

April 4, 1969

SENATE FILE 598

Passed on File

*Appropriations 4-9, Pass 4-14*

By COMMITTEE ON APPROPRIATIONS  
(Committee on Appropriations)

Passed Senate, Date *4-9-69* Passed House, Date *4-17-69*

Vote: Ayes *54* Nays *0* Vote: Ayes *99* Nays *0*

Approved *April 23, 1969*

## A BILL FOR

1 An Act to appropriate from the general fund of the state of  
2 Iowa to the department of public defense for various  
3 capital improvements and repairs, replacements, altera-  
4 tions, equipment and rehabilitation purposes.

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

6 Section 1. There is hereby appropriated from the general  
7 fund of the state of Iowa to the department of public defense  
8 the sum of two hundred ten thousand (210,000) dollars, or so  
9 much thereof as may be necessary, to be used in the following  
10 manner:

11	1. For the state's share of the armory	
12	construction program made available to the	
13	state by the federal government for the	
14	acquisition, construction, expansion,	
15	rehabilitation, and converting facilities	
16	of the administration and training units	
17	of the national guard and state guard, and	
18	for repairs, replacements, alterations,	
19	equipment and rehabilitation of armories	
20	in connection with which federal funds may	
21	be accepted .....	\$160,000.00
22	2. For repairs, replacements, alterations,	
23	equipment and rehabilitation of grounds, build-	
24	ings and roads at Camp Dodge, Iowa.....	50,000.00
25	Total .....	<u>\$210,000.00</u>

1     Sec. 2. Contracts for improvements for which funds are  
2 appropriated by this Act shall be submitted by the depart-  
3 ment of public defense to the executive council, except  
4 that items commonly known as change orders need not be sub-  
5 mitted to the executive council unless such change orders  
6 actually increase the total cost of that particular project.

7     Sec. 3. The department of public defense, the governor  
8 and the state comptroller are hereby authorized to obtain  
9 federal grants to the state to be used in connection with  
10 the funds appropriated by this Act.

11    Sec. 4. Any unencumbered balance remaining as of June 30,  
12 1971, shall revert to the general fund of the state as of  
13 June 30, 1971.

1 Amend House File 598 by adding the following new  
2 sections:

3 Sec. 5. As used in this Act, unless the context requires  
4 otherwise:

5 1. "Treatment works" means any plant, disposal field, la-  
6 goon, holding or flow-regulating basin, pumping station, or  
7 other works installed for the purpose of treating, stabiliz-  
8 ing, or disposing of sewage, industrial waste, or other wastes.

9 2. "Sewer system" means pipelines or conduits, pumping  
10 stations, force mains, and all other constructions, devices,  
11 and appliances appurtenant thereto used for conducting sewage  
12 or industrial waste or other wastes to a point of ultimate  
13 disposal.

14 3. "Commission" means the Iowa water pollution control  
15 commission.

16 4. "Construction" means the erection, building, acquisi-  
17 tion, alteration, reconstruction, improvement, or extension  
18 of sewer systems and treatment works; preliminary planning  
19 to determine the economic and engineering feasibility of said  
20 systems and works; the engineering, architectural, legal,  
21 fiscal, and economic investigations and studies, surveys,  
22 designs, plans, working drawings, specifications, procedures,  
23 inspection, and supervision, and other action necessary in  
24 the construction of said systems, and works.

25 5. "Eligible project" means a project for construction of  
26 sewer systems and sewage treatment works;

27 a. For which approval of the commission is required under  
28 chapter four hundred fifty-five B (455B) of the Code.

29 b. Which is, in the judgment of the commission, eligible  
30 for federal pollution abatement assistance, whether or not  
31 federal funds are then available for such purpose.

32 c. Which conforms with applicable rules and regulations  
33 of the commission.

34 d. Which is, in the judgment of the commission, necessary  
35 for the accomplishment of the state's policy of water purity  
36 as stated in section four hundred fifty-five B point one  
37 (455B.1) of the Code.

38 6. "Municipality" means any city, town, sanitary district,  
39 or other governmental body or corporation empowered to pro-  
40 vide sewage collection and treatment services, or any combina-  
41 tion of two or more of such governmental bodies or corpora-  
42 tions acting jointly, in connection with an eligible project.

