

FILED JAN 15 '03

SENATE FILE 20  
BY VEENSTRA

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the certification of manure applicators,  
2 making penalties applicable, and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 20  
NAT. RES. & ENVIRONMENT

1 Section 1. Section 459.315, subsection 2, Code 2003, is  
2 amended to read as follows:

3 2. ~~a.~~ As used in this section, a person applies manure to  
4 land by operating or controlling the operation of equipment  
5 used in dispersing the manure by spreading or spraying the  
6 manure on the surface of the land's soil, incorporating the  
7 manure into the soil, or injecting the manure into the soil.  
8 A person does not apply manure solely by inspecting or  
9 monitoring equipment used in dispersing manure.

10 a. A commercial manure applicator shall not apply manure  
11 to land, unless the person is certified pursuant to this  
12 section.

13 b. A confinement site manure applicator shall not apply  
14 manure to land, unless the person is certified pursuant to  
15 this section.

16 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
17 immediate importance, takes effect upon enactment.

18 EXPLANATION

19 BACKGROUND. In 1998, the General Assembly enacted House  
20 File 2494 (1998 Iowa Acts, ch. 1209) regulating animal feeding  
21 operations by the department of natural resources. Part of  
22 the legislation required certification for commercial manure  
23 applicators (persons engaged in the business of applying  
24 manure on the land of other persons) and confinement site  
25 manure applicators (persons who apply manure originating from  
26 confinement feeding operations other than a small animal  
27 feeding operation). The provisions, originally codified as  
28 Code section 455B.203A, were recently transferred to new Code  
29 section 459.315 as part of Senate File 2293 enacted in 2002  
30 (2002 Iowa Acts, ch. 1137; and also see 2002 Acts, Second  
31 Extraordinary Session, ch. 1003, division XII).

32 PROVISIONS OF THE BILL. Code chapter 459 does not define  
33 what constitutes the application of manure. This bill  
34 provides that for purposes of Code section 459.315, a person  
35 applies manure to land by operating or controlling the

1 operation of equipment used in dispersing manure by spreading  
2 or spraying the manure on the surface on the land's soil,  
3 incorporating the manure into the soil, or injecting the  
4 manure into the soil. The bill also provides that a person  
5 does not apply manure solely by inspecting or monitoring  
6 equipment used in dispersing manure.

7 A person who violates the bill's provisions is subject to a  
8 civil penalty as provided in Code section 455B.191.

9 Generally, a person who violates that section is subject to a  
10 civil penalty not to exceed \$5,000 for each day of such  
11 violation.

12 The bill takes effect upon enactment.

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