

5 The definitions established by this section shall apply wherever the  
6 terms so defined appear in this chapter and in chapters forty-three  
7 (43), forty-four (44), forty-five (45) and forty-seven (47) through  
8 fifty-three (53), inclusive, and *chapter fifty-six (56)*, of the Code  
9 unless the context in which any such term is used clearly requires  
10 otherwise.

1 SEC. 30. House File 745, enacted by the Sixty-fifth General Assem-  
2 bly, 1973 Session, section sixty-two (62), unnumbered paragraph  
3 three (3), amending section forty-three point one hundred eleven  
4 (43.111), Code 1973, is amended to read as follows:

5 The state central committee so selected may organize at pleasure for  
6 political work as is usual and customary with such committees, adopt  
7 bylaws, provide for the governing of party auxiliary bodies, and shall  
8 continue to act until succeeded by another central committee selected  
9 as required by this section. ~~The auditor of state shall annually audit~~  
10 ~~the receipts and disbursements of each political party's state party~~  
11 ~~central committee shall be audited annually by a certified public ac-~~  
12 ~~countant selected by the state party central committee and the audit~~  
13 ~~report shall be filed with the state commissioner.~~

1 SEC. 31. Sections seven hundred thirty-eight point five (738.5),  
2 seven hundred thirty-eight point six (738.6), and seven hundred forty  
3 point fourteen (740.14), Code 1973, are repealed.

Approved July 20, 1973.

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This Act was passed by the G. A. before July 1, 1975.

## CHAPTER 139

### MINES AND MINERALS

H. F. 779

AN ACT relating to the inspection and regulation of mines, to abolish the department of mines and minerals, and to transfer certain administrative powers and duties to other state agencies and making an appropriation.

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

1 SECTION 1. Section sixty-eight B point two (68B.2), subsection  
2 four (4), Code 1973, is amended to read as follows:

3 4. "Regulatory agency" means department of agriculture, indus-  
4 trial commissioner, bureau of labor, employment security commission,  
5 department of banking, insurance department, department of health,  
6 department of public safety, department of public instruction, board  
7 of regents, department of social services, state department of revenue,  
8 ~~department of mines and minerals~~, commerce commission, liquor con-  
9 trol commission, board of pharmacy examiners, state conservation  
10 commission, aeronautics commission, state highway commission, civil  
11 rights commission, ~~soil conservation committee~~ *department of soil*  
12 *conservation*, public defense, and natural resources council.

1 SEC. 2. Section seventy-three point eight (73.8), Code 1973, is  
2 amended to read as follows:

3     **73.8 Certificate.** No bid for coal produced in Iowa which comes  
 4 under the provisions of section 73.7, shall be considered unless it  
 5 states the name of the producer and gives the location of the mine  
 6 from which the coal is to be produced, ~~and unless there is attached~~  
 7 ~~thereto a certificate of the secretary of the state mine inspectors that~~  
 8 ~~the producer designated in such bid is now complying with all the~~  
 9 ~~workmen's compensation and mining laws of the state.~~

1     SEC. 3. Section eighty-three A point two (83A.2), subsections three  
 2 (3), eleven (11), twelve (12), thirteen (13), fourteen (14), and fif-  
 3 teen (15), Code 1973, are amended to read as follows:

4     3. "Operator" means any person, firm, partnership, or corporation  
 5 engaged in and controlling a surface mining operation but shall not  
 6 include a political subdivision of the state of Iowa.

7     ~~11. "Irregular spoil bank" means a spoil bank characterized by~~  
 8 ~~ridges, peaks, or both, rather than by a continuous slope, when viewed~~  
 9 ~~horizontally.~~

10    ~~12 11. "Department" means the department of mines and minerals~~  
 11 ~~soil conservation.~~

12    ~~13 12. "Beard Committee" means the state mining board soil con-~~  
 13 ~~servation committee.~~

14    ~~14 13. "Advisory board" means the "land rehabilitation advisory~~  
 15 ~~board" in the department of mines and minerals.~~

16    ~~15 14. "Inspector Administrator" means the state mine inspector~~  
 17 ~~and any other employee administrative officer of the department of~~  
 18 ~~mines and minerals responsible for administration or enforcement of~~  
 19 ~~this chapter or his designee.~~

1     SEC. 4. Section eighty-three A point two (83A.2), Code 1973, is  
 2 amended by adding the following new subsection:

3     NEW SUBSECTION. "Mine" means any underground or surface  
 4 mine developed and operated for the purpose of extracting any ores  
 5 or mineral solids.

1     SEC. 5. Section eighty-three A point three (83A.3), unnumbered  
 2 paragraph one (1), Code 1973, is amended to read as follows:

3     There is hereby established within the department of ~~mines and~~  
 4 ~~minerals soil conservation~~ a land rehabilitation advisory board which  
 5 shall consist of ~~eight~~ *seven* members appointed by the governor, as  
 6 follows:

1     SEC. 6. Section eighty-three A point three (83A.3), Code 1973, is  
 2 amended by striking subsection six (6).

1     SEC. 7. Section eighty-three A point four (83A.4), unnumbered  
 2 paragraph two (2), Code 1973, is amended to read as follows:

3     Vacancies on the advisory board shall be filled for the unexpired  
 4 term of the vacancy in the same manner as the original appointment.  
 5 Members of the advisory board shall serve without compensation but  
 6 shall be allowed actual and necessary expenses while engaged in official  
 7 duties upon certification of the chairman of the advisory board to the  
 8 ~~state mining board department.~~

1     SEC. 8. Section eighty-three A point five (83A.5), Code 1973, is  
 2 amended to read as follows:

3     **83A.5 Meetings of board.** Prior to August 1 of each year, the  
 4 advisory board shall meet and organize and shall elect a chairman and  
 5 such other officers as advisory board members shall deem necessary.  
 6 The chairman shall be responsible for calling meetings of the advisory  
 7 board. Advisory board meetings shall be held at least quarterly and  
 8 at such other times as the chairman of the advisory board or the  
 9 chairman of the ~~state mining board committee~~ deems necessary or  
 10 upon the request of four or more advisory board members.

1     SEC. 9. Section eighty-three A point six (83A.6), subsections  
 2 one (1), two (2), and three (3), Code 1973, are amended to read as  
 3 follows:

4     1. Advise the ~~state mining board~~ *department* on any matter relating  
 5 to administration and enforcement of this chapter.

6     2. Advise the ~~state mining board~~ *department* with respect to surface  
 7 mined land rehabilitation demonstration projects.

8     3. Advise the ~~state mining board~~ *department* on the gathering,  
 9 preparation, and dissemination of information on methods of rehabili-  
 10 tating land which has been surface mined and on any state, federal, or  
 11 other financial assistance which may be available to assist in paying  
 12 the cost of rehabilitation of the land.

1     SEC. 10. Section eighty-three A point six (83A.6), Code 1973, is  
 2 amended by adding the following new paragraph:

3     NEW PARAGRAPH. The department shall inform the advisory board  
 4 of all complaints received relating to mining and mining operations.

1     SEC. 11. Section eighty-three A point seven (83A.7), Code 1973,  
 2 is amended to read as follows:

3     **83A.7 Surface Mining license.** No person, firm, partnership, or  
 4 corporation shall engage in surface mining or operation of an under-  
 5 ground mine or mines, as defined by section 83A.2 ~~and by section 82.27,~~  
 6 without first obtaining a license from the department. Licenses shall  
 7 be issued upon application submitted on a form provided by the depart-  
 8 ment and shall be accompanied by a fee of fifty dollars. Each applicant  
 9 shall be required to furnish on the form information necessary to iden-  
 10 tify the applicant. Licenses shall expire one year from date of issuance  
 11 and shall be renewed by the department upon application submitted  
 12 within thirty days prior to the expiration date and accompanied by a  
 13 fee of ten dollars.

