

See. Natl. Resources 4/5 Do pass 4/18 (1080) (1097)

HOUSE FILE 445

4/7

Natural Resources
Burroughs, Chairperson
Culver
Calhoon

3 1977

Calendar

HOUSE FILE 445

By COMMITTEE ON NATURAL RESOURCES

Passed House, Date 3-31-77 (p. 1148) Passed Senate, Date 4-20-77 (p. 1108)

Vote: Ayes 90 Nays 3 Vote: Ayes 46 Nays 0

Approved April 29, 1977

A BILL FOR

1 An Act relating to emission standards as they relate to
2 coal produced and purchased under contract for use in
3 this state.

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

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HOUSE FILE 445

H-3449

- 1 Amend House File 445 as follows:
- 2 1. Page 1, by striking all of lines 28 and 29
- 3 and inserting in lieu thereof the following:
- 4 "occurs. To qualify under the".

H-3449 FILED, LOST (p. 1148) BY SCHROEDER of Pottawattamie
MARCH 31, 1977

1 Section 1. Section seventy-two point one (72.1), Code
2 1977, is amended to read as follows:

3 72.1 UNAUTHORIZED CONTRACTS. Officers empowered to ex-
4 pend, or direct the expenditure of, public money of the state
5 shall not make any contract for any purpose which contemplates
6 an expenditure of such money in excess of that authorized
7 by law. However, the state or an agency of the state may
8 enter into a contract of not exceeding ten years in duration
9 for the purchase of coal to be used in facilities under the
10 jurisdiction of the state or the state agency. The execution
11 of the contract shall be contingent upon appropriations by
12 the general assembly in sufficient amounts to meet the terms
13 of the contract.

14 Sec. 2. Section four hundred fifty-five B point twelve
15 (455B.12), subsection four (4), Code 1977, is amended to read
16 as follows:

17 4. Establish, modify, or repeal emission standards relating
18 to the maximum quantities of air contamination that may be
19 emitted from any air contaminant source after at least sixty
20 days' public notice and public hearings. If the maximum
21 standards for the emission of sulphur dioxide from solid fuels
22 have to be reduced in any area to meet ambient air standards,
23 any contract for coal produced in Iowa, and burned by a
24 facility in that area that met the sulphur emission standards
25 in effect at the time the contract went into effect shall
26 be exempted from the decreased requirement until the expiration
27 of the contract period or December 31, 1983, whichever first
28 occurs, if there is any other reasonable means available to
29 satisfy the ambient air standards. To qualify under the
30 provisions of this subsection the contract must be recorded
31 with the county recorder of the county where the burning
32 facility is located within thirty days after the signing of
33 the contract.

34 EXPLANATION

35 This bill allows the state and state agencies to purchase

1 coal on contracts of up to ten years in duration. Presently
2 contracts by public agencies cannot be made if they contemplate
3 an expenditure of funds in excess of that authorized by law
4 which limits the length of contracts through fiscal year bud-
5 geting.

6 This bill also prohibits the air quality commission of
7 the department of environmental quality from decreasing sulfur
8 dioxide emission standards for a facility for which a contract
9 for the purchase and delivery of Iowa coal is in effect unless
10 there is no other reasonable means to meet ambient air
11 standards. The exemption would last the duration of the
12 contract or until 1984, whichever occurs first.

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HOUSE FILE 445

AN ACT

RELATING TO EMISSION STANDARDS AS THEY RELATE TO COAL PRODUCED AND PURCHASED UNDER CONTRACT FOR USE IN THIS STATE.

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

Section 1. Section seventy-two point one (72.1), Code 1977, is amended to read as follows:

72.1 UNAUTHORIZED CONTRACTS. Officers empowered to expend, or direct the expenditure of, public money of the state shall not make any contract for any purpose which contemplates an expenditure of such money in excess of that authorized by law. However, the state or an agency of the state may enter into a contract of not exceeding ten years in duration for the purchase of coal to be used in facilities under the jurisdiction of the state or the state agency. The execution of the contract shall be contingent upon appropriations by the general assembly in sufficient amounts to meet the terms of the contract.

Sec. 2. Section four hundred fifty-five B point twelve (455B.12), subsection four (4), Code 1977, is amended to read as follows:

4. Establish, modify, or repeal emission standards relating to the maximum quantities of air contamination that may be emitted from any air contaminant source after at least sixty days' public notice and public hearings. If the maximum standards for the emission of sulphur dioxide from solid fuels have to be reduced in any area to meet ambient air standards, any contract for coal produced in Iowa, and burned by a facility in that area that met the sulphur emission standards in effect at the time the contract went into effect shall be exempted from the decreased requirement until the expiration of the contract period or December 31, 1983, whichever first

occurs, if there is any other reasonable means available to satisfy the ambient air standards. To qualify under the provisions of this subsection the contract must be recorded with the county recorder of the county where the burning facility is located within thirty days after the signing of the contract.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 445, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved April 29 1977

ROBERT D. RAY
Governor