

CHAPTER 371
DRAINAGE DISTRICTS

H. F. 458

AN ACT relative to levee and drainage districts and the investment of levee and drainage district funds.

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

1 SECTION 1. Section four hundred fifty-five point fifty (455.50),
2 Code 1962, is hereby amended as follows:

3 1. By inserting in line one (1) after the word "highway" the words
4 "or other public land".

5 2. By inserting in line six (6) after the word "highway" the words
6 "or other public land".

7 3. By inserting in line eight (8) after the word "highway" the
8 words "and land".

9 4. By inserting in line nine (9) after the word "highways" the
10 words "and other state owned lands under the jurisdiction of the state
11 highway commission".

12 5. By inserting in line fourteen (14) after the word "roads" the
13 words "and other county owned lands under the jurisdiction of the
14 board of supervisors".

1 SEC. 2. Section four hundred fifty-five point sixty-one (455.61),
2 Code 1962, is hereby amended by inserting in line eight (8) after the
3 word "board." the following new sentence:

4 "The treasurer, on order of the board, shall invest all such funds
5 not immediately needed for current operating expenses in United
6 States government bonds, in time certificates of deposit, or savings
7 accounts in such banks as the board shall approve."

1 SEC. 3. Section four hundred fifty-five point eighty-four (455.84),
2 Code 1962, is hereby amended by inserting in line six (6) after the
3 word "highways" the words "and other public lands".

Approved May 28, 1965.

CHAPTER 372

IOWA NATURAL RESOURCES COUNCIL

S. F. 518

AN ACT to amend chapter four hundred fifty-five A (455A), Code 1962, relating to the Iowa natural resources council.

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

1 SECTION 1. Section four hundred fifty-five A point one (455A.1),
2 Code 1962, is hereby amended by striking from lines twenty-five (25)
3 through twenty-eight (28) the words "of not less than thirty days by
4 one publication in an official newspaper published in each county in
5 which the property affected is located" and inserting in lieu thereof
6 the words "published once each week for two consecutive weeks in a

7 newspaper of general circulation in each county in which the property
8 affected is located with the date of last publication not less than ten
9 nor more than thirty days prior to the date of hearing”.

1 SEC. 2. Section four hundred fifty-five A point nineteen (455A.19),
2 Code 1962, is hereby amended as follows:

3 a. By inserting the word “due” in line one (1) of subsection three
4 (3) immediately following the word “cause”.

5 b. By striking from lines two (2) through nine (9) of subsection
6 three (3) the words “in a newspaper of general circulation in the
7 county in which the permit is sought. Said notice shall be published
8 once each week for two consecutive weeks, with the date of last pub-
9 lication not less than ten nor more than thirty days prior to the date
10 of hearing and said notice shall be on a form provided by the council
11 which” and inserting in lieu thereof the words “. Said notice”.

1 SEC. 3. Section four hundred fifty-five A point twenty (455A.20),
2 Code 1962, is hereby amended by striking all of said section after the
3 word “commissioner” in line twenty (20) and inserting in lieu thereof
4 the following:

5 “for a period of not more than ninety days during the pendency of
6 an application for renewal. Any permit granted shall remain as an
7 appurtenance of the land described therein through the date specified
8 in such permit and any extension thereof or such earlier date as the
9 permit or any extension thereof is revoked or canceled under the pro-
10 visions of section four hundred fifty-five A point twenty-eight
11 (455A.28).

12 “Upon application therefor prior to the termination date specified
13 therein, permits may be renewed by the water commissioner for any
14 period of time not to exceed ten years. Permits may be renewed with-
15 out hearing or fee if no objection is filed and no change in the condi-
16 tions of the permit is sought. The water commissioner shall cause
17 notice of receipt of an application for renewal to be sent by ordinary
18 mail to any person who appeared at the next previous proceeding on
19 the permit and to any person who has filed a written request for noti-
20 fication of any hearings affecting a designated area. If written objec-
21 tion is filed not more than thirty days after the date of the notice by
22 any person shown to have an interest, a hearing shall be held thereon
23 with notice thereof to be sent not less than ten nor more than thirty
24 days prior thereto by ordinary mail to such objector, to any person
25 who appeared at the next previous proceeding on the permit, and to
26 any person who has filed a written request for notification of any hear-
27 ings affecting a designated area.

28 “If a change in the terms of a permit is requested which involves a
29 change in the designated beneficial purposes for which the diversion is
30 sought, a change in the place of such diversion, or an increase in the
31 quantity, time, or rate of diversion, storage or withdrawal of waters,
32 the applicant therefor shall pay a fee as required by section four hun-
33 dred fifty-five A point nineteen (455A.19), subsection 5, and a hearing
34 shall be held thereon with notice thereof as required by section four
35 hundred fifty-five A point nineteen (455A.19), subsection 3.”

1 SEC. 4. Section four hundred fifty-five A point eight (455A.8),
2 Code 1962, is hereby amended by striking the period after the word

3 "determination" in line fourteen (14) and inserting in lieu thereof the
 4 words ", provided that the public hearing on any matter within council
 5 duties may be conducted by less than a majority of the council or
 6 by an employee so designated by the council."

1 SEC. 5. Section four hundred fifty-five A point nineteen (455A.19),
 2 Code 1962, is hereby amended by inserting after the word, "council",
 3 in line one (1) of subsection ten (10) of said section the words "or
 4 other employee so authorized by the council".

1 SEC. 6. Section four hundred fifty-five A point thirty-nine
 2 (455A.39), Code 1962, is hereby amended by striking the period at
 3 the end thereof and inserting in lieu thereof the words "and each day
 4 that such violation continues after conviction shall be considered a
 5 separate offense."

Approved May 26, 1965.

CHAPTER 373

WATER RESOURCES PLANNING

S. F. 543

AN ACT relating to comprehensive planning of water resources of the state and matters associated therewith.

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

1 SECTION 1. Section four hundred fifty-five A point seventeen
 2 (455A.17), Code 1962, is hereby amended by striking all of such section
 3 after the word "establish" in line two (2) thereof and inserting
 4 in lieu thereof the following:

5 "and enforce a comprehensive state-wide plan for the control, utilization
 6 and protection of the water resources of the state, which plan
 7 shall include all uses and developments of water resources and shall
 8 provide for the optimum control, protection, development, allocation
 9 and utilization thereof. All uses and developments of water resources
 10 regulated under provisions of this chapter must be found to be compatible
 11 with the state comprehensive plan prior to the granting of a
 12 permit by the water commissioner or an approval order by the council.
 13 In making and formulating such state comprehensive plan for the
 14 further control, development, protection, allocation, and utilization of
 15 the water resources of the state, the council shall make surveys and
 16 investigations of the water resources of the state and shall give consideration
 17 to the needs of agriculture, industry, health, fish and wildlife,
 18 recreation, pollution and allied matters as they relate to flood
 19 control and water resources.

20 "The council shall be the official representative of the state of Iowa
 21 on all comprehensive water resources planning groups for which state
 22 participation is provided. The council shall coordinate state planning
 23 with local and national planning and, in safeguarding the interests of
 24 the state and its people, shall undertake the resolution of any conflicts
 25 that may arise between the water resources policies, plans, and proj-