1     SEC. 12. Section eighty-three A point eight (83A.8), Code 1973,  
 2 is amended to read as follows:

3     **83A.8 Suspension or revocation of license.** The department may,  
 4 with approval of the ~~board committee~~, commence proceedings to sus-  
 5 pend, revoke, or refuse to renew a license of any licensee for repeated  
 6 or willful violation of any of the provisions of this chapter or of ~~chap-~~  
 7 ~~ters 82 or 83~~ *the Federal Coal Mine Health and Safety Act of 1969 or*  
 8 *the Federal Metal and Non-Metallic Mine Safety Act.* The department  
 9 shall by certified mail or personal service serve on the licensee notice  
 10 in writing of the charges and grounds upon which the license is to be  
 11 suspended, revoked, or will not be renewed. The notice shall include  
 12 the time and the place at which a hearing shall be held before the ~~board~~  
 13 *committee* to determine whether to suspend, revoke, or refuse to renew

14 the license. The hearing shall be not less than fifteen nor more than  
15 thirty days after the mailing or service of the notice.

1 SEC. 13. Section eighty-three A point nine (83A.9), Code 1973,  
2 is amended to read as follows:

3 **83A.9 Hearing—counsel.** Any licensee whose license the depart-  
4 ment proposes to suspend, revoke, or refuse to renew shall have the  
5 right to counsel and may produce witnesses and present statements,  
6 documents, and other information in his behalf at the hearing. If  
7 after full investigation and hearing the licensee is found to have  
8 willfully or repeatedly violated any of the provisions of this chapter  
9 or of ~~chapters 82 or 83~~ *the Federal Coal Mine Health and Safety Act*  
10 *of 1969 or the Federal Metal and Non-Metallic Mine Safety Act*, the  
11 ~~board committee~~ may affirm or modify the proposed suspension, revo-  
12 cation, or refusal to renew the license. When the ~~board committee~~  
13 finds that a license should be suspended or revoked or should not be  
14 renewed, the department shall so notify the licensee in writing by  
15 certified mail or by personal service.

1 SEC. 14. Section eighty-three A point ten (83A.10), Code 1973, is  
2 amended to read as follows:

3 **83A.10 Notice—effective date of suspension.** Suspension or revo-  
4 cation of a license shall become effective thirty days after the mailing  
5 or service of notice to the licensee. When the department proposes to  
6 deny an application for renewal of a license and administrative pro-  
7 ceedings relevant to the renewal application are pending or in progress  
8 on the date the license is to expire, the license shall remain in force  
9 until the proceedings have been completed if the licensee has paid the  
10 renewal fee. If the ~~board committee~~ finds the license should not be  
11 renewed, the renewal fee shall be refunded and the license shall expire  
12 on the expiration date or thirty days after mailing or service of notice  
13 to the licensee, whichever is later.

1 SEC. 15. Section eighty-three A point thirteen (83A.13), Code  
2 1973, is amended to read as follows:

3 **83A.13 Registering site of mine.** Within fifteen days after begin-  
4 ning ~~surface~~ mining or removal of overburden at any *surface mining*  
5 site not previously registered, an operator engaging in ~~surface~~ mining  
6 in this state shall register the site with the department. Application  
7 for registration shall be made upon a form provided by the depart-  
8 ment. The registration fee shall be established by the department in  
9 an amount equal to the cost of administering the registration provi-  
10 sions of this chapter, as estimated by the department. The application  
11 shall include a description of the tract or tracts of land where the site  
12 is located and the estimated number of acres at the site to be affected  
13 by ~~surface mining~~ *the mine*. The description shall include the section,  
14 township, range, and county in which the land is located and shall  
15 otherwise describe the land with sufficient certainty to determine the  
16 location and to distinguish the land to be registered from other lands.  
17 The application shall include a statement explaining the ~~source~~ *author-*  
18 *ity* of the applicant's legal right to ~~conduct surface mining~~ *operate a*  
19 *mine* on the land.

1 SEC. 16. Section eighty-three A point seventeen (83A.17), subsec-  
2 tions one (1), two (2), and three (3), Code 1973, are amended to read  
3 as follows:

4 1. ~~Grade irregular spoil banks to reduce peaks and ridges to a roll-~~  
 5 ~~ing topography suitable for establishment of desirable vegetation by~~  
 6 ~~striking off ridges and peaks to a width of at least twenty-four feet~~  
 7 ~~at the top.~~

8 2 1. Grade spoil banks other than irregular spoil banks to slopes  
 9 having a maximum of one foot of vertical rise for each ~~three~~ *four* feet  
 10 of horizontal distance except that where the original topography of  
 11 the affected land was steeper than one foot of vertical rise for each  
 12 ~~three~~ *four* feet of horizontal distance, the spoil bank shall be graded  
 13 to blend with the surrounding terrain.

