

CHAPTER 241
SOLID WASTE AND GROUNDWATER
H.F. 750

AN ACT imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.301, subsection 4, Code 1985, is amended to read as follows:

4. "Solid waste" means garbage, refuse, rubbish, and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid waste may include vehicles, as defined by section 321.1, subsection 1. Nothing herein shall be construed as prohibiting However, this division does not prohibit the use of dirt, stone, brick, or similar inorganic material for fill, landscaping, excavation or grading at places other than a sanitary disposal. Solid waste does not include hazardous waste as defined in section 455B.411 or source, special nuclear, or by-product material as defined in the Atomic Energy Act of 1954, as amended to January 1, 1979.

Sec. 2. Section 455B.301, Code 1985, is amended by adding the following new subsection: NEW SUBSECTION. "Sanitary landfill" means a landfill associated with a sanitary disposal project to facilitate the final disposition of solid waste.

Sec. 3. NEW SECTION. 455B.309 GROUNDWATER FUND.

1. A groundwater fund is created in the state treasury. Moneys received from the tonnage fee and from other sources designated for purposes related to groundwater monitoring and groundwater quality standards shall be deposited in the state treasury to the credit of the fund. Any unexpended balance in the groundwater fund at the end of each fiscal year shall be retained in the fund.

2. The department may use the fund for any of the following purposes:

- a. The administration of a groundwater monitoring program.
- b. The development of groundwater quality standards.
- c. Research in alternative methods of solid waste disposal including recycling programs.
- d. Abatement and cleanup of threats to the public safety and environment resulting from a sanitary landfill when an owner or operator of the facility is unable to effectuate the abatement or cleanup. However, not more than ten percent of the fund may be used for this purpose in any given year without legislative authorization for that purpose.

Sec. 4. NEW SECTION. 455B.310 TONNAGE FEE IMPOSED.

1. Except as provided in subsection 3, the operator of a sanitary landfill shall pay to the department a tonnage fee for each ton or equivalent volume of solid waste received and disposed of at the sanitary landfill during the preceding reporting period. The department shall determine by rule the volume which is equivalent to a ton of waste.

2. The tonnage fee is twenty-five cents per ton of solid waste.

3. Solid waste disposal facilities with special provisions which limit the site to the disposal of construction and demolition waste and solid waste materials approved by the department for lining or capping or for construction berms, dikes or roads in a sanitary disposal project or sanitary landfill are exempt from the tonnage fees imposed under this section.

4. All tonnage fees received by the department under this section shall be paid to a ground-water fund created under section 455B.309.

5. Fees imposed by this section shall be paid to the department on an annual basis. Fees are due on April 15 for the previous calendar year. The payment shall be accompanied by a return in the form prescribed by the department.

6. A person required to pay fees by this section who fails or refuses to pay the fees imposed by this section shall be assessed a penalty of fifteen percent of the fee due. The penalty shall be paid in addition to the fee due.

Sec. 5. This Act takes effect April 1, 1986.

Approved May 31, 1985

CHAPTER 242

CREDIT UNIONS

H.F. 196

AN ACT relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 533.4, subsection 23, Code 1985, is amended by striking the subsection and inserting the following:

23. a. Act as agent of the federal government when requested by the secretary of the United States department of treasury; perform such services as may be required in connection with the collection of taxes and other obligations due the United States and the lending, borrowing and repayment of money by the United States; and be a depository of public money when designated for that purpose.

b. Act as agent of the state when requested by the treasurer of state; perform such services as may be required in connection with the collection of taxes and other obligations due the state and the lending, borrowing and repayment of money by the state; and be a depository of public money when designated for that purpose.

Sec. 2. Section 533.4, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 26. Pledge its assets to secure the deposit of public funds.

Sec. 3. Section 533.12, Code 1985, is amended to read as follows:

533.12 CAPITAL.

1. The capital of a credit union shall consist of the payments that have been made to it by the several members thereof on shares. The credit union shall have a lien on the shares and