

Rep. Bradley, Chem.
Rep. Kettering
Rep. Stevens

HSB 52

ENVIRONMENTAL PROTECTION

HOUSE FILE _____ Succeeded By
BY (PROPOSED COMMITTEE ON
ENVIRONMENTAL PROTECTION
BILL BY CHAIRPERSON HAHN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the certification of persons providing water
2 pump services.

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

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1 Section 1. Section 455B.190A, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. As used in this section:

4 a. "Certified well contractor" means a well contractor who
5 has successfully passed an examination prescribed by the
6 department to determine the applicant's qualifications to
7 perform well drilling or pump services or both.

8 a- b. "Examination" means an examination for well
9 contractors which includes, but is not limited to, relevant
10 aspects of Iowa groundwater law, well construction, well
11 maintenance, pump services, and well abandonment practices
12 which protect groundwater and water supplies.

13 b- c. "Groundwater" means groundwater as defined in
14 section 455E.2.

15 d. "Pump services" means the installation, repair, and
16 maintenance of water systems.

17 e. "Water systems" means any part of the mechanical
18 portion of a water well that delivers water from the well to a
19 valve that separates the well from the plumbing system.

20 "Water systems" includes the pump, drop pipe to the well,
21 electrical wire from the pump to the electrical panel, piping
22 from the well to the pressure tank, pitless unit or adaptor,
23 and all related miscellaneous fittings necessary to operate
24 the well pump. "Water systems" does not include any outside
25 piping to other buildings, and does not include the piping
26 that carries the water in the remainder of the distribution
27 system.

28 e- f. "Water well" or "well" means water well as defined
29 in section 455B.171.

30 d- g. "Well contractor" means contractor as defined
31 pursuant to section 455B.171, subsection 10.

32 e- h. "Well contractors' council" means the council
33 established in subsection 3.

34 f- i. "Well services" means new well construction, well
35 reconstruction, installation of pitless equipment, pump

1 services, or well plugging.

2 Sec. 2. Section 455B.190A, subsection 2, paragraphs d, e,
3 and g, Code 2001, are amended to read as follows:

4 d. Violation of the rules regarding the provision of well
5 construction, maintenance, or plugging services are grounds
6 for suspension or revocation of certification.

7 e. Provisional certification may be obtained by an
8 applicant in instances of shortages of certified personnel if
9 all of the following conditions are met:

10 (1) The applicant provides documentation of at least one
11 year of work experience in well services performed under the
12 direct supervision of a certified well contractor.

13 (2) The applicant successfully completes the examination.

14 (3) A certified well contractor who employs an applicant
15 for well contractor certification cosigns the application for
16 provisional certification. An employer who cosigns an
17 application for provisional certification is jointly liable
18 for a violation of the rules regarding well construction,
19 maintenance, or plugging services by the provisionally
20 certified well contractor and the violation is grounds for the
21 suspension or revocation of certification of the certified
22 well contractor and the provisionally certified well
23 contractor.

24 g. The examination shall be developed by the department in
25 consultation with the well contractors' council to determine
26 the applicant's qualifications to perform well drilling or
27 pump services or both. The examination shall be updated as
28 necessary to reflect current groundwater law and well
29 construction, maintenance, pump services, and abandonment
30 practices.

31 Sec. 3. Section 455B.190A, subsection 3, paragraph a,
32 subparagraphs (1) and (2), Code 2001, are amended to read as
33 follows:

34 (1) ~~One~~ Two well drilling contractor contractors appointed
35 by the governor and subject to confirmation by the senate.

1 (2) ~~One~~ Two pump installation ~~contractor~~ contractors
2 appointed by the governor and subject to confirmation by the
3 senate.

