

candidate, if known and approved by the candidate, shall be deemed action by the candidate and reported by the candidate's committee. It shall be presumed that a candidate approves the action if the candidate had knowledge of it and failed to file a statement of disavowal with the commissioner or commission and take corrective action within seventy-two hours of the action. A person, candidate's committee or political committee taking such action independently of that candidate's committee shall notify that candidate's committee in writing within twenty-four hours of taking the action. The notification shall provide that candidate's committee with the cost of the promotion at fair market value. A copy of the notification shall be sent to the commission.

Sec. 11. NEW SECTION. 56.14 POLITICAL ADVERTISEMENTS.

A person who causes the publication or distribution of published material after July 1, 1984 designed to promote or defeat the nomination or election of a candidate for public office or the passage of a constitutional amendment or public measure shall include conspicuously on the published material the identity and address of the person responsible for the material. If the person responsible is an organization, the name of one officer of the organization shall appear on the material. However, if the organization is a committee which has filed a statement of organization under this chapter, only the name of the committee is required to be included on the published material. This section does not apply to the editorials or news articles of a newspaper or magazine which are not political advertisements. For the purpose of this section, "published material" means any newspaper, magazine, shopper, outdoor advertising facility, poster, yard sign including hand lettered signs, direct mailing, brochure, or any other form of printed general public political advertising. This section does not apply to bumper stickers, pins, buttons, pens, matchbooks and similar small items upon which the inclusion of the disclaimer would be impracticable or to published material which is subject to federal regulations regarding a disclaimer requirement.

Sec. 12. Section 49.131, Code 1985, is repealed.

Approved March 20, 1986

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## CHAPTER 1024

### ADMINISTRATION OF CERTAIN COUNTY ROADS *S.F. 2152*

**AN ACT** relating to the authority of the county board of supervisors regarding roads established or improved by petition of landowners.

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

Section 1. Section 311.7, unnumbered paragraph 6, Code Supplement 1985, is amended by striking the unnumbered paragraph.

Sec. 2. NEW SECTION. 311.32 ADMINISTRATION AND MAINTENANCE OF ROADS.

Any road established by petition and any road improved by petition under this chapter shall be administered and maintained by the county under chapters 306, 309, 314, 317, and 319. However, the fact that right-of-way is donated by property owners for the establishment of a road or a portion of the cost of a road improvement is paid by property owners under this chapter, does not preclude the board of supervisors from exercising its responsibility over these roads as secondary roads.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in The Red Oak Express, a newspaper published in Red Oak, Iowa, and in The Hamburg Reporter, a newspaper published in Hamburg, Iowa.

Approved March 20, 1986

I hereby certify that the foregoing Act, Senate File 2152, was published in The Red Oak Express, Red Oak, Iowa, on April 22, 1986, and in The Hamburg Reporter, Hamburg, Iowa, on April 24, 1986.

MARY JANE ODELL, *Secretary of State*

## CHAPTER 1025

### REMOVAL OF HAZARDOUS WASTES OR SUBSTANCES

*S.F. 2166*

**AN ACT** relating to the authority of the department of water, air and waste management to remove and compel removal of hazardous substances or hazardous wastes.

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

Section 1. Section 455B.381, subsection 2, Code 1985, is amended to read as follows:

2. "Hazardous condition" means any situation involving the actual, imminent, or probable spillage, leakage, or release of a hazardous substance onto the land, into a water of the state, or into the atmosphere, which creates an immediate or potential danger to the public health or safety or to the environment. For purposes of this division, a site which is an abandoned or uncontrolled disposal site as defined in section 455B.411, subsection 1, is a hazardous condition.

Sec. 2. Section 455B.411, subsections 1 and 2, Code 1985, are amended to read as follows:

1. "Abandoned or uncontrolled hazardous waste disposal site" means real property which has been used for the disposal of hazardous waste or hazardous substances either illegally or prior to regulation under this chapter.

2. "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of a hazardous waste or hazardous substance into or on land or water so that the hazardous waste or hazardous substance or a constituent of the hazardous waste or hazardous substance may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

Sec. 3. Section 455B.411, Code 1985, is amended by adding the following new subsection:

**NEW SUBSECTION.** 11. "Hazardous substance" means a hazardous substance as defined in 42 U.S.C. § 9601 of the federal Comprehensive Environmental Response, Compensation, and Liability Act and any element, compound, mixture, solution, or substance designated pursuant to 40 C.F.R. 302.4.

Sec. 4. Section 455B.412, subsection 2, Code 1985, is amended to read as follows:

2. Adopt rules establishing criteria for identifying the characteristics of hazardous wastes and listing hazardous wastes that are subject to ~~sections 455B.411 to 455B.421~~ this part. The commission shall consider toxicity, persistence and degradability in nature, potential for accumulation in tissue, and related factors including flammability, corrosiveness, and other hazardous characteristics.

Sec. 5. Section 455B.423, Code 1985, is amended to read as follows: