

CHAPTER 1144
WATER RESOURCE REGULATION
H.F. 2221

AN ACT providing for modifications of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use.

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

Section 1. Section 455B.171, subsections 4 and 8, Code Supplement 1985, are amended to read as follows:

4. "Water pollution" means the contamination or alteration of the physical, chemical, biological, or radiological integrity of any water of the state so as to create a nuisance or render such water unclean, noxious or impure so as to be actually by a source resulting in whole or in part from the activities of humans, which is harmful, detrimental, or injurious to public health, safety, or welfare, to domestic, commercial, industrial, agricultural, or recreational use or to livestock, wild animals, birds, fish, or other aquatic life.

8. "Federal Water Pollution Control Act" means the federal Water Pollution Control Act of 1972, Pub. L. No. 92-500, as published in 33 U.S.C. sees. §§ 1251-1376, as amended through December 31, 1981 1985.

Sec. 2. Section 455B.275, subsection 3, Code 1985, is amended to read as follows:

3. If a person desires to erect or make or to permit a structure, dam, obstruction, deposit, or excavation, other than a dam constructed and operated under chapter 469, to be erected, made, used, or maintained in or on any floodway or flood plains, the person shall file a verified written application with the department, setting forth information as required by rule of the commission. The department, after an investigation, shall approve or deny the application imposing conditions and terms as prescribed by the department.

Sec. 3. Section 455B.279, subsection 1, Code 1985, is amended to read as follows:

1. The ~~commission~~ executive director may issue any order necessary to secure compliance with or prevent a violation of this part or the rules adopted pursuant to this part. Within thirty days of issuance, the order may be appealed to the commission by filing a notice of appeal with the executive director. The appeal shall be conducted as a contested case pursuant to chapter 17A and the commission may affirm, modify, or revoke the order. The department may request legal services as required from the attorney general, including any legal proceeding necessary to obtain compliance with this part and rules and orders issued under this part.

Approved April 28, 1986

CHAPTER 1145
CHILD CUSTODY ORDERS
H.F. 2280

AN ACT relating to violations of child custody orders and making penalties applicable.

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

Section 1. Section 710.6, Code Supplement 1985, is amended to read as follows:

710.6 VIOLATING CUSTODIAL ORDER.

A relative of a child who, acting in violation of an order of any court which fixes, permanently or temporarily, the custody or physical care of the child in another, takes and conceals