4 Sec. 4. Section 455B.190A, subsection 4, Code 2001, is
5 amended to read as follows:

6 4. The department shall develop, in consultation with the
7 well contractors' council, a consumer information pamphlet
8 regarding well construction, well maintenance, well plugging,
9 pump services, and Iowa groundwater laws. The department and
10 the council shall review and revise the consumer information
11 pamphlet as necessary. The consumer information pamphlet
12 shall be supplied to well contractors, at cost, and well
13 contractors shall supply one copy at no cost to potential
14 customers prior to initiation of well services.

15 Sec. 5. WELL CONTRACTORS' COUNCIL. The well contractors'
16 council created in section 455B.190A, subsection 3, having
17 been previously dissolved, shall be reestablished with new
18 appointments made by the governor. A person who has
19 previously served on the council is eligible for
20 reappointment. The council shall perform the duties required
21 in section 455B.190A and shall dissolve in the manner provided
22 in section 455B.190A, subsection 3, paragraph "c".

23 EXPLANATION

24 This bill amends Code section 455B.190A, which relates to
25 the well contractor certification program, by including a
26 certification program for persons providing pump services.

27 The bill provides that "pump services" means the
28 installation, repair, and maintenance of water systems. The
29 bill provides that "water systems" means any part of the
30 mechanical portion of a water well that delivers water from
31 the well to a valve that separates the well from the plumbing
32 system.

33 The bill provides that a "certified well contractor" is a
34 well contractor who has successfully passed an examination
35 prescribed by the department of natural resources to determine

1 the applicant's qualifications to perform well drilling or
2 pump services or both. The bill amends the definition of well
3 services to include pump services and makes conforming
4 amendments.

5 The bill provides that an examination shall be developed to
6 determine the applicant's qualifications to perform well
7 drilling or pump services or both.

8 The bill provides that the well contractors' council,
9 having been previously dissolved, shall be reestablished with
10 new appointments made by the governor. The bill provides that
11 the council shall perform the same duties as previously
12 performed and dissolve in the same manner. The bill provides
13 that the composition of the council remains the same, with the
14 exception of an additional well drilling contractor and an
15 additional pump installation contractor shall serve on the
16 council. The council was originally formed upon the enactment
17 of the well contractor certification program and dissolved six
18 months after completing the duties required in Code section
19 455B.190A.

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REPRINTED

MAR 13 2001

Place On Calendar

HOUSE FILE 583

BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 52)

Passed House, Date ^(P. 964) 3-28-01 Passed Senate, Date ^{P. 659} 3-18-02
Vote: Ayes 67 Nays 27 Vote: Ayes 24 Nays 11

Approved April 5, 2002

Failed to Re-Pass 3-28-02

vote 44-50

Re-Passed 3-28-02 A BILL FOR
vote 81-16

1 An Act relating to the certification of persons providing water
2 pump services.

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

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HF 583

1 Section 1. Section 455B.190A, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. As used in this section:

4 a. "Certified well contractor" means a well contractor who
5 has successfully passed an examination prescribed by the
6 department to determine the applicant's qualifications to
7 perform well drilling or pump services or both.

8 a- b. "Examination" means an examination for well
9 contractors which includes, but is not limited to, relevant
10 aspects of Iowa groundwater law, well construction, well
11 maintenance, pump services, and well abandonment practices
12 which protect groundwater and water supplies.

13 b- c. "Groundwater" means groundwater as defined in
14 section 455E.2.

15 d. "Pump services" means the installation, repair, and
16 maintenance of water systems.

17 e. "Water systems" means any part of the mechanical
18 portion of a water well that delivers water from the well to a
19 valve that separates the well from the plumbing system.

20 "Water systems" includes the pump, drop pipe to the well,
21 electrical wire from the pump to the electrical panel, piping
22 from the well to the pressure tank, pitless unit or adaptor,
23 and all related miscellaneous fittings necessary to operate
24 the well pump. "Water systems" does not include any outside
25 piping to other buildings, and does not include the piping
26 that carries the water in the remainder of the distribution
27 system.

28 e- f. "Water well" or "well" means water well as defined
29 in section 455B.171.

30 d- g. "Well contractor" means contractor as defined
31 pursuant to section 455B.171, subsection 10.