14 3 2. Construct an earth dam in the ~~final cut~~ at any site where a lake  
 15 or pond may be formed if necessary to properly control *the* drainage  
 16 of *acidic water* from the site and if formation of a lake will not inter-  
 17 fere with underground or other mining operations or damage adjoining  
 18 property.

1 SEC. 17. Section eighty-three A point seventeen (83A.17), Code  
 2 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. Provide for the vegetation of the spoil banks  
 4 created by removal of overburden as prescribed by the department  
 5 before release of the bond as provided in section eighty-three A point  
 6 nineteen (83A.19) of the Code.

1 SEC. 18. Section eighty-three A point twenty-one (83A.21), Code  
 2 1973, is amended to read as follows:

3 83A.21 **Political subdivision engaged in mining.** Any political sub-  
 4 division of the state of Iowa which engages or intends to engage in  
 5 surface mining shall meet all requirements of sections 83A.13 through  
 6 83A.20 except the subdivision shall not be required to post bond or  
 7 security on registered land. When a political subdivision engaging  
 8 in surface mining violates any provision of this chapter or any rule  
 9 or regulation adopted by the department pursuant to this chapter,  
 10 the department shall notify the chief administrative officer or gov-  
 11 erning body of the subdivision. If after a reasonable time deter-  
 12 mined by the department, the subdivision has not commenced correc-  
 13 tive measures approved by the department, the violation shall be  
 14 referred to the ~~board~~ *committee*. The chief administrative officer or  
 15 governing body of the subdivision shall be notified in writing of the  
 16 referral.

1 SEC. 19. Section eighty-three A point twenty-two (83A.22), Code  
 2 1973, is amended to read as follows:

3 83A.22 **Hearing on violation.** Upon receipt of the referral, the  
 4 ~~board~~ *committee* shall schedule a hearing on the violation by the  
 5 political subdivision within thirty days after the date of receipt. The  
 6 ~~board~~ *committee* shall upon written request from the chief adminis-  
 7 trative officer or governing board afford representatives of the sub-  
 8 division the right to appear before the ~~board~~ *committee* at the hearing.  
 9 Representatives of the subdivision shall have the right to counsel, and  
 10 may produce witnesses and present statements, documents, and other  
 11 information with respect to the alleged violation for consideration of  
 12 the ~~board~~ *committee* at the hearing. If the ~~board~~ *committee* determines  
 13 the subdivision is in violation of any of the provisions of this chapter

14 or of any rule or regulation adopted by the department pursuant to  
 15 this chapter, the ~~board~~ *committee* shall request the attorney general  
 16 to institute proceedings to enjoin the subdivision from conducting  
 17 further surface mining operations until the subdivision has completed  
 18 corrective measures to the satisfaction of the department.

1 SEC. 20. Section eighty-three A point twenty-six (83A.26), Code  
 2 1973, is amended to read as follows:

3 **83A.26 Inspection of site.** ~~An inspector~~ *The administrator of the*  
 4 *department or his designee* may enter at all times upon any lands on  
 5 which any operator is authorized to ~~conduct surface mining~~ *operate a*  
 6 *mine* for the purpose of determining whether the operator is or has  
 7 been complying with the provisions of this chapter. The department  
 8 shall give written notice to any operator who violates any of the pro-  
 9 visions of this chapter or any rules and regulations adopted by the  
 10 department pursuant to this chapter. If corrective measures approved  
 11 by the department are not commenced within ninety days, the violation  
 12 shall be referred to the ~~board~~ *committee*. The operator shall be notified  
 13 in writing of the referral. *All operators shall cooperate with the*  
 14 *department in seeking methods of operation which will cause minimum*  
 15 *disruption to the land and property adjoining a mining operation.*