43 7. "Federal pollution abatement assistance" means funds  
44 available to a municipality, either directly or through allo-  
45 cations by the state, from the federal government as grants  
46 for construction of sewer systems or sewage treatment works  
47 pursuant to the federal Water Pollution Control Act of 1956  
48 (P.L. 84-660) as amended, or pursuant to any other federal  
49 act or program.

50 Sec. 6. The commission is hereby authorized to make grants,  
51 as funds are available, to any municipality to assist such mu-  
52 nicipality in the construction of sewer systems or sewage  
53 treatment works.

54 Sec. 7. The commission shall accept and administer all  
55 funds granted by the state.

56 In allocating state grants under this Act, the commission  
57 shall give consideration to:

58 1. The public benefits to be derived by the construction.

59 2. The ultimate cost of constructing and maintaining the  
60 works.

61 3. The public interest and public necessity for the works.

62 4. The adequacy of the provisions made or proposed by the  
63 municipality for assuring proper and efficient operations and  
64 maintenance of the treatment works after the completion of  
65 construction thereof.

66 5. The applicant's readiness to start construction, includ-  
67 ing financing and planning.

68 Sec. 8 The commission may, in the name of the state, con-  
69 tract with any municipality concerning eligible projects. Any  
70 such contract may include such provisions as may be agreed  
71 upon by the parties, and shall include, in substance, the  
72 following provisions:

73 1. An estimate of the reasonable cost of the project as  
74 determined by the commission.

75 2. An agreement by the commission to pay to the municipality,  
76 during the progress of construction or following completion of  
77 the construction as may be agreed upon by the parties, an amount  
78 equal to one-half of that portion of the actual cost of the proj-  
79 ect, or the reasonable cost of the project as determined by the  
80 commission, whichever is less, that is not paid by the federal  
81 government.

82 3. An agreement by the municipality:

83 a. To proceed expeditiously with, and complete, the project  
84 in accordance with plans approved pursuant to this Act and pur-  
85 suant to chapter four hundred fifty-five B (455B) of the Code.

86 b. To commence operation of the sewage treatment works on  
87 completion of the project, and not to discontinue operation  
88 or dispose of the sewage treatment works without the approval  
89 of the commission.

90 c. To operate and maintain the sewage treatment works in  
91 accordance with applicable provisions of chapter four hundred  
92 fifty-five B (455B) of the Code and rules and regulations of  
93 the commission.

94 d. To secure approval of the commission before applying  
95 for federal assistance for pollution abatement, in order to  
96 maximize the amounts of such assistance received or to be  
97 received for all projects in Iowa

98 e. To provide for the payment by the municipality of its  
99 share of the cost of the project

100 4. A provision that, in the event federal assistance which  
101 was not included in the calculation of the state payment pur-  
102 suant to subsection two (2) of this section becomes available  
103 to the municipality, the amount of the state payment shall be  
104 recalculated with the inclusion of such additional federal  
105 assistance and the municipality shall pay to the state the  
106 amount by which the state payment actually made exceeds the  
107 state payment determined by the recalculation.

108 Sec. 9. The commission may adopt such rules and regulations  
109 as are necessary for the effective administration of this Act.

110 Sec. 10. All contracts entered into pursuant to this Act  
111 shall be subject to approval by the attorney general as to  
112 form. All payments by the state pursuant to such contracts  
113 shall be made after audit and by warrant of the state comp-  
114 troller.

115 Sec. 11. There is hereby established in the state treasury  
116 a fund to be known as the "sewerage works construction fund".  
117 All moneys in the sewerage works construction fund are hereby  
118 appropriated for and shall be used by the commission in carry-  
119 ing out of the purposes of this Act.

120 Sec. 12. There hereby is appropriated from the general  
121 fund of the state of Iowa to the sewerage works construction  
122 fund for the biennium beginning July 1, 1969, and ending June  
123 30, 1971, the sum of four million (4,000,000) dollars.

Filed

April 23, 1969

GANNON of Jasper