

for the operation of a school lunch program, meals served under the program shall be nutritionally adequate meals, as defined in section 283A.1.

Approved April 6, 1990

CHAPTER 1153

EARTHEN WASTE SLURRY STORAGE BASINS

S.F. 2379

AN ACT relating to earthen waste slurry storage basins, making penalties applicable, and providing for applicability of the Act.

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

Section 1. Section 455B.131, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 10. "Earthen waste slurry storage basin" means an uncovered and exclusively earthen cavity which, on a regular basis, receives waste discharges from a confinement animal feeding operation if accumulated wastes from the basin are completely removed at least twice each year.

Sec. 2. Section 455B.134, subsection 3, paragraph e, subparagraph (1), unnumbered paragraphs 1 and 2, Code 1989, are amended to read as follows:

Notwithstanding any other provision of division II of this chapter, the following siting requirements shall apply to anaerobic lagoons and earthen waste slurry storage basins:

Anaerobic lagoons or earthen waste slurry storage basins, which are used in connection with animal feeding operations containing less than six hundred twenty-five thousand pounds live animal weight capacity of animal species other than beef cattle or containing less than one million six hundred thousand pounds live animal weight capacity of beef cattle, shall be located at least one thousand two hundred fifty feet from a residence not owned by the owner of the feeding operation or from a public use area other than a public road. Anaerobic lagoons or earthen waste slurry storage basins, which are used in connection with animal feeding operations containing six hundred twenty-five thousand pounds or more live animal weight capacity of animal species other than beef cattle or containing one million six hundred thousand pounds or more live animal weight capacity of beef cattle, shall be located at least one thousand eight hundred seventy-five feet from a residence not owned by the owner of the feeding operation or from a public use area other than a public road. For the purpose of this paragraph the determination of live animal weight capacity shall be based on the average animal weight capacity during a production cycle and the maximum animal capacity of the animal feeding operation. These separation distances apply to the construction of new facilities and the expansion of existing facilities.

Sec. 3. Section 455B.134, subsection 3, paragraph e, subparagraph (2), Code 1989, is amended to read as follows:

(2) A person may build or expand an anaerobic lagoon or an earthen waste slurry storage basin closer to a residence not owned by the owner of the anaerobic lagoon or to a public use area than is otherwise permitted by subparagraph (1) of this paragraph, if the affected landowners enter into a written agreement with the anaerobic lagoon owner to waive the separation distances under such terms the parties negotiate. The written agreement becomes effective only upon recording in the office of the recorder of deeds of the county in which the residence is located.

Sec. 4.

This Act applies to earthen waste slurry storage basins constructed on or after July 1, 1990.

Approved April 6, 1990

CHAPTER 1154

CREDIT AND REFUND OF VEHICLE REGISTRATION FEES

S.F. 2003

AN ACT permitting a refund or credit of unexpired motor vehicle registration fees to persons who sell, trade, or junk their motor vehicles and providing an effective date.

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

Section 1. Section 321.46, subsection 3, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The applicant shall be entitled to a credit for that portion of the registration fee of the vehicle sold, traded, or junked ~~within the state~~ which had not expired prior to the transfer of ownership of the vehicle. The registration fee for the new registration for the vehicle acquired shall be reduced by the amount of the credit. The credit shall be computed on the basis of the number of months remaining in the registration year, rounded to the nearest whole dollar. The credit shall be subject to the following limitations:

Sec. 2. Section 321.46, subsection 3, paragraph c, Code 1989, is amended to read as follows:

c. When the amount of the credit is computed to be an amount of less than ~~five~~ ten dollars, a credit shall be disallowed.

Sec. 3. Section 321.46, subsection 3, paragraph e, Code 1989, is amended to read as follows:

e. A credit shall not be allowed to any person who is eligible ~~has made claim~~ to receive a refund, ~~upon proper application~~, under section 321.126.

Sec. 4. Section 321.46, subsection 3, paragraph g, Code 1989, is amended by striking the paragraph and inserting the following:

g. If the credit allowed exceeds the amount of the registration fee for the vehicle acquired, the owner may claim a refund under section 321.126, subsection 6, for the balance of the credit.

Sec. 5. Section 321.46, subsection 6, Code 1989, is amended to read as follows:

6. An applicant for a new registration for a vehicle transferred to the applicant by a spouse, parent or child of the applicant, or by operation of law upon inheritance, devise or bequest, from the applicant's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, is entitled to a credit to be applied to the registration fee for the transferred vehicle. A credit shall not be allowed unless the vehicle to which the credit applies is registered within the time specified under subsection 1. The credit shall be computed on the basis of the number of unexpired months remaining in the registration year of the former owner computed from the date the vehicle was transferred, computed to the nearest whole dollar. The credit ~~shall not may~~ exceed the amount of the registration fee for the transferred vehicle. When the amount of the credit is computed to be an amount of less than ~~five~~ ten dollars, the credit shall be disallowed. The credit shall not be sold, transferred, or assigned to any other person.

Sec. 6. Section 321.126, unnumbered paragraph 1, Code 1989, is amended to read as follows:

Refunds of unexpired vehicle registration fees shall be allowed in accordance with this section, except that no refund shall be allowed and paid if the unused portion of the fee is less