

CHAPTER 1229
HAZARDOUS WASTE CLEANUP
H.F. 2344

AN ACT relating to the cleanup of hazardous waste.

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

Section 1. 1985 Iowa Acts, chapter 79, section 1, is amended to read as follows:

SECTION 1. The department of water, air and waste management shall initiate and conduct a pilot program in at least two counties designated by the department to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, or small businesses with five or fewer employees or on farms. The program shall be known as "Toxic Cleanup Days". The department shall promote and conduct the program and shall, or shall contract with a qualified and bonded waste handling company to, collect and properly dispose of wastes believed by the person disposing of the wastes to be hazardous. The department shall establish maximum amounts of hazardous wastes to be accepted from a person during the "Toxic Cleanup Days" program. Amounts accepted above the maximum may be subject to a fee set by the department. The department shall not assess a fee for amounts accepted below the maximum amount. The department shall designate the times and dates that wastes shall be collected. The program shall be conducted for one or two days in each county designated. The department shall cooperate with local governmental units and service organizations in promoting and conducting this program including, but not limited to, assisting the local government or service organization in obtaining grants to help defray the expenses of the program. The department shall report to the general assembly by January 15, 1986 1987 regarding the plans or results of the pilot program and the department's recommendation whether the program should be continued, expanded, or discontinued.

Sec. 2. NEW SECTION. 266.8 HAZARDOUS WASTE RESEARCH PROGRAM.

1. A hazardous waste technical research and assistance program is created at Iowa state university of science and technology. The program shall be administered by the center for industrial research and service which shall coordinate with and use the services of the civil engineering department or other university departments at Iowa state university for the purposes set forth in this section.

2. The center for industrial research and service may seek and receive grants, donations, gifts, bequests, or other moneys from public and private sources to be used for the purposes set forth in this section.

3. The hazardous waste technical research and assistance program is created specifically for and authorized to do all of the following, upon the request of a business, firm, or corporation located within Iowa or the state or a political subdivision of the state:

a. Conduct research into new techniques, methods, and applications for the proper and safe treatment or disposal of hazardous wastes.

b. Provide advice and consultation on the proper, safe, and cost-effective methods, techniques, and applications for the treatment, storage, or disposal of hazardous wastes.

c. Provide other technical or financial assistance to aid in the proper, safe, and cost-effective treatment or disposal of hazardous wastes.

4. In carrying out its responsibilities under this section, the hazardous waste technical research and assistance program shall give priority to providing research and assistance on hazardous waste sites which impair the future economic development of a particular area including but not limited to the development of infrastructure, highways, sewers, industrial sites, educational facilities, and other assets essential for the development of a city.

5. The center for industrial research and service shall report to the general assembly annually on receipt and disbursement of funds and activities conducted by the hazardous waste technical research and assistance program pursuant to this section.

6. This section shall not be construed to do any of the following:

a. Relieve any person receiving assistance under this section of any duties or liabilities otherwise created or imposed upon the person by law.

b. Transfer to the state, Iowa state university of science and technology, or any employee of the state or the university, any duty or liability otherwise imposed by law on a person receiving assistance under this section.

c. Create any liability to the state, Iowa state university of science and technology, or any employee of the state or the university for any act or omission arising from the providing of assistance or advice in cleaning up, handling, or disposal of hazardous waste. However, an individual may be liable if the act or omission results from intentional wrongdoing or gross negligence.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in the Ames Daily Tribune, a newspaper published in Ames, Iowa, and in The Sun, a newspaper published in Mount Vernon, Iowa.

Approved May 28, 1986

I hereby certify that the foregoing Act, House File 2344, was published in the Ames Daily Tribune, Ames, Iowa, on June 3, 1986, and in The Sun, Mount Vernon, Iowa, on June 5, 1986.

MARY JANE ODELL, *Secretary of State*

CHAPTER 1230

PROPERTY TAX ASSESSMENT BOARD OF REVIEW

H.F. 2481

AN ACT relating to the size of a board of review for property tax assessments.

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

Section 1. Section 441.31, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the previous paragraph, the conference board may increase the membership of the board of review by an additional two members if it determines that as a result of the large number of protests filed or estimated to be filed the board of review will be unable to timely resolve the protests with the existing number of members. These two additional emergency members shall be appointed for a term set by the conference board but not for longer than two years. The conference board may extend the terms of the emergency members if it makes a similar determination as required for the initial appointment.

Sec. 2. Section 441.32, Code 1985, is amended to read as follows:

441.32 **TERMS — VACANCIES.**

The terms of the members of the board of review ~~shall be~~ are for six years each except for the emergency members whose terms shall be set by the conference board for a period not to exceed two years. Members of this board may be removed by the conference board but only after a public hearing upon specified charges, if a hearing is requested by such the member. ~~Subsequent appointments~~ A subsequent appointment, and an appointment to fill a vacancy, shall be made in the same way as the original selection. The board ~~shall have the power to~~ may subpoena witnesses and administer oaths.

Approved May 28, 1986