1 SEC. 21. Section eighty-three A point twenty-seven (83A.27),  
 2 Code 1973, is amended to read as follows:

3 **83A.27 Hearing on violations.** Upon receipt of the referral, the  
 4 ~~board~~ *committee* shall schedule a hearing on the violation by the oper-  
 5 ator within thirty days after the date of receipt. The ~~board~~ *committee*  
 6 shall upon written request afford the operator the right to appear  
 7 before the ~~board~~ *committee* at the hearing. The operator shall have  
 8 the right to counsel, and may produce witnesses and present state-  
 9 ments, documents, and other information with respect to the alleged  
 10 violation. If the ~~board~~ *committee* determines that the operator is in  
 11 violation of this chapter or of any rule or regulation adopted by the  
 12 department pursuant to this chapter, the ~~board~~ *committee* shall request  
 13 the attorney general to institute bond forfeiture proceedings.

1 SEC. 22. Section eighty-three A point twenty-eight (83A.28), Code  
 2 1973, is amended to read as follows:

3 **83A.28 Forfeiture of bond.** The attorney general, upon request of  
 4 the ~~board~~ *committee*, shall institute proceedings for forfeiture of the  
 5 bond posted by an operator to guarantee rehabilitation of a site where  
 6 the operator is in violation of any of the provisions of this chapter or  
 7 any rule or regulation adopted by the department pursuant to this  
 8 chapter. Forfeiture of the operator's bond shall fully satisfy all obli-  
 9 gations of the operator to rehabilitate affected land covered by the  
 10 bond. The department shall have the power to rehabilitate as required  
 11 by section 83A.17 any surface mined land with respect to which a bond  
 12 has been forfeited, using the proceeds of the forfeiture to pay for the  
 13 necessary rehabilitation work.

1 SEC. 23. Section eighty-three A point twenty-nine (83A.29), Code  
 2 1973, is amended to read as follows:

3 **83A.29 Penalty for failure to register.** Any operator who fails to  
 4 make timely application for registration of each site where ~~surface~~  
 5 mining is being conducted is guilty of a misdemeanor and on convic-

6 tion shall be punished by a fine of not less than fifty dollars nor more  
7 than five hundred dollars or by imprisonment not to exceed thirty days,  
8 or both such fine and imprisonment. Each day ~~surface~~ mining activi-  
9 ties are conducted at a site for which no application for registration  
10 has been made as required under section 83A.13 shall constitute a  
11 separate violation.

1 SEC. 24. Section eighty-seven point nineteen (87.19), unnumbered  
2 paragraph one (1), Code 1973, is amended to read as follows:

3 Upon the receipt of information by the industrial commissioner of  
4 any employer failing to comply with sections 87.16 to 87.18, inclusive  
5 and eighty-seven point seventeen (87.17) of the Code, he shall at once  
6 notify such employer by certified mail; that unless such employer  
7 ~~comply~~ complies with the requirements of law, legal proceedings will  
8 be instituted to enforce such compliance.

1 SEC. 25. Chapter eighty-three A (83A), Code 1973, is amended  
2 by adding the following new section:

3 **NEW SECTION. Prior rules and orders continued.** Any rule adopted  
4 or order issued under chapter eighty-three A (83A) of the Code be-  
5 fore the effective date of this Act by the state mine inspector or the  
6 state mining board shall remain effective until modified or rescinded  
7 by action of the state soil conservation committee or the administra-  
8 tive officer of the department of soil conservation unless such rule or  
9 order is inconsistent or contrary to the provisions of this Act.

1 SEC. 26. Section one hundred four point one (104.1), Code 1973,  
2 is amended to read as follows:

3 **104.1 General equipment.** Every elevator and elevator opening  
4 and machinery connected therewith in every elevator, hoistway, hatch-  
5 way, and wellhole shall be so constructed, guarded, equipped, main-  
6 tained, and operated as to render it safe for the purposes for which it  
7 is used. ~~Nothing herein contained shall be construed to apply to any~~  
8 ~~elevator hoisting device and anything connected therewith coming~~  
9 ~~under the jurisdiction of the state mine inspector.~~

1 SEC. 27. Chapter three hundred five (305), Code 1973, is amended  
2 by adding the following new section:

3 **NEW SECTION. Maps—surveys.** The operator of any underground  
4 mine shall comply with the following provisions relative to maps and  
5 surveys:

6 1. Scale. Each mine map shall be drawn to a scale of not more than  
7 two hundred feet to the inch.

