

2-11-99 Do Pass
5-3-16/99 Agriculture
5-3-18/99 Do Pass

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Agriculture

HOUSE FILE 339
BY MERTZ and KLEMME

Passed House, ^(p.679) Date 3-16-99 Passed Senate, ^(p.1155) Date 4/15/99
Vote: Ayes 95 Nays 0 Vote: Ayes 47 Nays 0
Approved April 27, 1999

A BILL FOR

1 An Act extending the deadline for closing agricultural drainage
2 wells and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 339

1 Section 1. Section 455I.3, subsection 1, Code 1999, is
2 amended to read as follows:

3 1. Not later than December 31, ~~1999~~ 2001, the owner of
4 land which is within a designated agricultural drainage well
5 area shall close each agricultural drainage well located on
6 the land. The owner shall close the agricultural drainage
7 well in a manner using materials and according to
8 specifications required by rules which shall be adopted by the
9 department in consultation with the division. The department
10 may provide different closing requirements based on
11 classifications established by the department. However, the
12 department's requirements shall ensure that an agricultural
13 drainage well is closed by using sealing materials such as
14 bentonite to permanently seal the agricultural drainage well
15 from contamination by surface or subsurface water drainage.

16 EXPLANATION

17 This bill amends Code section 455I.3 that applies to
18 agricultural drainage wells located in designated agricultural
19 drainage well areas. These are locations in which there is an
20 anaerobic lagoon or earthen manure storage basin required to
21 obtain a construction permit by the department of natural
22 resources under Code chapter 455B. The Code section requires
23 the owner of land within the area to close agricultural
24 drainage wells located on the land by December 31, 1999. This
25 bill extends that date to December 31, 2001. Code section
26 455I.6 provides that a person who violates the provisions of
27 Code section 455I.3 is subject to a civil penalty, which
28 ranges from \$1,000 to \$15,000 depending on the number of times
29 that the person has been found guilty of violating the
30 section.

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AN ACT

EXTENDING THE DEADLINE FOR CLOSING AGRICULTURAL DRAINAGE WELLS
AND MAKING PENALTIES APPLICABLE.

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

Section 1. Section 455I.3, subsection 1, Code 1999, is amended to read as follows:

1. Not later than December 31, ~~1999~~ 2001, the owner of land which is within a designated agricultural drainage well area shall close each agricultural drainage well located on the land. The owner shall close the agricultural drainage well in a manner using materials and according to specifications required by rules which shall be adopted by the department in consultation with the division. The department may provide different closing requirements based on classifications established by the department. However, the department's requirements shall ensure that an agricultural drainage well is closed by using sealing materials such as

bentonite to permanently seal the agricultural drainage well from contamination by surface or subsurface water drainage.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 339, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 27, 1999

THOMAS J. VILSACK
Governor