

5. A claim for payment relating to a project shall be itemized on a voucher form pursuant to section 8.15, certified by the claimant and the architect or engineer in charge, and audited and approved by the department. Upon approval by the department, the voucher shall be forwarded to the state comptroller, who shall draw a warrant to be paid by the treasurer of state from funds appropriated for the project. A partial payment made before completion of the project does not constitute final acceptance of the work or a waiver of any defect in the work.

6. Subject to the prior approval of the director in control of a departmental institution, minor projects costing five thousand dollars or less may be authorized and completed by the executive head of the institution through the use of day labor. A contract is not required if a minor project is to be completed with the use of inmate labor.

7. The department shall adopt rules pursuant to chapter 17A for construction, repair, and improvement projects, relating to programming and design, the bidding and letting of contracts, procurement and construction management operations, consultant services, and emergency repairs and improvements.

Sec. 2. Sections 218.59, 218.60, 218.62, and 218.63, Code 1983, are repealed. Sections 218.58, 218.61, and 218.64, Code Supplement 1983, are repealed.

Approved May 11, 1984

CHAPTER 1257

MISSOURI RIVER BARGE COMPACT

S.F. 2273

AN ACT to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic.

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

Section 1. **NEW SECTION. 307C.1 MISSOURI RIVER BARGE COMPACT.** The Missouri river interstate barge compact is enacted into law and entered into with all other states which legally join in the compact in substantially the following form:

**COMPACT BETWEEN IOWA, KANSAS, MISSOURI AND NEBRASKA
FOR THE DEVELOPMENT OF THE MISSOURI RIVER FOR BARGE TRAFFIC**

ARTICLE I

The purposes of this compact are to provide for planning for the most efficient use of the waters of the Missouri river, to increase the amount of barge traffic on that segment of the Missouri river below Sioux City, Iowa, to take necessary steps to develop the Missouri river and its banks to handle more barge traffic than is presently handled, to encourage barge use on that segment of the Missouri river for transporting bulk goods, especially farm commodities, to insure that the intended increase in barge traffic does not impose unacceptable damage on the Missouri river in all its various uses, including agriculture, wildlife management, and recreational opportunities, to consider the effects of diversion of the waters of the

Missouri river on navigation, and to promote joint action between the compact parties to accomplish these purposes. The purposes of the compact do not include lobbying activities against user fees for barge traffic and such activities under this compact are prohibited.

ARTICLE II

It is the responsibility of the four states to accomplish the purposes in Article I through the official in each state charged with the duty of administering the public waters and to collect and correlate through those officials the data necessary for the proper administration of the compact. Those officials may, by unanimous action, adopt rules and regulations to accomplish the purposes of this compact.

ARTICLE III

The states of Iowa, Missouri, Kansas, and Nebraska agree that within a reasonable time they shall fulfill the obligations of this compact and that each shall authorize the proper official or agency in its state to take the necessary steps to promote barge use and develop the Missouri river as it flows between and within the compact states for additional barge traffic.

ARTICLE IV

This compact does not limit the powers granted in any other act to enter into interstate or other agreements relating to the Missouri river flowing between and within the compact states, alter the relations between the respective internal responsibilities of the government of a party state and its subdivisions, or impair or affect any rights, powers, or jurisdiction of the United States, or those acting by or under its authority, in, over, and to those waters of the Missouri river. Adoption of this compact by the general assembly shall not require the signatory states to adopt any legislation or to appropriate funds for its implementation.

ARTICLE V

Other states having an interest in the promotion of barge traffic on the Missouri river can join in this compact by unanimous consent of the member states.

Any member state can withdraw at any time by appropriate action of its legislature.

Sec. 2. NEW SECTION. 307C.2 JURISDICTION AND CONTROL. The state department of transportation has jurisdiction and authority to implement the Missouri river barge compact.

Sec. 3. NEW SECTION. 307C.3 DUTIES OF THE STATE DEPARTMENT OF TRANSPORTATION. The state department of transportation shall, with the cooperation of the Iowa development commission, the state conservation commission, the department of water, air and waste management, and the member states' officials or agencies, take the necessary steps to achieve the purposes set forth in this chapter.

Sec. 4. NEW SECTION. 307C.4 LIBERAL INTERPRETATION. This compact shall be liberally construed so as to effectuate its purposes. The compact is severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability of the compact to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability of it to any government, agency, person or circumstance shall not be affected. If this compact is held to be contrary to the constitution of any state participating in the compact, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

Sec. 5. NEW SECTION. 307C.5 NO CONFLICT OF LOCAL FUNCTIONS. The Missouri river barge compact does not supersede or limit the functions, powers, duties and discretions of counties, townships, school districts, cities, levee districts, drainage districts, levee and drainage districts, or any other governmental subdivisions or of their governing officials.

Approved May 11, 1984