

FILED FEB 15 1990

SENATE FILE 2360
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO LSB 8233SC)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the disposal of dead animals, making penalties
2 applicable, and providing an effective date.

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

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SENATE FILE 2360

S-5210

1 Amend Senate File 2360 as follows:
2 1. Page 1, line 11, by striking the word "four"
3 and inserting the following: "two".
4 2. Page 1, line 12, by striking the word "four"
5 and inserting the following: "two".

By RICHARD VANDE HOEF

S-5210 FILED FEBRUARY 22, 1990

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SF 2360

1 Section 1. NEW SECTION. 167.22 DISPOSAL OF ANIMALS BY
2 OWNERS.

3 A person owning or caring for an animal shall dispose of
4 the animal's carcass within twenty-four hours after the person
5 finds the animal dead. The person may dispose of the animal
6 carcass as provided by state law, including by transferring
7 the carcass to a person licensed pursuant to this chapter.
8 The owner of agricultural land may bury the animal carcass on
9 the land or other available agricultural land which is not
10 part of a city. The carcass shall be buried to a depth not
11 more than four feet from the natural surface of the ground and
12 covered with at least four feet of earth. However, an animal
13 which has died of a contagious disease shall be buried
14 according to rules adopted by the department pursuant to
15 section 167.13 and by the department of natural resources.
16 The person may remove the hide or skin of an animal which has
17 not died of a contagious disease before burying the carcass.

18 Sec. 2. Section 455B.307, subsection 1, Code Supplement
19 1989, is amended to read as follows:

20 1. A private agency or public agency shall not dump or
21 deposit or permit the dumping or depositing of any solid waste
22 at any place other than a sanitary disposal project approved
23 by the director unless the agency has been granted a permit by
24 the department which allows the dumping or depositing of solid
25 waste on land owned or leased by the agency. However, this
26 section does not apply to the disposal of a domesticated
27 animal carcass on agricultural land as provided in section
28 167.22.

29 PARAGRAPH DIVIDED. The department shall adopt rules
30 regarding the permitting of this activity which shall provide
31 that the public interest is best served, but which may be
32 based upon criteria less stringent than those regulating a
33 public sanitary disposal project provided that the rules
34 adopted meet the groundwater protection goal specified in
35 section 455E.4. The comprehensive plans for these facilities

1 may be varied in consideration of the types of sanitary
2 disposal practices, hydrologic and geologic conditions,
3 construction and operations characteristics, and volumes and
4 types of waste handled at the disposal site. The director may
5 issue temporary permits for dumping or disposal of solid waste
6 at disposal sites for which an application for a permit to
7 operate a sanitary disposal project has been made and which
8 have not met all of the requirements of part 1 of this
9 division and the rules adopted by the commission if a
10 compliance schedule has been submitted by the applicant
11 specifying how and when the applicant will meet the
12 requirements for an operational sanitary disposal project and
13 the director determines the public interest will be best
14 served by granting such temporary permit.

15 Sec. 3.

16 The department of agriculture and land stewardship shall
17 with all practical speed adopt rules relating to the disposal
18 of dead animals with contagious diseases, including animals
19 infected with scrapie, on agricultural land as provided in
20 this Act. The department of agriculture and land stewardship
21 and the department of natural resources shall share
22 information, each draft rules consistent with the other
23 department's rules, and appear before the administrative rules
24 review committee established pursuant to section 17A.8, as
25 provided by the committee. The rules shall be adopted not
26 later than September 1, 1990, unless objection is made to the
27 rules or the rules are delayed pursuant to section 17A.4.
28 This section does require rules to be adopted pursuant to
29 section 17A.4, subsection 2.

30 Sec. 4.

31 This Act, being deemed of immediate importance, takes
32 effect upon enactment.

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EXPLANATION

34 This bill provides for the disposal of dead animals. It
35 provides that section 455B.307 relating to the disposal of

1 solid waste does not apply to the disposal of dead animals.
2 New section 167.22 provides that persons owning or caring for
3 a live animal must dispose of the animal within 24 hours after
4 finding the carcass of the animal. The person may dispose of
5 the animal by transferring it to a person licensed to dispose
6 of the animal under chapter 167. A person owning agricultural
7 land may also dispose of the animal by burying it on
8 agricultural land. The bill provides that animals carrying a
9 contagious disease must be buried according to rules adopted
10 by the department of agriculture and land stewardship and the
11 department of natural resources. The rules must be adopted by
12 September 1, 1990. A person violating the bill is guilty of a
13 simple misdemeanor. The bill takes effect upon enactment.

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