

FEB 6 1995

ENVIRONMENTAL PROTECTION

HOUSE FILE 131  
BY GARMAN

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

A BILL FOR

1 An Act relating to public water supply systems, by repealing  
2 certain sections, providing for the refund of moneys, and  
3 providing an effective date.

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

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HF 131

1 Section 1. Section 455B.105, subsection 11, paragraph b,  
2 Code 1995, is amended to read as follows:

3 b. ~~Except-as-otherwise-provided-in-this-chapter,~~ fees Fees  
4 collected by the department under this subsection shall be  
5 remitted to the treasurer of state and credited to the general  
6 fund of the state.

7 Sec. 2. REPEAL. Sections 455B.183A through 455B.183C,  
8 Code 1995, are repealed.

9 Sec. 3. ALLOCATION OF MONEYS. Moneys deposited in the  
10 water quality protection fund as created in section 455B.183A,  
11 Code 1995, shall be refunded by the department of natural  
12 resources to each person according to the amount contributed  
13 into the fund. However, if moneys deposited into the fund  
14 have been obligated or encumbered, the unobligated or  
15 unencumbered moneys and any moneys earned as income from those  
16 moneys shall be refunded. If sufficient moneys are not  
17 available to make full refunds, the moneys shall be made on a  
18 prorated basis. Any moneys remaining after all refunds have  
19 been completed shall be credited to the general fund of the  
20 state.

21 Sec. 4. EFFECTIVE DATE. This Act, being deemed of  
22 immediate importance, takes effect upon enactment.

23 EXPLANATION

24 This bill repeals several provisions enacted in 1994 by the  
25 general assembly relating to water quality for public water  
26 systems, including the establishment of a water quality  
27 protection fund, and a program to assist water supply systems.  
28 The fund is administered by the department of natural  
29 resources, and is used to carry out provisions of the federal  
30 Safe Drinking Water Act as delegated to the state by the  
31 United States. Specifically, the fund is divided into two  
32 accounts. The moneys in the administration account are  
33 dedicated to the purpose of carrying out the administration,  
34 regulation, and enforcement of the federal Act. The public  
35 water supply system account is dedicated to support the

1 program to assist public water supply systems. The department  
2 is required to provide technical advice and perform  
3 vulnerability and viability studies of public water supply  
4 systems. The fund is supported by fees paid for the issuance  
5 of permits required for the construction, installation, or  
6 modification of a public water supply system and the operation  
7 of a public water supply system. The amount of the fees for  
8 operating permits gradually increases. After June 30, 1997,  
9 operating permit fee revenues must equal \$1.2 million each  
10 fiscal year. The 1994 Act also allows the department to  
11 employ staff from moneys in the fund, notwithstanding any  
12 point limitation of personnel imposed by the department of  
13 management.

14 The bill provides that moneys deposited in the fund must be  
15 refunded by the department of natural resources to each person  
16 according to the amount contributed into the fund. If moneys  
17 deposited into the fund have been obligated or encumbered, the  
18 unobligated or unencumbered moneys and any moneys earned as  
19 income from those moneys are to be refunded. If sufficient  
20 moneys are not available to make full refunds, the moneys must  
21 be made on a prorated basis. Any moneys remaining after all  
22 refunds have been completed are to be credited to the general  
23 fund of the state.

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