8 2. General specifications. Each map shall show the name of the  
9 state, county, and township in which the mine is located, the desig-  
10 nation of the mine, the name of the company or operator, the certifi-  
11 cate of the mining engineer or surveyor as to the accuracy and date  
12 of the survey, the north point, and the scale to which the map is  
13 drawn.

14 3. Boundaries and surface lines. Every map shall correctly show  
15 the surface boundary lines of the mineral rights pertaining to each  
16 mine and all section or quarter section lines or corners within the  
17 same, the lines of town lots and streets, the tracks and sidetracks of  
18 all railroads, the location of all wagon roads, rivers, streams, and  
19 ponds, and reservations made of the mineral.

20 4. Underground conditions. For the underground workings, the  
21 map shall show all shafts, slopes, tunnels, or other openings to the  
22 surface or to the workings of a contiguous mine; all excavations, en-  
23 tries, rooms, and crosscuts; the location of the escape ways, and of  
24 the fan or furnace or other means of ventilation and the direction of  
25 air currents, and the location of permanent pumps, hauling engines,  
26 engine planes, abandoned works, fire walls, and standing water.

27 5. Separate maps. A separate and similar map drawn to the same  
28 scale in all cases shall be made of each layer of minerals mined in  
29 any mine in this state. A separate map shall also be made of the sur-  
30 face whenever the surface buildings, lines, or objects are so numerous  
31 as to obscure the details of the mine workings if drawn upon the  
32 same sheet with them, and in such case the surface map shall be  
33 drawn upon transparent cloth or paper so that it can be laid upon  
34 the map of the underground workings and thus truly indicate the  
35 local relation of lines and objects on the surface to the excavations of  
36 the mine and any other principal workings of the mine.

37 6. Rise and dip of minerals. Each map of underground workings  
38 shall also show by profile drawing and measurement, the last one  
39 hundred fifty feet approaching the boundary lines, showing the rise  
40 and dip of the minerals.

41 7. Copies. The original or true copies of the maps shall be kept  
42 at the office of the mine, and true copies thereof shall also be furnished  
43 the state geologist within thirty days after the completion of the same.

44 8. Extensions. An accurate extension of the last preceding survey  
45 of every mine in active operation shall be made once in every twelve  
46 months prior to July 1 of every year and the result of such survey,  
47 with the date thereof, shall be promptly and accurately entered upon  
48 the original map, and a true, correct, and accurate copy of the ex-  
49 tended map shall be forwarded to the state geologist so as to show all  
50 changes in plan of new work in the mine, and all extensions of the old  
51 workings to the most advanced face or boundary of the workings  
52 which have been made since the last preceding survey, and the parts  
53 of the mine abandoned or worked out after the last preceding survey  
54 shall be clearly indicated and shown by colorings, which copy must  
55 be delivered to the state geologist within thirty days after the last  
56 survey is made.

57 9. Abandoned mine. When any underground mine is worked out  
58 or is about to be abandoned or indefinitely closed, the operator of the  
59 same shall make or cause to be made a completed and extended map  
60 of the mine and the result of the same shall be duly extended on all  
61 maps of the mine and copies thereof so as to show all excavations and  
62 the most advanced workings of the mine, and their exact relation to  
63 the boundary or section lines on the surface, and deliver to the state  
64 geologist a copy of the completed map.

65 10. Copies furnished. The state geologist shall provide the depart-  
66 ment of soil conservation a copy of each map and map extension re-  
67 ceived by him under this section.

1 SEC. 28. Chapter three hundred five (305), Code 1973, is amended  
2 by adding the following new section:

3 **NEW SECTION. Failure to furnish map.** When the operator of  
4 any mine neglects or refuses for a period of ninety days to furnish  
5 to the state geologist the map or plan, or a copy thereof, of such mine



6 or any extension thereof, as provided in this chapter, the state geolo-  
7 gist shall cause to be made an accurate map or plan of such mine or  
8 extension as the case may be, at the expense of the operator. The cost  
9 shall be paid by the state and recovered from such operator. It shall  
10 be the duty of the county attorney of the county in which such mine  
11 is located, at the request of the state geologist, to bring action in the  
12 name of the state for such recovery.