32 e- h. "Well contractors' council" means the council
33 established in subsection 3.

34 f- i. "Well services" means new well construction, well
35 reconstruction, installation of pitless equipment, pump

1 services, or well plugging.

2 Sec. 2. Section 455B.190A, subsection 2, paragraphs d, e,
3 and g, Code 2001, are amended to read as follows:

4 d. Violation of the rules regarding the provision of well
5 ~~construction, maintenance, or plugging~~ services are grounds
6 for suspension or revocation of certification.

7 e. Provisional certification may be obtained by an
8 applicant in instances of shortages of certified personnel if
9 all of the following conditions are met:

10 (1) The applicant provides documentation of at least one
11 year of work experience in well services performed under the
12 direct supervision of a certified well contractor.

13 (2) The applicant successfully completes the examination.

14 (3) A certified well contractor who employs an applicant
15 for well contractor certification cosigns the application for
16 provisional certification. An employer who cosigns an
17 application for provisional certification is jointly liable
18 for a violation of the rules regarding well ~~construction,~~
19 ~~maintenance, or plugging~~ services by the provisionally
20 certified well contractor and the violation is grounds for the
21 suspension or revocation of certification of the certified
22 well contractor and the provisionally certified well
23 contractor.

24 g. The examination shall be developed by the department in
25 consultation with the well contractors' council to determine
26 the applicant's qualifications to perform well drilling or
27 pump services or both. The examination shall be updated as
28 necessary to reflect current groundwater law and well
29 construction, maintenance, pump services, and abandonment
30 practices. The examination shall be administered by the
31 department or by a person designated by the department.

32 Sec. 3. Section 455B.190A, subsection 3, Code 2001, is
33 amended by striking the subsection and inserting in lieu
34 thereof the following:

35 3. a. The department shall establish a well contractors

1 council.

2 b. The membership of the council shall consist of the
3 following members:

4 (1) Two well drilling contractors.

5 (2) Two pump installation contractors.

6 (3) One citizen member of the Iowa groundwater association
7 or its successor.

8 (4) One citizen member of the Iowa environmental health
9 association or its successor.

10 (5) The director of public health or the director's
11 designee.

12 (6) The state geologist or the state geologist's designee.

13 (7) The director of the state hygienic laboratory or the
14 director's designee.

15 c. The council shall advise and assist the department in
16 doing all of the following:

17 (1) The development, review, and revision of the
18 department's rules to implement this section.

19 (2) The development, updating, and revision of the
20 examination for well contractor certification.

21 (3) The establishment, review, and revision of the
22 continuing education requirements for certification.

23 (4) The production and publication of the consumer
24 information pamphlet.

25 d. The council shall meet as often as necessary to perform
26 the council's duties. The department shall provide the
27 council with staff assistance.

28 Sec. 4. Section 455B.190A, subsection 4, Code 2001, is
29 amended to read as follows:

30 4. The department shall develop, in consultation with the
31 well contractors' council, a consumer information pamphlet
32 regarding well construction, well maintenance, well plugging,
33 pump services, and Iowa groundwater laws. The department and
34 the council shall review and revise the consumer information
35 pamphlet as necessary. The consumer information pamphlet

1 shall be supplied to well contractors, at cost, and well
2 contractors shall supply one copy at no cost to potential
3 customers prior to initiation of well services.

4 EXPLANATION

5 This bill amends Code section 455B.190A, which relates to
6 the well contractor certification program, by including a
7 certification program for persons providing pump services.

8 The bill provides that "pump services" means the
9 installation, repair, and maintenance of water systems. The
10 bill provides that "water systems" means any part of the
11 mechanical portion of a water well that delivers water from
12 the well to a valve that separates the well from the plumbing
13 system.

14 The bill provides that a "certified well contractor" is a
15 well contractor who has successfully passed an examination
16 prescribed by the department of natural resources to determine
17 the applicant's qualifications to perform well drilling or
18 pump services or both. The bill amends the definition of well
19 services to include pump services and makes conforming
20 amendments.

