

Reprinted

JAN 25 1990

Agriculture

Amended per 5152 v B. Pass 2/15 (p. 401)

HOUSE FILE 2170

BY GRUHN and OSTERBERG

Passed House, Date 2/20/90 (p. 482) Passed Senate, Date 3/13/90 (p. 1030)
Vote: Ayes 94 Nays 0 Vote: Ayes 46 Nays 1
Approved _____

A BILL FOR

1 An Act relating to the prohibition of the use of certain
2 pesticides, and making a penalty applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 2170

H-5152

1 Amend House File 2170 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

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

6 455B.186 PROHIBITED DISCHARGES ACTIONS.

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

16 2. A pesticide which contains as an active
17 ingredient a substance regulated under the federal
18 Safe Drinking Water Act, 42 U.S.C. § 300f et seq., as
19 amended through October 31, 1988, shall not be applied
20 to any water of this state which has been classified
21 by the department as a class "A" or class "C", high
22 quality, or high quality resource water."

By COMMITTEE ON AGRICULTURE
OSTERBERG of Linn, Chairperson

H-5152 FILED FEBRUARY 15, 1990

Adopted 2/20/90

HF 2170

1 Section 1. Section 455B.186, Code 1989, is amended by
2 adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. A pesticide which contains as an
4 active ingredient a substance regulated under the federal Safe
5 Drinking Water Act, 42 U.S.C. § 300f et seq., as amended
6 through October 31, 1988, shall not be applied to any water of
7 this state.

8 EXPLANATION

9 This bill prohibits the application of a pesticide which
10 contains as an active ingredient a substance regulated under
11 the federal Safe Drinking Water Act to any water of the state.
12 The existing penalties of section 455B.191 are applicable.

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Sen. Ag 2/22 Amend per 5358 to Pass 3/6 (p. 902)

HOUSE FILE 2170
BY GRUHN and OSTERBERG

(As Amended and Passed by the House February 20, 1990)

Re Passed House, Date 3/19/90 (p. 1202) Re Passed Senate, Date 3/26/90 (p. 1284)
Vote: Ayes 89 Nays 0 Vote: Ayes 47 Nays 2
Approved April 16, 1990

A BILL FOR

1 An Act relating to the prohibition of the use of certain
2 pesticides, and making a penalty applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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5 House Amendments _____

HOUSE FILE 2170

S-5358

1 Amend House File 2170, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 17, by inserting after the word
4 "water" the following: "except that this section
5 shall not be construed to prohibit the application of
6 such a pesticide by a certified applicator who is
7 trained in aquatic applications and who has given
8 written notice to the director".

By COMMITTEE ON AGRICULTURE
BERL E. PRIEBE, Chairperson

S-5358 FILED MARCH 6, 1990
Ad. S.C. 3/13 (p. 1030)

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

3 455B.186 PROHIBITED DISCHARGES ACTIONS.

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

12 2. A pesticide which contains as an active ingredient a
13 substance regulated under the federal Safe Drinking Water Act,
14 42 U.S.C. § 300f et seq., as amended through October 31, 1988,
15 shall not be applied to any water of this state which has been
16 classified by the department as a class "A" or class "C", high
17 quality, or high quality resource water.

5358

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SENATE AMENDMENT TO HOUSE FILE 2170

H-5668

1 Amend House File 2170, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 17, by inserting after the word
4 "water" the following: ", except that this section
5 shall not be construed to prohibit the application of
6 such a pesticide by a certified applicator who is
7 trained in aquatic applications and who has given
8 written notice to the director".

RECEIVED FROM THE SENATE

H-5668 FILED MARCH 14, 1990

*House amended per 5728
(Concurred 3/19 (p. 1202))*

HOUSE FILE 2170

H-5728

1 Amend the Senate amendment, H-5668, to House File
2 2170, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 2 the fol-
5 lowing:
6 " . Page 1, by striking lines 12 through 14,
7 and inserting the following:
8 "2. A pesticide".
9 2. Page 1, lines 7 and 8, by striking the words
10 "given written notice to the director" and inserting
11 the following: "received a permit from the depart-
12 ment".
13 3. By renumbering as necessary.

By GRUHN of Dickinson
OSTERBERG of Linn

H-5728 FILED MARCH 15, 1990

Adopted 3/19 (p. 1202)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2170

S-5610

1 Amend the Senate amendment, H-5668, to House File
2 2170, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 2 the fol-
5 lowing:

6 "____. Page 1, by striking lines 12 through 14,
7 and inserting the following:

8 "2. A pesticide".

9 2. Page 1, lines 7 and 8, by striking the words
10 "given written notice to the director" and inserting
11 the following: "received a permit from the depart-
12 ment".

13 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5610 FILED MARCH 21, 1990

Senate Concurred (p. 1294)

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.

HOUSE FILE 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

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2170, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved _____, 1990

TERRY E. BRANSTAD
Governor

HF 2170