

the word "lead" and before the word "bearing" in the third line thereof, the following words "or zinc", and inserting after the word "lead" and before the word "mine" in the third line, the words "or zinc", and inserting after the word "lead" and before the word "mineral" in the sixth line, the words "and zinc".

SEC. 2. **Same.** That section one thousand nine hundred and sixty-nine (1969) of the code be amended by inserting after the word "lead" and before the word "mineral" in the second line thereof, the words "or zinc".

SEC. 3. **Same.** That section one thousand nine hundred and seventy-one (1971) of the code be amended by inserting after the word "lead" in the second line thereof, the words "or zinc".

SEC. 4. **Same.** That section one thousand nine hundred and seventy-two (1972) of the code be amended by inserting after the word "lead" and before the word "bearing" in the second line thereof, the words "or zinc".

Approved March 15, A. D. 1906.

CHAPTER 83.

LEVEES BUILT BY THE UNITED STATES.

S. F. 89.

AN ACT to repeal sections nineteen hundred and seventy-six (1976), nineteen hundred and seventy-nine (1979), nineteen hundred and eighty-two (1982), and nineteen hundred and eighty four (1984) of the code and to enact substitutes therefor, and to amend sections nineteen hundred and seventy-seven (1977) and nineteen hundred and eighty-six (1986) of the code, relating to levees built by the United States.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Proceedings.** That section nineteen hundred seventy six (1976) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"Proceedings as contemplated by the preceding section may be begun by filing with the county auditor a petition asking the board of supervisors to form a levee or a drainage district, for any one or all of the purposes specified in section nineteen hundred and seventy-five (1975) hereof. Said petition shall be signed by one or more owners of lands lying within the limits of such proposed district; the general limits of said district shall be given therein, and a plat of the proposed district shall be filed with said petition. There shall be filed with said petition a bond, with sureties approved by the county auditor, conditioned for the payment of all costs and expenses incurred, in case the board of supervisors shall refuse to grant the prayer of the petition."

SEC. 2. **Classification of lands excluded.** That section nineteen hundred and seventy-seven (1977) of the code be amended by striking out, beginning with the last word in the eleventh line, the following: "They shall also classify the lands within the limits of such district as they recommend, grading the same as 'dry', 'low', 'wet', making such classification, so far as practicable, in forty acre tracts, by government subdivisions."

SEC. 3. **Hearing.** That section nineteen hundred and seventy-nine (1979) of the code be repealed and the following enacted in lieu thereof:

"At the time named, or at such other time to which the board of supervisors may adjourn the matter, they shall proceed with the hearing, at which any interested parties may appear, either in person or by counsel, and be heard, and may file written pleadings. The board shall hear and determine the matter, and if they determine against the formation of such district, they shall dismiss the proceedings at the cost of the petitioners. If they shall

decide to form such levee or drainage district, they shall proceed to fix the boundaries of the same, and their finding shall be entered upon their records. The finding and the report of the commissioners shall be competent evidence at the hearing above provided for, but shall not be conclusive."

SEC. 4. Costs assessed. That section nineteen hundred and eighty-two (1982) of the code be repealed and the following enacted in lieu thereof:

"If said district is established, the entire costs and expenses incurred under this chapter shall be assessed against and collected from the lands lying within such district, by the levy of a rate upon the assessable value of the land within such district, sufficient to raise the required sum, provided that where the proposed improvement is for drainage only the board may, in their discretion, classify the land within such district and graduate the tax thereon, as provided in chapter sixty-eight (68) of the laws of the Thirtieth General Assembly. When the board decides to make such classification, they shall proceed in the manner set forth in section twelve (12) of said chapter sixty-eight (68), and the commissioners shall each be allowed three dollars per day."

SEC. 5. Annual installments. That section nineteen hundred and eighty-four (1984) of the code be repealed and the following enacted in lieu thereof:

"If the proposed improvement is the maintenance of a levee, the amount collected in any one year shall not exceed two and one-half mills on the dollar of the assessment valuation. If the amount necessary to pay for the improvement, under section nineteen hundred and eighty-two (1982) hereof, exceed said sum, it shall be levied and collected in annual installments. For all other improvements, the board shall levy a rate sufficient to pay for the same, and may, at their discretion, make the same payable in annual installments of ten or less."

SEC. 6 Cost of maintaining. That section nineteen hundred and eighty-six (1986) of the code be amended by striking out all of the seventh line thereof and inserting in lieu thereof the following: "Exceeding three mills on the dollar on the assessable value of the lands within the district".

SEC. 7. In effect. This act, being deemed of immediate importance, shall be in force on and after its publication in the Des Moines Register & Leader and the Des Moines Daily Capital.

Approved February 19, A. D. 1906.

I hereby certify that the foregoing act was published in the Register and Leader, February 21, 1906, and the Des Moines Daily Capital, February 23, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 84.

LEVEES, DITCHES, DRAINS AND WATER COURSES.

S. F. 251.

AN ACT amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly, relating to levees, ditches, drains and water courses, and amending sections two (2), five (5), twenty-eight (28), forty-two (42), forty-four (44) and forty-eight (48) of said act.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Engineer. That section two (2) of chapter sixty-eight (68) of the acts of the Thirtieth General Assembly be, and the same is hereby amended by inserting after the word "route" and before the word "answering" in line nineteen thereof the words, "including starting point and terminus".