21 The bill provides that an examination shall be developed to
22 determine the applicant's qualifications to perform well
23 drilling or pump services or both. The bill provides that the
24 examination shall be administered by the department or by a
25 person designated by the department.

26 The bill eliminates language in the Code relating to the
27 well contractors' council which has been previously dissolved
28 and replaces it with a new well contractors' council. The
29 bill provides that the council shall assist and advise the
30 department in developing, reviewing, and revising the
31 department's rules to implement the certification program;
32 developing, updating, and revising the certification
33 examination; establishing, reviewing, and revising the
34 continuing education requirements; and producing and
35 publishing a consumer information pamphlet. The bill provides

1 that the council shall meet as often as necessary and the
2 department shall provide staff assistance to the council.

HOUSE FILE 583

H-1245

1 Amend House File 583 as follows:

2 1. Page 4, by inserting after line 3 the
3 following:

4 "Sec. ____ . Section 455B.190A, Code 2001, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 7. A well contractor who is
7 engaged in performing pump services on July 1, 2001,
8 and who registers as a pump installer with the
9 department by January 1, 2002, shall be deemed to have
10 met the certification requirements of this section
11 without examination. Beginning January 1, 2002, a
12 pump installer seeking an initial well contractor
13 certification shall meet the requirements for
14 certification established in this section.

15 Sec. ____ . NOTIFICATION. The department shall
16 notify any person currently performing pump services
17 regarding the requirements of this Act."

By MASCHER of Johnson

H-1245 FILED MARCH 19, 2001

adopted
3/28/01 (p. 964)

HOUSE FILE 583

H-1308

1 Amend the amendment, H-1245, to House File 583 as
2 follows:

3 "1. Page 1, by striking lines 16 and 17 and
4 inserting the following: "make reasonable efforts to
5 provide notice to persons engaged in performing pump
6 services on July 1, 2001, that such persons shall have
7 until January 1, 2002, to register with the department
8 and thereby become certified without examination.""

By MASCHER of Johnson

H-1308 FILED MARCH 22, 2001

adopted

SENATE AMENDMENT TO HOUSE FILE 583

H-8325

1 Amend House File 583, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 4, line 7, by striking the word and
4 figures "July 1, 2001", and inserting the following:
5 "or prior to June 30, 2004".

6 2. Page 4, line 8, by striking the word and
7 figures "January 1, 2002", and inserting the
8 following: "June 30, 2004".

9 3. Page 4, line 10, by striking the word and
10 figures "January 1, 2002", and inserting the
11 following: "July 1, 2004".

12 4. Page 4, line 16, by striking the word and
13 figures "July 1, 2001", and inserting the following:
14 "or prior to June 30, 2004".

15 5. Page 4, line 17, by striking the word and
16 figures "January 1, 2002", and inserting the
17 following: "June 30, 2004".

RECEIVED FROM THE SENATE

H-8325 FILED MARCH 19, 2002

House Concurred

3/25/02

(P.951)

3-28/01 MTR. IWS.
5-2/5/02 Amend/Reo Pass
WLS-5016
H-3/25/02 MTR by Brundley
H-3/28/02 MTR Provided

HOUSE FILE 583
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 52)

(As Amended and Passed by the House March 28, 2001)

Passed House, ^(P. 964) Date 3-28-01 Passed Senate, ^(P. 659) Date 3-18-02
Vote: Ayes 67 Nays 27 Vote: Ayes 34 Nays 11
Approved April 5, 2002
re-passed 3/28/02
Vote 81-16

