
- 5 2. Page 1, line 15, by striking the word "through"
- 6 and inserting in lieu thereof the words and numerals
- 7 ", five (V) and".
- 8 3. Page 1, line 16, by inserting after the word
- 9 "Code." the following: "A public improvement
- 10 authorized under this subsection shall not be financed
- 11 by a special assessment."
- 12 4. Page 1, line 21, by striking the word "through"
- 13 and inserting in lieu thereof the words and numeral
- 14 ", five (V) and".
- 15 5. Page 1, by striking lines 23 through 32.
- 16 6. Renumber subsections to conform to this
- 17 amendment.
- 18 7. Amend the title, line 1, by striking the word
- 19 "certain".

S-5923 FILED  
MAY 12, 1978

RECEIVED FROM THE HOUSE  
*Senate Amendment S.F. 2118*

34  
35

SF 2118  
trj/slc/26C

SENATE FILE 2118

H-5916

1 Amend Senate File 2118, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by inserting before line 1 the following  
 4 new section:

5 "Sec. \_\_\_\_\_. Section three hundred thirty-two point  
 6 three (332.3), subsection twenty-four (24), Code 1977,  
 7 is amended to read as follows:

8 ~~24. In counties which have not created a county~~  
 9 ~~conservation board pursuant to chapter 111A7 to~~  
 10 ~~appropriate from the general fund of the county an~~  
 11 ~~amount not to exceed two thousand dollars per annum.~~  
 12 To levy a tax, subject to the provisions of this  
 13 subsection, not to exceed three cents per thousand  
 14 dollars of assessed value for the use of a local,  
 15 nonprofit historical society, organized pursuant to  
 16 chapter 504 or chapter 504A, for the purpose of  
 17 collecting and preserving historical materials,  
 18 artifacts, places, and structures of the area,  
 19 maintaining a historical library and collections,  
 20 conducting historical studies and researches, issuing  
 21 publications, providing public lectures of historical  
 22 interest, and otherwise disseminating a knowledge  
 23 of the history of the area to the general public.  
 24 If there are two or more nonprofit historical societies  
 25 in the county, the board shall apportion the moneys  
 26 derived from the levy as it determines. If such  
 27 appropriation levy is made, the local historical  
 28 society shall present to the county board of  
 29 supervisors an annual report describing in detail  
 30 its use of the funds appropriated."

31 2. Renumber sections and correct internal references  
 32 as are necessary in accordance with this amendment.

33 3. Amend the title, line 2, by inserting after  
 34 the word "improvements" the words "and to levy a tax  
 35 and distribute moneys to nonprofit historical societies".

H-5916 FILED *File removed* BY BRUNOW of Appanose  
 APRIL 5, 1978 *Sh...*

SENATE FILE 2118

H-6436

1 Amend Senate File 2118, as amended, passed and  
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 8, by striking the words "levy  
 4 assessments,".

5 2. Page 1, line 15, by striking the word "through"  
 6 and inserting in lieu thereof the words and numerals  
 7 ", five (V) and".

8 3. Page 1, line 16, by inserting after the word  
 9 "Code." the following: "A public improvement  
 10 authorized under this subsection shall not be financed  
 11 by a special assessment."

12 4. Page 1, line 21, by striking the word "through"  
 13 and inserting in lieu thereof the words and numeral  
 14 ", five (V) and".

15 5. Page 1, by striking lines 23 through 32.

16 6. Renumber subsections to conform to this  
 17 amendment.

H-6436 FILED *Adopted 5/11* BY HULLINGER of Decatur  
 MAY 1, 1978 *10:24 AM*

SENATE FILE 2118

not apply to counties in the exercise of their powers authorized under this section.

AN ACT

GRANTING COUNTIES THE AUTHORITY TO ACQUIRE AND FINANCE CERTAIN PUBLIC IMPROVEMENTS.

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

Section 1. Chapter three hundred thirty-two (332), Code 1977, is amended by adding the following new section:

NEW SECTION. CERTAIN PUBLIC IMPROVEMENTS AUTHORIZED.

1. In addition to the powers and duties otherwise provided in this chapter, a county may plan, establish, own, acquire by purchase, condemnation or otherwise, lease, sell, construct, reconstruct, extend, remodel, improve, repair, equip, maintain, operate, issue bonds or otherwise finance works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, for the collection and disposal of solid waste, for the collection and disposal of surface waters and streams, and for waterworks utilities in the same manner as a city may exercise such powers under divisions three (III), five (V) and six (VI) of chapter three hundred eighty-four (384) of the Code. A public improvement authorized under this subsection shall not be financed by a special assessment.

2. In exercising the powers granted under subsection one (1) of this section, the board of supervisors shall be considered the governing body, acting by resolution, and the board shall substantially comply with the procedural requirements of divisions three (III), five (V) and six (VI) of chapter three hundred eighty-four (384) of the Code.

3. Chapters twenty-three (23), three hundred forty-five (345), and three hundred forty-six (346) of the Code shall

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

\_\_\_\_\_  
DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2118, Sixty-seventh General Assembly.

\_\_\_\_\_  
KEVIN P. LIGHT  
Acting Secretary of the Senate

Approved 6/12, 1978

\_\_\_\_\_  
ROBERT D. RAY  
Governor