



HOUSE FILE 2679

AN ACT

RELATING TO AGRICULTURAL DRAINAGE WELLS BY PROVIDING FOR THE IMPLEMENTATION OF WATER QUALITY PRACTICES AS AN ALTERNATIVE TO CONSTRUCTING ALTERNATIVE DRAINAGE SYSTEMS.

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

Section 1. Section 460.303, Code 2005, is amended to read as follows:

460.303 AGRICULTURAL DRAINAGE WELLS----~~ALTERNATIVE DRAINAGE-SYSTEM~~ WELL WATER QUALITY ASSISTANCE FUND.

1. An ~~alternative-drainage-system~~ agricultural drainage well water quality assistance fund is created in the state treasury under the control of the soil conservation division. The fund is composed of moneys appropriated by the general assembly, and moneys available to and obtained or accepted by the division or the state soil conservation committee established pursuant to section 161A.4, from the United States or private sources for placement in the fund.

2. Moneys in the fund are subject to an annual audit by the auditor of state. ~~The fund is subject to warrants written by the director of the department of administrative services, drawn upon the written requisition of the division.~~

3. The fund shall be used to support ~~the alternative drainage-system~~ an agricultural drainage well water quality assistance program as provided in section 460.304. Moneys shall be used to provide financial incentives under the program, and to defray expenses by the division in administering the program. However, not more than one percent

of the money in the fund is available to defray administrative expenses. The division may adopt rules pursuant to chapter 17A to administer this section.

4. The division shall not in any manner directly or indirectly pledge the credit of the state.

5. Section 8.33 shall not apply to moneys in the fund. Notwithstanding section 12C.7, moneys earned as income, including as interest, from the fund shall remain in the fund until expended as provided in this section.

Sec. 2. Section 460.304, subsections 1 and 2, Code 2005, are amended to read as follows:

1. The soil conservation division shall establish an ~~alternative-drainage-system~~ agricultural drainage well water quality assistance program as provided by rules which shall be adopted by the division pursuant to chapter 17A. The program shall be supported from moneys deposited in the ~~alternative drainage-system~~ agricultural drainage well water quality assistance fund created pursuant to section 460.303.

2. To the extent that moneys are available to support the program, the division shall ~~provide~~ expend moneys from the fund to do the following:

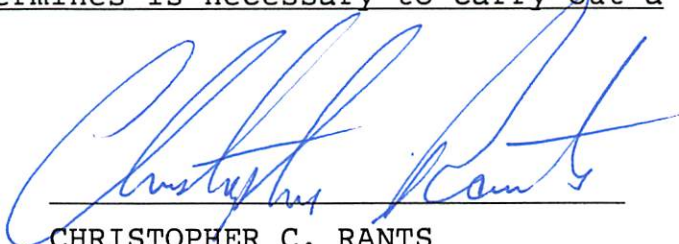
a. Provide cost-share moneys to persons closing agricultural drainage wells located-within-designated agricultural-drainage-well-areas, and constructing alternative drainage-systems-which-are-part-of-a-drainage-district in accordance with the priority system established pursuant to section 460.302. In conjunction with closing agricultural wells, the division shall award cost-share moneys to carry out the following projects:

(1) Construct alternative drainage systems.

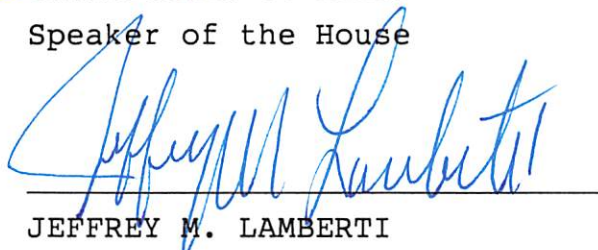
(2) Establish water quality practices other than constructing alternative drainage systems, including but not limited to converting land to wetlands.

The amount of moneys allocated in cost-share payments to a person qualifying under the program shall not exceed seventy-five percent of the estimated cost of ~~installing~~ carrying out the alternative-drainage-system project or seventy-five percent of the actual cost of ~~installing~~ carrying out the alternative-drainage-system project, whichever is less.

b. Contract with persons to obtain technical assessments in agricultural drainage well areas, including but not limited to areas having a predominance of shallow bedrock or karst terrain as the division determines is necessary to carry out a project.



CHRISTOPHER C. RANTS  
Speaker of the House



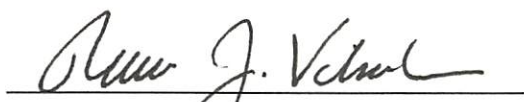
JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2679, Eighty-first General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved April 12, 2006



THOMAS J. VILSACK  
Governor