A BILL FOR

1 An Act relating to the certification of persons providing water
2 pump services.

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

4 **HOUSE FILE 583**

5 **S-5016**

- 6 1 Amend House File 583, as amended, passed, and
- 7 2 reprinted by the House, as follows:
- 8 3 1. Page 4, line 7, by striking the word and
- 9 4 figures "July 1, 2001", and inserting the following:
- 10 5 "or prior to June 30, 2003".
- 11 6 2. Page 4, line 8, by striking the word and
- 12 7 figures "January 1, 2002", and inserting the
- 13 8 following: "June 30, 2003".
- 14 9 3. Page 4, line 10, by striking the word and
- 15 10 figures "January 1, 2002", and inserting the
- 16 11 following: "July 1, 2003".
- 17 12 4. Page 4, line 16, by striking the word and
- 18 13 figures "July 1, 2001", and inserting the following:
- 19 14 "or prior to June 30, 2003".
- 20 15 5. Page 4, line 17, by striking the word and
- 16 figures "January 1, 2002", and inserting the
- 17 following: "June 30, 2003".

18 **By COMMITTEE ON NATURAL**
19 **RESOURCES AND**
20 **ENVIRONMENT**
MIKE SEXTON, Chairperson

Adopted 3/18/02
(P. 659)
S-5016 FILED FEBRUARY 5, 2002

1 Section 1. Section 455B.190A, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. As used in this section:

4 a. "Certified well contractor" means a well contractor who
5 has successfully passed an examination prescribed by the
6 department to determine the applicant's qualifications to
7 perform well drilling or pump services or both.

8 a- b. "Examination" means an examination for well
9 contractors which includes, but is not limited to, relevant
10 aspects of Iowa groundwater law, well construction, well
11 maintenance, pump services, and well abandonment practices
12 which protect groundwater and water supplies.

13 b- c. "Groundwater" means groundwater as defined in
14 section 455E.2.

15 d. "Pump services" means the installation, repair, and
16 maintenance of water systems.

17 e. "Water systems" means any part of the mechanical
18 portion of a water well that delivers water from the well to a
19 valve that separates the well from the plumbing system.

20 "Water systems" includes the pump, drop pipe to the well,
21 electrical wire from the pump to the electrical panel, piping
22 from the well to the pressure tank, pitless unit or adaptor,
23 and all related miscellaneous fittings necessary to operate
24 the well pump. "Water systems" does not include any outside
25 piping to other buildings, and does not include the piping
26 that carries the water in the remainder of the distribution
27 system.

28 e- f. "Water well" or "well" means water well as defined
29 in section 455B.171.

30 d- g. "Well contractor" means contractor as defined
31 pursuant to section 455B.171, subsection 10.

32 e- h. "Well contractors' council" means the council
33 established in subsection 3.

34 f- i. "Well services" means new well construction, well
35 reconstruction, installation of pitless equipment, pump

1 services, or well plugging.

2 Sec. 2. Section 455B.190A, subsection 2, paragraphs d, e,
3 and g, Code 2001, are amended to read as follows:

4 d. Violation of the rules regarding the provision of well
5 construction, maintenance, or plugging services are grounds
6 for suspension or revocation of certification.

7 e. Provisional certification may be obtained by an
8 applicant in instances of shortages of certified personnel if
9 all of the following conditions are met:

10 (1) The applicant provides documentation of at least one
11 year of work experience in well services performed under the
12 direct supervision of a certified well contractor.

13 (2) The applicant successfully completes the examination.

14 (3) A certified well contractor who employs an applicant
15 for well contractor certification cosigns the application for
16 provisional certification. An employer who cosigns an
17 application for provisional certification is jointly liable
18 for a violation of the rules regarding well construction,
19 maintenance, or plugging services by the provisionally
20 certified well contractor and the violation is grounds for the
21 suspension or revocation of certification of the certified
22 well contractor and the provisionally certified well
23 contractor.

24 g. The examination shall be developed by the department in
25 consultation with the well contractors' council to determine
26 the applicant's qualifications to perform well drilling or
27 pump services or both. The examination shall be updated as
28 necessary to reflect current groundwater law and well
29 construction, maintenance, pump services, and abandonment
30 practices. The examination shall be administered by the
31 department or by a person designated by the department.

