

APR 24 1973

HOUSE FILE

693

Place On Calendar

By COMMITTEE ON NATURAL RESOURCES

Passed House, Date 5-14-73 (1208) Passed Senate, Date 6-23-73 (2097)

Vote: Ayes 82 Nays 0 Vote: Ayes 42 Nays 0

Approved June 29, 1973

*Passed House per Senate amendment  
6-23-73 (2378)  
96-0*

# A BILL FOR

1 An Act relating to the issuance of general obligation bonds  
2 for sanitary disposal projects.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. Section three hundred forty-six point twenty-  
2 three (346.23), Code 1973, is amended to read as follows:

3 346.23 GENERAL OBLIGATION BONDS FOR SANITARY DISPOSAL.

4 The boards of supervisors of counties are hereby authorized  
5 to contract indebtedness and to issue general obligation bonds  
6 of the county to provide funds to pay the cost of establish-  
7 ing, constructing, acquiring, purchasing, equipping, improv-  
8 ing, extending, reconstructing and repairing sanitary dis-  
9 posal projects as defined in section ~~406-2~~ four hundred fifty-  
10 five B point seventy-five (455B.75) of the Code.

11 Such bonds shall be in denominations of not less than one  
12 hundred dollars nor more than ten thousand dollars, and shall  
13 draw interest at a rate not to exceed seven percent per annum,  
14 payable annually or semiannually. Such bonds shall be due  
15 and payable in not more than twenty years from the date of  
16 issuance but may be made subject to redemption in such man-  
17 ner and upon such terms as is stated on the face thereof,  
18 shall be in such form as the board of supervisors shall by  
19 resolution provide, and shall show on their face that they  
20 are county sanitary disposal bonds payable from the fund here-  
21 inafter provided. Funds available pursuant to the levy autho-  
22 rized by section ~~406-8~~ four hundred fifty-five B point eighty-  
23 one (455B.81) of the Code shall be used to pay the interest  
24 and principal of such bonds as they become due. The millage  
25 limitation referred to in section ~~406-8~~ four hundred fifty-  
26 five B point eighty-one (455B.81) of the Code shall not limit  
27 the source of payment of bonds and interest but shall only  
28 restrict the amount of bonds which may be issued. The money  
29 arising from such levies shall be known as the sanitary  
30 disposal bond fund and shall be used for the payment of such  
31 bonds and interest thereon only; and the treasurer shall open  
32 and keep in his books a separate account thereof, which shall  
33 show the exact condition of such fund. Such bonds shall be  
34 sold at public sale and the county treasurer shall comply  
35 with and be governed by all provisions of chapter 75.

1       Sec. 2. Section three hundred ninety-four point one  
2 (394.1), Code 1973, is amended to read as follows:

3       394.1 SEWAGE TREATMENT PLANTS AND SANITARY DISPOSAL PROJ-  
4 ECTS--ACQUISITION--BONDS. Cities, towns, counties and sani-  
5 tary districts incorporated under the provisions of chapter  
6 358 are hereby authorized and empowered to own, acquire, es-  
7 tablish, construct, purchase, equip, improve, extend, operate,  
8 maintain, reconstruct and repair within or without the cor-  
9 porate limits of such city, town, county or sanitary district,  
10 works and facilities useful and convenient for the collection,  
11 treatment, purification and disposal in a sanitary manner  
12 of the liquid and solid waste, sewage, and industrial waste  
13 of any such city, town, county or sanitary district, includ-  
14 ing sanitary disposal projects as defined in section ~~406-2~~  
15 four hundred fifty-five B point seventy-five (455B.75) of  
16 the Code, also swimming pools or golf courses, and shall have  
17 authority to acquire by gift, grant, purchase, or condemna-  
18 tion, or otherwise, all necessary lands, rights of way, and  
19 property therefor, within or without the said city, town,  
20 county or sanitary district, to purchase and acquire an in-  
21 terest in such sanitary disposal project or such works and  
22 facilities which are owned by another city, town, county or  
23 sanitary district and which are to be jointly used by them,  
24 and to issue revenue bonds to pay all or any part of the cost  
25 of establishing, acquiring, purchasing, constructing, equip-  
26 ping, improving, extending, reconstructing, repairing, oper-  
27 ating, or maintaining such sanitary disposal project or such  
28 works and facilities, including the amount agreed upon for  
29 the purchase and acquisition by a city, town, county or sani-  
30 tary district of an interest in the sanitary disposal proj-  
31 ect or works and facilities which are owned by another city,  
32 town, county or sanitary district and which are to be jointly  
33 used. As used in this chapter the words "works and facili-  
34 ties", "works", or "facilities" shall include but not be  
35 limited to sanitary disposal projects as defined in section

