

adopt rules establishing the procedures for referral of complaints. A referral agency may refuse to accept a case referred to it by the Iowa civil rights commission if the referral agency is unable to effect proper administration of the complaint. It shall be the burden of the referral agency to demonstrate that it is unable to properly administer that complaint.

A final decision by a referral agency shall be subject to judicial review as provided in section 601A.17 in the same manner and to the same extent as a final decision of the Iowa civil rights commission.

The referral of a complaint by the Iowa civil rights commission to a referral agency or by a referral agency to the Iowa civil rights commission shall not affect the right of a complainant to commence an action in the district court under section 601A.16.

Sec. 2.

This Act applies only to an agency or commission of local government in existence on the effective date of this Act.

This Act is repealed as of July 1, 1991. The Code editor shall editorially amend section 601A.19 in this Act to reflect this repeal by restoring the language in the section to the language in the section as it appears in the Code of Iowa 1989.

Approved April 16, 1990

CHAPTER 1167

AQUATIC APPLICATIONS OF PESTICIDES

H.F. 2170

AN ACT relating to the prohibition of the use of certain pesticides, and making a penalty applicable.

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

Section 1. Section 455B.186, Code 1989, is amended to read as follows:

455B.186 **PROHIBITED DISCHARGES ACTIONS.**

1. A pollutant shall not be disposed of by dumping, depositing, or discharging such pollutant into any water of the state, except that this section shall not be construed to prohibit the discharge of adequately treated sewage, industrial waste, or other waste pursuant to a permit issued by the director. A pollutant whether treated or untreated shall not be discharged into any state-owned natural or artificial lake.

2. A pesticide shall not be applied to any water of this state which has been classified by the department as a class "A" or class "C", high quality, or high quality resource water, except that this section shall not be construed to prohibit the application of such a pesticide by a certified applicator who is trained in aquatic applications and who has received a permit from the department.

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