

FILED MAR 9 1986

SENATE FILE 2246  
BY COMMITTEE ON NATURAL RESOURCES

(formerly SSB 2177)

Approved (p. 588)  
Substituted for H. F. 2420 3/19

Passed Senate, Date 3-12-86 (p. 707) Passed House, Date 4-14-86 (p. 1427)

Vote: Ayes 45 Nays 0 Vote: Ayes 95 Nays 0

Approved April 28, 1986 (p. 1428)

**A BILL FOR**

1 An Act relating to suspensions or restrictions on water use under  
2 the state priority allocation plan.

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

S.F. 2246

1 Section 1. Section 455B.266, subsection 3, Code Supplement  
2 1985, is amended to read as follows:

3 3. Unless the governor has issued a proclamation described  
4 in subsection 1, paragraph "c", the department shall not  
5 impose a suspension of water use or a further restriction,  
6 other than conservation, on the uses of water provided in  
7 subsection 2, paragraphs "g" through "i" or on users of water  
8 pursuant to a contract with the state as provided in section  
9 455B.263, subsections 5 and 6. If a contract with the state  
10 as provided in section 455B.263, subsections 5 and 6 was in  
11 effect prior to March 5, 1985, the department shall not impose  
12 a suspension of water use or a further restriction, other than  
13 conservation, on the users of water pursuant to that contract.

5500>

14 EXPLANATION

15 This bill provides that water users receiving water under a  
16 contract with the state for water supply which was in effect  
17 prior to March 5, 1985 are not subject to suspension or  
18 restriction orders by the department of water, air and waste  
19 management under a proclamation of disaster emergency, but are  
20 subject to conservation orders.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

## SENATE FILE 2246

H-5500

1 Amend Senate File 2246 as passed by the Senate as  
2 follows:

3 1. Page 1, by inserting after line 13 the  
4 following:

5 "Sec. \_\_\_\_\_. Section 455B.309, subsection 2, Code  
6 Supplement 1985, is amended by adding the following  
7 new lettered paragraph:

8 NEW LETTERED PARAGRAPH. e. Grants to public water  
9 supply systems to abate or eliminate threats to public  
10 health and safety resulting from contamination of the  
11 water supply source.

12 Sec. \_\_\_\_\_. Section 455B.309, Code Supplement 1985,  
13 is amended by adding the following new subsections:

14 NEW SUBSECTION. 3. An amount equal to twenty-five  
15 percent of the moneys received from the tonnage fee  
16 imposed under section 455B.310 in each fiscal year  
17 shall be reserved for the purpose of providing grants  
18 to public water supply systems to abate or eliminate  
19 threats to public health and safety resulting from  
20 contamination of the water supply source. However, a  
21 public water supply shall not receive a grant for more  
22 than ten percent of the moneys available for those  
23 purposes in any given year. Any moneys not expended  
24 under this subsection at the end of each fiscal year  
25 shall be available for any of the uses authorized in  
26 subsection 2.

27 NEW SUBSECTION. 4. As used in this section,  
28 "public water supply system" means any of the  
29 following:

30 a. A public water supply system regulated under  
31 chapter 455B which serves a city under chapter 362.

32 b. A water system serving a state-owned facility  
33 regularly housing two hundred or more individuals.

34 c. A benefited water district created under  
35 chapter 357.

36 d. A rural water district created under chapter  
37 357A or chapter 504A.

38 Sec. \_\_\_\_\_. Each public water supply system  
39 regulated under chapter 455B which serves a city under  
40 chapter 362, each water system serving a state-owned  
41 facility regularly housing two hundred or more  
42 persons, each benefited water district created under  
43 chapter 357, and each rural water district created  
44 under chapter 357A or 504A shall test the finished  
45 water of that water supply for presence of synthetic  
46 organic chemicals and pesticides. The department of  
47 water, air and waste management shall adopt rules  
48 governing the testing under this Act. The rules shall  
49 include the procedures for gathering water samples;  
50 the synthetic organic chemicals and pesticides, but

H-5500

Page Two

1 not more than thirty-five of each, for which the  
2 samples are to be initially tested; the approved  
3 analytical methods for conducting the analysis of  
4 water samples; and the reporting of the analytical  
5 results to the department. The department shall adopt  
6 a schedule for the initial testing which requires all  
7 the systems and districts to complete the testing not  
8 later than January 1, 1988. All of the tests shall be  
9 conducted by a single laboratory. The laboratory  
10 shall be selected by the department based on  
11 competitive bids. However, the laboratory selected  
12 shall not charge more than three hundred thirty  
13 dollars for the initial test required by this Act.  
14 The laboratory shall allow private well and private-  
15 owned public water supply water samples to undergo the  
16 same analysis for the same price. The department  
17 shall submit a report to the general assembly by April  
18 1, 1988 of the findings of the tests and the  
19 conclusions which may be drawn from them."

20 2. Title page, by striking lines 1 and 2 and  
21 inserting the following:

22 "An Act relating to water by providing for  
23 suspensions or restrictions on water use under the  
24 state priority allocation plan, providing that a  
25 portion of the groundwater fund may be used for  
26 certain grants to public water supplies, and requiring  
27 the testing of certain water supplies."

28 3. Renumber as necessary.

H-5500 FILED MARCH 20, 1986 BY OSTERBERG of Linn

*W/D 4/14 (p. 1426)*

New SF 2246

SENATE FILE 2246  
BY (PROPOSED COMMITTEE ON  
NATURAL RESOURCES BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to suspensions or restrictions on water use under  
2 the state priority allocation plan.  
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

1 Section 1. Section 455B.266, subsection 3, Code Supplement  
2 1985, is amended to read as follows:

3 3. Unless the governor has issued a proclamation described  
4 in subsection 1, paragraph "c", the department shall not  
5 impose a suspension of water use or a further restriction,  
6 other than conservation, on the uses of water provided in  
7 subsection 2, paragraphs "g" through "i" or on users of water  
8 pursuant to a contract with the state as provided in section  
9 455B.263, subsections 5 and 6. If the contract with the state  
10 as provided in section 455B.263, subsections 5 and 6 was in  
11 effect prior to March 5, 1985, the department shall not impose  
12 a suspension of water use or a further restriction, other than  
13 conservation, on the users of water pursuant to that contract.

14 EXPLANATION

15 This bill provides that water users receiving water under a  
16 contract with the state for water supply which was in effect  
17 prior to March 5, 1985 are not subject to suspension or  
18 restriction orders by the department of water, air and waste  
19 management under a proclamation of disaster emergency, but are  
20 subject to conservation orders.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

a suspension of water use or a further restriction, other than conservation, on the users of water pursuant to that contract.

SENATE FILE 2246

AN ACT

RELATING TO SUSPENSIONS OR RESTRICTIONS ON WATER USE UNDER THE STATE PRIORITY ALLOCATION PLAN.

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

Section 1. Section 455B.266, subsection 3, Code Supplement 1985, is amended to read as follows:

3. Unless the governor has issued a proclamation described in subsection 1, paragraph "c", the department shall not impose a suspension of water use or a further restriction, other than conservation, on the uses of water provided in subsection 2, paragraphs "g" through "i" or on users of water pursuant to a contract with the state as provided in section 455B.263, subsections 5 and 6. If a contract with the state as provided in section 455B.263, subsections 5 and 6 was in effect prior to March 5, 1985, the department shall not impose

\_\_\_\_\_  
ROBERT T. ANDERSON  
President of the Senate

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2246, Seventy-first General Assembly.

Approved April 28, 1986

\_\_\_\_\_  
K. MARIE THAYER  
Secretary of the Senate

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor