

**Senate File 279 - Introduced**

SENATE FILE 279

BY KLIMESH

**A BILL FOR**

1 An Act prohibiting glass beverage containers on certain  
2 waters of the state, creating a waterway easement fund, and  
3 providing penalties.

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

1 Section 1. NEW SECTION. 456A.39 Waterway easement fund.

2 A waterway easement fund is created in the state treasury  
3 under the control of the department. The fund shall consist  
4 of moneys transferred to the fund pursuant to section 461A.43A  
5 and any other moneys appropriated to or deposited in the  
6 fund. Moneys in the fund are appropriated to the department  
7 for the purpose of issuing grants to county conservation  
8 boards and county boards of supervisors to purchase access  
9 easements to class "A1", class "A2", class "A3", type 1 (class  
10 "B(CW1)"), and type 1 (class "B(WW-1)") waters, as designated  
11 by the environmental protection commission by rule, within  
12 the jurisdiction of the county conservation board or county  
13 board of supervisors. Notwithstanding section 8.33, moneys in  
14 the fund that remain unencumbered or unobligated at the close  
15 of a fiscal year shall not revert but shall remain available  
16 for expenditure for the purposes designated. Notwithstanding  
17 section 12C.7, subsection 2, interest or earnings on moneys in  
18 the fund shall be credited to the fund.

19 Sec. 2. NEW SECTION. 461A.43A Glass beverage containers on  
20 public waters.

21 1. A person shall not possess a glass beverage container,  
22 as defined in section 455C.1, while on a class "A1", class  
23 "A2", or class "A3" water, as designated by the environmental  
24 protection commission by rule. A person who violates this  
25 section is subject to a civil penalty of ninety dollars. The  
26 department shall transfer moneys collected under this section  
27 to the treasurer of state, who shall credit the moneys to the  
28 waterway easement fund established in section 456A.39.

29 2. A person does not violate this section if the person  
30 is in possession of a glass beverage container or other glass  
31 debris that the person has removed from the water for litter  
32 removal purposes.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

1 This bill prohibits a person from possessing a glass  
2 beverage container while on a class "A1", class "A2", or class  
3 "A3" water, as designated by the environmental protection  
4 commission (EPC) by rule. A person who violates the bill is  
5 subject to a civil penalty of \$90. A person does not violate  
6 the bill if the person is in possession of a glass beverage  
7 container or other glass debris that the person has removed  
8 from the water for litter removal purposes.

9 The bill establishes a waterway easement fund in the state  
10 treasury under the control of the department of natural  
11 resources (DNR). The fund shall consist of civil penalties  
12 collected under the bill and any other moneys appropriated to  
13 or deposited in the fund. Moneys in the fund are appropriated  
14 to DNR for the purpose of issuing grants to county conservation  
15 boards and county boards of supervisors to purchase access  
16 easements to class "A1", class "A2", class "A3", type 1  
17 (class "B(CW1)"), and type 1 (class "B(WW-1)") waters, as  
18 designated by EPC by rule, within the jurisdiction of the  
19 county conservation board or county board of supervisors.