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House File 134

ENVIRONMENT AND ENERGY UTILITIES: A. Miller, Chair; Murphy and Schwengels

JAN 29 1987  
Place On Calendar

HOUSE FILE 134  
BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

(Formerly House Study Bill 2)

Passed <sup>House</sup> Senate, Date 2-5-87 (p. 312) Passed <sup>Senate</sup> House, Date 4-13-87 (p. 1224)

Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 1

Approved April 23, 1987 (p. 1655)

A BILL FOR

1 An Act relating to the delegation of the authority to prevent,  
2 abate, or control air pollution.

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

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HF 134

1 Section 1. Section 455B.145, unnumbered paragraph 1, Code  
2 1987, is amended to read as follows:

3 When an air pollution control program conducted by a  
4 political subdivision, or a combination ~~thereof~~ of them, is  
5 deemed upon review as provided in section 455B.134, to be  
6 consistent with the provisions of this division II or the  
7 rules established ~~thereunder~~ under this division, the director  
8 shall accept such program in lieu of state administration and  
9 regulation of air pollution within the political subdivisions  
10 involved. ~~Nothing contained in this~~ This section shall not be  
11 construed to limit the power of the director to ~~take emergency~~  
12 ~~action under the provisions of sections 455B.139 and 455B.141~~  
13 ~~or to administer a part of the local program that has been~~  
14 suspended issue state permits and to take other actions  
15 consistent with this division II or the rules established  
16 under this division that the director deems necessary for the  
17 continued proper administration of the air pollution programs  
18 within the jurisdiction of the local air pollution program.

19 EXPLANATION

20 This bill provides that the department of natural resources  
21 retains the power to prevent, abate, and control air pollution  
22 within political subdivisions which have been delegated  
23 authorization to conduct a local air pollution program  
24 pursuant to Iowa Code section 455B.145.

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HSB 2 1.29.87 Do Pass

ENERGY AND ENVIRONMENTAL PROTECTION

*now*

SENATE/HOUSE FILE HF 134  
BY (PREFILED DEPARTMENT OF  
NATURAL RESOURCES BILL)

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

A BILL FOR

1 An Act relating to the delegation of the authority to prevent,  
2 abate, or control air pollution.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SUB COMMITTEE ASSIGNMENTS  
CHAIR: *Schroder*  
COMMITTEE: *Energy*  
*1-15-87*

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2 1987, is amended to read as follows:

3 When an air pollution control program conducted by a  
4 political subdivision, or a combination thereof of them, is  
5 deemed upon review as provided in section 455B.134, to be  
6 consistent with the provisions of this division II or the  
7 rules established thereunder under this division, the director  
8 shall accept such program in lieu of state administration and  
9 regulation of air pollution within the political subdivisions  
10 involved. ~~Nothing-contained-in-this~~ This section shall not be  
11 construed to limit the power of the director to take-emergency  
12 action-under-the-provisions-of-sections-455B-139-and-455B-141  
13 or-to-administer-a-part-of-the-local-program-that-has-been  
14 suspended issue state permits and to take other actions  
15 consistent with this division II or the rules established  
16 under this division that the director deems necessary for the  
17 continue proper administration of the air pollution programs  
18 within the jurisdiction of the local air pollution program.

19 EXPLANATION

20 This bill provides that the department of natural resources  
21 retains the power to prevent, abate, and control air pollution  
22 within political subdivisions which have been delegated  
23 authorization to conduct a local air pollution program  
24 pursuant to Iowa Code section 455B.145.

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under this division that the director deems necessary for the continued proper administration of the air pollution programs within the jurisdiction of the local air pollution program.

HOUSE FILE 134

AN ACT

RELATING TO THE DELEGATION OF THE AUTHORITY TO PREVENT,  
ABATE, OR CONTROL AIR POLLUTION.

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

Section 1. Section 455B.145, unnumbered paragraph 1, Code 1987, is amended to read as follows:

When an air pollution control program conducted by a political subdivision, or a combination thereof of them, is deemed upon review as provided in section 455B.134, to be consistent with the provisions of this division II or the rules established thereunder under this division, the director shall accept such program in lieu of state administration and regulation of air pollution within the political subdivisions involved. ~~Nothing contained in this~~ This section shall not be construed to limit the power of the director to take emergency action under the provisions of sections 455B.139 and 455B.141 or to administer a part of the local program that has been suspended issue state permits and to take other actions consistent with this division II or the rules established

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

\_\_\_\_\_  
JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 134, Seventy-second General Assembly.

Approved  1987

\_\_\_\_\_  
JOSEPH O'HERN  
Chief Clerk of the House

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

H.F. 134