1 SEC. 29. Chapter three hundred five (305), Code 1973, is amended  
2 by adding the following new section:

3 **NEW SECTION. Maps property of state—custody—copies.** The  
4 maps so delivered to the state geologist shall be the property of the  
5 state and shall remain in the custody of the state geologist. They  
6 shall be kept at the office of the geological survey and be open to ex-  
7 amination by all persons interested in the same; but such examination  
8 shall only be made in the presence of the state geologist or his desig-  
9 nee, and he shall not permit any copies of the same to be made with-  
10 out the written consent of the operator or the owner of the property,  
11 except as provided in section twenty-seven (27) of this Act.

1 SEC. 30. Section four hundred sixty-seven A point four (467A.4),  
2 subsections one (1) and three (3), Code 1973, are amended to read  
3 as follows:

4 1. There is hereby established, to serve as an agency of the state  
5 and to perform the functions conferred upon it in this chapter, the  
6 department of soil conservation. The department shall be adminis-  
7 tered in accordance with the policies of the state soil conservation com-  
8 mittee, which shall consist of a chairman and ~~ten~~ *twelve* members.  
9 The following shall serve as ex officio nonvoting members of the  
10 committee: The director of the state agricultural extension service,  
11 or his designee, the secretary of agriculture, or his designee, the  
12 director of the state conservation commission or his designee, and the  
13 director of the Iowa natural resources council or his designee. ~~Seven~~  
14 *Eight* voting members shall be appointed by the governor and con-  
15 firmed by the senate. Six of the appointive members shall be persons  
16 engaged in actual farming operations, one of whom shall be a resident  
17 of each of the six conservancy districts established by section 467D.3,  
18 and no more than one of whom shall be a resident of any one county.  
19 The ~~seventh and eighth~~ appointive ~~member~~ *members* shall be chosen  
20 by the governor from the state at large ~~and shall with one appointed~~  
21 *to be a representative of cities and towns and one appointed to be a*  
22 *representative of the mining industry.* The committee may invite the  
23 secretary of agriculture of the United States to appoint one person to  
24 serve with the abovementioned members, and the president of the  
25 Iowa county engineers association may designate a member of the  
26 association to serve in the same manner, but these persons shall have  
27 no vote and shall serve in an advisory capacity only. The director of  
28 the department of environmental quality shall be an ex officio non-  
29 voting member. The committee shall adopt a seal, which seal shall be  
30 judicially noticed, and may perform such acts, hold such public hear-  
31 ings, and promulgate such rules *as provided in chapter seventeen A*  
32 *(17A) of the Code* as may be necessary for the execution of its func-  
33 tions under this chapter.

34 3. The committee shall designate its chairman, and may, from time

35 to time, change such designation. The director of the state agricultural  
 36 extension service shall hold office so long as he shall retain the office  
 37 by virtue of which he shall be serving on the committee. The members  
 38 appointed by the governor shall serve for a period of six years. Mem-  
 39 bers shall be appointed in each odd-numbered year to succeed members  
 40 whose terms expire on June 30 of that year. Appointments may be  
 41 made at such other times and for such other periods as are necessary  
 42 to fill vacancies on the committee, and any appointment so made while  
 43 the general assembly is not in session shall be subject to confirmation  
 44 by the senate at the next session of the general assembly thereafter.  
 45 No members shall be appointed to serve more than two complete six-  
 46 year terms. Members designated to represent the secretary of agri-  
 47 culture, director of the state conservation commission, or the director  
 48 of the Iowa natural resources council shall serve at the pleasure of the  
 49 officer making such designation. A majority of the voting members  
 50 of the committee shall constitute a quorum, and the concurrence of a  
 51 majority of the voting members of the committee in any matter within  
 52 their duties shall be required for its determination. The chairman and  
 53 members of the committee, not otherwise in the employ of the state,  
 54 or any political subdivision, shall receive thirty dollars per diem as  
 55 compensation for their services in the discharge of their duties as  
 56 members of the committee. The committee shall determine the number  
 57 of days for which any committee member may draw per diem com-  
 58 pensation, but the total number of days for which per diem compen-  
 59 sation is allowed for the entire committee shall not exceed ~~three~~ four  
 60 hundred ~~fifty~~ days per year. They shall also be entitled to expenses,  
 61 including traveling expenses, necessarily incurred in the discharge of  
 62 their duties as members of such committee. The committee shall pro-  
 63 vide for the execution of surety bonds for all employees and officers  
 64 who shall be entrusted with funds or property, shall provide for the  
 65 keeping of a full and accurate record of all proceedings and of all reso-  
 66 lutions, regulations, and orders issued or adopted, and shall provide for  
 67 an annual audit of the accounts of receipts and disbursements.