32 Sec. 3. Section 455B.190A, subsection 3, Code 2001, is
33 amended by striking the subsection and inserting in lieu
34 thereof the following:

35 3. a. The department shall establish a well contractors

1 council.

2 b. The membership of the council shall consist of the
3 following members:

4 (1) Two well drilling contractors.

5 (2) Two pump installation contractors.

6 (3) One citizen member of the Iowa groundwater association
7 or its successor.

8 (4) One citizen member of the Iowa environmental health
9 association or its successor.

10 (5) The director of public health or the director's
11 designee.

12 (6) The state geologist or the state geologist's designee.

13 (7) The director of the state hygienic laboratory or the
14 director's designee.

15 c. The council shall advise and assist the department in
16 doing all of the following:

17 (1) The development, review, and revision of the
18 department's rules to implement this section.

19 (2) The development, updating, and revision of the
20 examination for well contractor certification.

21 (3) The establishment, review, and revision of the
22 continuing education requirements for certification.

23 (4) The production and publication of the consumer
24 information pamphlet.

25 d. The council shall meet as often as necessary to perform
26 the council's duties. The department shall provide the
27 council with staff assistance.

28 Sec. 4. Section 455B.190A, subsection 4, Code 2001, is
29 amended to read as follows:

30 4. The department shall develop, in consultation with the
31 well contractors' council, a consumer information pamphlet
32 regarding well construction, well maintenance, well plugging,
33 pump services, and Iowa groundwater laws. The department and
34 the council shall review and revise the consumer information
35 pamphlet as necessary. The consumer information pamphlet

1 shall be supplied to well contractors, at cost, and well
2 contractors shall supply one copy at no cost to potential
3 customers prior to initiation of well services.

4 Sec. 5. Section 455B.190A, Code 2001, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 7. A well contractor who is engaged in
7 performing pump services on July 1, 2001, and who registers as
8 a pump installer with the department by January 1, 2002, shall
9 be deemed to have met the certification requirements of this
10 section without examination. Beginning January 1, 2002, a
11 pump installer seeking an initial well contractor
12 certification shall meet the requirements for certification
13 established in this section.

14 Sec. 6. NOTIFICATION. The department shall make
15 reasonable efforts to provide notice to persons engaged in
16 performing pump services on July 1, 2001, that such persons
17 shall have until January 1, 2002, to register with the
18 department and thereby become certified without examination.

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HOUSE FILE 583

S-5175

1 Amend the amendment, S-5016, to House File 583, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 5, by striking the figure "2003",
5 and inserting the following: "2004".

6 2. Page 1, line 8, by striking the figure "2003",
7 and inserting the following: "2004".

8 3. Page 1, line 11, by striking the figure
9 "2003", and inserting the following: "2004".

10 4. Page 1, line 14, by striking the figure
11 "2003", and inserting the following: "2004".

12 5. Page 1, line 17, by striking the figure
13 "2003", and inserting the following: "2004".

By SANDRA GREINER

S-5175 FILED MARCH 18, 2002

ADOPTED *p. 659*

HOUSE FILE 583

AN ACT

RELATING TO THE CERTIFICATION OF PERSONS PROVIDING WATER
PUMP SERVICES.

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

Section 1. Section 455B.190A, subsection 1, Code 2001, is amended to read as follows:

1. As used in this section:

a. "Certified well contractor" means a well contractor who has successfully passed an examination prescribed by the department to determine the applicant's qualifications to perform well drilling or pump services or both.

a- b. "Examination" means an examination for well contractors which includes, but is not limited to, relevant aspects of Iowa groundwater law, well construction, well maintenance, pump services, and well abandonment practices which protect groundwater and water supplies.

b- c. "Groundwater" means groundwater as defined in section 455E.2.

d. "Pump services" means the installation, repair, and maintenance of water systems.