1 ~~406.2~~ four hundred fifty-five B point seventy-five (455B.75)  
2 of the Code.

3 Sec. 3. Section four hundred four point nineteen (404.19),  
4 subsection two (2), Code 1973, is amended to read as follows:

5 2. DUMP GROUNDS. Cities and towns are hereby authorized  
6 to contract indebtedness and to issue general obligation bonds  
7 to provide funds to pay the cost of establishing, construct-  
8 ing, acquiring, purchasing, equipping, improving, extending,  
9 reconstructing and repairing sanitary disposal projects as  
10 defined in section ~~406.2~~ four hundred fifty-five B point  
11 seventy-five (455B.75) of the Code or acquiring land for dump  
12 ground purposes. Taxes for the payment of said bonds shall  
13 be levied in accordance with chapter 76 and said bonds shall  
14 be payable through the debt service fund in not more than  
15 twenty years and bear interest at a rate not exceeding five  
16 percent per annum, and shall be of such form as the city or  
17 town council shall by resolution provide. The indebtedness  
18 incurred for the purpose herein provided in this section shall  
19 not be considered an indebtedness incurred for general or  
20 ordinary purposes.

21 Sec. 4. Section four hundred eight A point seven (408A.7),  
22 Code 1973, is amended to read as follows:

23 408A.7 PRIOR ISSUES NOT AFFECTED. Nothing herein con-  
24 tained shall be construed to apply to bonds issued in con-  
25 nection with street improvements, bridges, viaducts, sani-  
26 tary disposal projects as defined in section ~~406.2~~ four hun-  
27 dred fifty-five B point seventy-five (455B.75) of the Code,  
28 sewers or sewage treatment works nor to funding or refund-  
29 ing bonds nor to bonds that have theretofore been authorized  
30 or approved at an election required or provided to be held  
31 under any other law.

32 Sec. 5. This Act, being deemed of immediate importance,  
33 shall take effect and be in force from and after its publi-  
34 cation in the Ames Daily Tribune, a newspaper published in  
35 Ames, Iowa, and in the Storm Lake Register, a newspaper pub-

1 lished in Storm Lake, Iowa.

2 EXPLANATION

3 This bill corrects references to chapter 406 which was  
4 repealed by chapter 1119, Acts of the 64th General Assembly,  
5 1972 Session. The provisions of chapter 406 were reenacted  
6 and are a part of chapter 455B of the Code; however, the in-  
7 ternal references in sections 346.23, 394.1, 404.19, and  
8 408A.7 were not corrected to reflect the changes. Without  
9 these amendments which provide a definition for sanitary dis-  
10 posal projects in the respective sections listed in the bill,  
11 local governments will not be able to issue sanitary disposal  
12 project bonds.

SENATE AMENDMENT TO HOUSE FILE 693

1 Amend House File 693 by striking all of section 5.

Received from the Senate and concurred  
June 23, 1973

S-1025

1 Amend House File 693 by striking all of section 5.

S-1025 Filed and adopted By MURRAY  
June 23, 1973

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