

Reported Recommending
Ind. Postponed
Passed Senate
Failed to Pass Senate
Passed House
Failed to Pass House

Senate File 63

January 21, 1947.
Passed on File.

By LINNEVOLD. (Langland).

A BILL FOR

An Act providing for authority in cities and towns to collaborate with the federal government in flood control projects, to have all authority and power conferred by chapter three hundred ninety-five (395), Code 1946, in connection with such projects, to accept federal assistance and enter into necessary agreements with federal agencies in the promotion of such projects, and after applying government aid to assess the cost to be borne by such city or town in the manner provided by section three hundred ninety-five point eleven (395.11), Code 1946, and levy the assessment therefor as provided by section three hundred ninety-five point twelve (395.12), Code 1946, and accept contributions therefor; and to enter into maintenance agreements with the federal government.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. Cities and towns may in accordance with the
- 2 provisions of this chapter accept federal aid in the doing
- 3 of the acts provided in section three hundred ninety-five
- 4 point one (395.1), Code 1946, and may assume such portion
- 5 of the cost thereof not discharged by such federal aid.
- 6 They shall have power of condemnation as provided in section
- 7 three hundred ninety-five point two (395.2), Code 1946.
- 1 Sec. 2. The cost of all right-of-way acquired by purchase

2 or condemnation may be borne by the city or town together with
3 any other property rights which may be required in furtherance
4 of such projects and the work of actual construction and the
5 cost thereof may be borne by the federal government.

1 Sec. 3. This act contemplates that the actual direction
2 of the project and the doing of the work in connection
3 therewith is assumed by the federal government and that the
4 city or town provides and assumes the cost of necessary
5 right-of-way over and above such contributions in that regard
6 as the federal government may choose to make. Under such
7 limitation all appropriate portions of chapter three hundred
8 ninety-five (395), Code 1946, shall apply.

1 Sec. 4. Cities and towns in furtherance of such flood
2 control projects may accept contributions to enable them to
3 pay for necessary right-of-way. They may also enter into
4 agreement with the federal government to maintain levees,
5 dikes or other construction and to do all other acts required
6 by the federal government in maintaining the work of
7 construction when completed.

1 Sec. 5. Cities and towns having a bridge fund may apply
2 same to the purchase of right-of-way or to maintenance of the
3 completed flood control project.

EXPLANATION OF S. F. 63

Some cities and towns in Iowa are subject to overflow and inundation. Decorah, in Winneshiek county, is so situated. Some sort of flood control measure has for years been contemplated and efforts have been made to secure help from the Federal Government and contract agreements have been attempted but the Federal agents hold that the Iowa statute chapter 395 of the 1946 Code does not give the city of Decorah

or any other city in Iowa the necessary authority to enter into binding contract agreement with the Federal Government to affect such flood control.

This bill, if enacted into law, would clarify the statute and give such cities the desired legal authority.