

FEB 13 2001

Agriculture

HOUSE FILE 249  
BY FREVERT

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

A BILL FOR

1 An Act relating to manure management practices by providing for  
2 its application in proximity to certain designated areas  
3 involving surface water or subsurface water, and making  
4 penalties applicable.

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

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HF 249

1 Section 1. Section 455B.204A, Code 2001, is amended to  
2 read as follows:

3 455B.204A DISPOSAL APPLICATION OF MANURE WITHIN DESIGNATED  
4 AREAS -- ADOPTION OF RULES.

5 The department shall adopt rules relating to the disposal  
6 application of manure in close proximity to a designated area.  
7 A person shall not ~~dispose of~~ apply manure on cropland within  
8 two hundred feet from a designated area, ~~unless one of the~~  
9 ~~following applies:~~

10 ~~1.--The manure is applied by injection or incorporation~~  
11 ~~within twenty-four hours following the application.~~

12 ~~2.--An area of permanent vegetation cover exists for fifty~~  
13 ~~feet surrounding the designated area and that area is not~~  
14 ~~subject to manure application.~~

15 As used in this section, "designated area" means a known  
16 sinkhole, or a cistern, abandoned well, unplugged agricultural  
17 drainage well that is not closed as provided in section  
18 455I.3, agricultural drainage well surface inlet, drinking  
19 water well, or lake, or a farm pond or privately owned lake as  
20 defined in section 462A.2. However, a "designated area" does  
21 not include a terrace tile inlet.

22 EXPLANATION

23 This bill amends provisions in Code chapter 455B that  
24 regulate manure management practices. The bill amends Code  
25 section 455B.204A that prohibits a person from disposing of  
26 manure on cropland within 200 feet from a designated area. A  
27 "designated area" is defined to mean a known sinkhole, or a  
28 cistern, abandoned well, agricultural drainage well,  
29 agricultural drainage well surface inlet, drinking water well,  
30 or lake or farm pond. The Code section provides two  
31 exceptions, if the manure is applied by injection or  
32 incorporation within 24 hours following the application, or if  
33 an area of permanent vegetation cover exists for 50 feet  
34 surrounding the designated area and the area is not subject to  
35 manure application.

1 The bill eliminates the exceptions, and provides that the  
2 prohibition applies to the application rather than the  
3 disposal of manure.

4 Generally, under Code section 455B.191, a person who  
5 violates a provision as amended in the bill is subject to a  
6 civil penalty not to exceed \$5,000 for each day of the  
7 violation.

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