e. "Water systems" means any part of the mechanical portion of a water well that delivers water from the well to a valve that separates the well from the plumbing system. "Water systems" includes the pump, drop pipe to the well, electrical wire from the pump to the electrical panel, piping from the well to the pressure tank, pitless unit or adaptor, and all related miscellaneous fittings necessary to operate the well pump. "Water systems" does not include any outside piping to other buildings, and does not include the piping that carries the water in the remainder of the distribution system.

e- f. "Water well" or "well" means water well as defined in section 455B.171.

d- g. "Well contractor" means contractor as defined pursuant to section 455B.171, subsection 10.

e- h. "Well contractors' council" means the council established in subsection 3.

f- i. "Well services" means new well construction, well reconstruction, installation of pitless equipment, pump services, or well plugging.

Sec. 2. Section 455B.190A, subsection 2, paragraphs d, e, and g, Code 2001, are amended to read as follows:

d. Violation of the rules regarding the provision of well construction, maintenance, or plugging services are grounds for suspension or revocation of certification.

e. Provisional certification may be obtained by an applicant in instances of shortages of certified personnel if all of the following conditions are met:

(1) The applicant provides documentation of at least one year of work experience in well services performed under the direct supervision of a certified well contractor.

(2) The applicant successfully completes the examination.

(3) A certified well contractor who employs an applicant for well contractor certification cosigns the application for provisional certification. An employer who cosigns an application for provisional certification is jointly liable for a violation of the rules regarding well ~~construction, maintenance, or plugging~~ services by the provisionally certified well contractor and the violation is grounds for the suspension or revocation of certification of the certified well contractor and the provisionally certified well contractor.

g. The examination shall be developed by the department in consultation with the well contractors' council to determine the applicant's qualifications to perform well drilling or pump services or both. The examination shall be updated as necessary to reflect current groundwater law and well construction, maintenance, pump services, and abandonment practices. The examination shall be administered by the department or by a person designated by the department.

Sec. 3. Section 455B.190A, subsection 3, Code 2001, is amended by striking the subsection and inserting in lieu thereof the following:

3. a. The department shall establish a well contractors council.

b. The membership of the council shall consist of the following members:

- (1) Two well drilling contractors.
- (2) Two pump installation contractors.
- (3) One citizen member of the Iowa groundwater association or its successor.
- (4) One citizen member of the Iowa environmental health association or its successor.
- (5) The director of public health or the director's designee.
- (6) The state geologist or the state geologist's designee.

(7) The director of the state hygienic laboratory or the director's designee.

c. The council shall advise and assist the department in doing all of the following:

- (1) The development, review, and revision of the department's rules to implement this section.
- (2) The development, updating, and revision of the examination for well contractor certification.
- (3) The establishment, review, and revision of the continuing education requirements for certification.
- (4) The production and publication of the consumer information pamphlet.

d. The council shall meet as often as necessary to perform the council's duties. The department shall provide the council with staff assistance.

Sec. 4. Section 455B.190A, subsection 4, Code 2001, is amended to read as follows:

4. The department shall develop, in consultation with the well contractors' council, a consumer information pamphlet regarding well construction, well maintenance, well plugging, pump services, and Iowa groundwater laws. The department and the council shall review and revise the consumer information pamphlet as necessary. The consumer information pamphlet shall be supplied to well contractors, at cost, and well contractors shall supply one copy at no cost to potential customers prior to initiation of well services.

Sec. 5. Section 455B.190A, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A well contractor who is engaged in performing pump services on or prior to June 30, 2004, and who registers as a pump installer with the department by June 30, 2004, shall be deemed to have met the certification requirements of this section without examination. Beginning July 1, 2004, a pump installer seeking an initial well contractor certification shall meet the requirements for certification established in this section.

Sec. 6. NOTIFICATION. The department shall make reasonable efforts to provide notice to persons engaged in performing pump services on or prior to June 30, 2004, that such persons shall have until June 30, 2004, to register with the department and thereby become certified without examination.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 583, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/5, 2002

THOMAS J. VILSACK
Governor