1 SEC. 31. Sections seventeen point eleven (17.11), sixty-four point  
 2 six (64.6), subsection eleven (11), and eighty-seven point eighteen  
 3 (87.18), and chapters eighty-two (82) and eighty-three (83), Code  
 4 1973, are repealed.

1 SEC. 32. There is appropriated from the general fund of the state  
 2 to the department of soil conservation for each year of the fiscal bien-  
 3 nium beginning July 1, 1973 and ending June 30, 1975 the following  
 4 amounts, or so much thereof as may be necessary, to be used for the  
 5 purposes designated:

	1973-74	1974-75
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
8 For salaries, support, maintenance and miscellaneous purposes in- 9 curred in administering the provisions of this Act: .....		
10 .....	\$ 23,500	\$ 23,500

1 SEC. 33. All federal grants to and the federal receipts of the de-  
 2 partment of soil conservation are appropriated for the purpose set  
 3 forth in the federal grants or receipts.

1 SEC. 34. No funds appropriated by this Act shall be used for capi-  
2 tal improvements.

1 SEC. 35. Notwithstanding the provisions of section eight point  
2 thirty-three (8.33) of the Code, all unencumbered or unobligated bal-  
3 ances of appropriations made by this Act for the first fiscal year of  
4 the biennium commencing July 1, 1973 shall, on August 31, 1974, re-  
5 vert to the state treasury and to the credit of the fund from which  
6 appropriated. In all other respects the provisions of section eight  
7 point thirty-three (8.33) of the Code shall apply to appropriations  
8 made for the first fiscal year of such biennium. Unencumbered or  
9 unobligated balances of appropriations made for the second fiscal year  
10 of such biennium shall be subject to section eight point thirty-three  
11 (8.33) of the Code.

Approved July 12, 1973.

This Act was passed by the G. A. before July 1, 1973.

## CHAPTER 140

### AGE OF MAJORITY

S. F. 82

AN ACT to lower the age of majority.

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

1 SECTION 1. Section sixty-eight B point nine (68B.9), Code 1973,  
2 is amended to read as follows:

3 **68B.9 Actions commenced.** Actions to enforce the provisions of  
4 this chapter may be commenced by any legal resident of the state of  
5 Iowa who is ~~nineteen~~ *eighteen* years of age or more at the time of  
6 commencing the action or by the attorney general.

1 SEC. 2. Section eighty A point five (80A.5), subsection one (1),  
2 Code 1973, is amended to read as follows:

3 1. That the applicant is at least ~~nineteen~~ *eighteen* years of age.

1 SEC. 3. Section eighty B point eleven (80B.11), subsection one  
2 (1), Code 1973, is amended to read as follows:

3 1. Minimum entrance requirements, minimum qualifications for  
4 instructors, course of study, attendance requirements, and equipment  
5 and facilities required at approved law enforcement training schools.  
6 *Minimum age requirements for entrance to approved law enforcement*  
7 *training schools shall be eighteen years of age.*

1 SEC. 4. Section ninety point one (90.1), Code 1973, is amended to  
2 read as follows:

3 **90.1 Petition for appointment.** When any dispute arises between  
4 any person, firm, corporation, or association of employers and their  
5 employees or association of employees, of this state, except employers  
6 or employees having trade relations directly or indirectly based upon  
7 interstate trade relations operating through or by state or interna-  
8 tional boards of conciliation, which has or is likely to cause a strike or