

5 made by the deputy treasurer and the ~~recorder or his~~ deputy *auditor*
 6 at the county seat where the taxes for the district are collected, and
 7 the records thereof shall be kept thereat. Such deputy treasurer and
 8 the ~~recorder or his~~ deputy *auditor* shall have all the powers conferred
 9 by law upon the treasurer and auditor in relation to the collection of
 10 the revenue, sales for delinquent taxes, redemption therefrom, the
 11 execution of tax deeds thereunder, and every other matter connected
 12 therewith.

Approved March 29, 1974

CHAPTER 1236

SOIL CONSERVATION

H. F. 1178

AN ACT relating to administration of the department of soil conservation, soil conservation districts and conservancy districts.

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

1 SECTION 1. Section four hundred sixty-seven A point three
 2 (467A.3), subsection eleven (11), Code 1973, is amended to read as
 3 follows:

4 11. "Landowner" includes any person, firm, or corporation *or any*
 5 *federal agency, this state or any of its political subdivisions*, who shall
 6 hold title to ~~three or more~~ acres of land lying outside incorporated
 7 cities or towns and within a proposed district or a district organized
 8 under the provisions of this chapter.

1 SEC. 2. Section four hundred sixty-seven A point three (467A.3),
 2 Code 1973, is amended by adding the following new subsections:

3 NEW SUBSECTION. "Conservancy district" means one of the six
 4 conservancy districts established by section four hundred sixty-seven
 5 D point three (467D.3) of the Code.

6 NEW SUBSECTION. "Board" means the body designated by section
 7 four hundred sixty-seven D point four (467D.4) of the Code to admin-
 8 ister each of the conservancy districts.

9 NEW SUBSECTION. "Council" means the Iowa natural resources
 10 council.

1 SEC. 3. Section four hundred sixty-seven A point four (467A.4),
 2 subsection four (4), Code 1973, is amended by adding the following
 3 new paragraphs:

4 NEW PARAGRAPH. To offer such assistance as may be appropriate
 5 to the conservancy districts established by section four hundred sixty-
 6 seven D point three (467D.3) of the Code, and in the carrying out of
 7 any of their powers and programs.

8 NEW PARAGRAPH. Review, amend, and give final approval to the
 9 plan of each of the conservancy districts, and to any subsequent
 10 changes therein, in the manner provided by chapter four hundred
 11 sixty-seven D (467D) of the Code.

12 NEW PARAGRAPH. Maintain files of such proceedings, rules and
13 regulations, and orders, of each of the conservancy districts in the
14 state as the department may request from the conservancy districts
15 pursuant to section four hundred sixty-seven D point six (467D.6),
16 subsection eleven (11) of the Code.

17 NEW PARAGRAPH. To keep the boards of each of the six conserv-
18 ancy districts established by section four hundred sixty-seven D point
19 three (467D.3) of the Code informed of the activities and experience
20 of the other conservancy districts and to facilitate an interchange of
21 advice and experience between conservancy districts and cooperation
22 between them.

23 NEW PARAGRAPH. To coordinate the programs of the conservancy
24 districts so far as this may be done by advice and consultation.

25 NEW PARAGRAPH. To disseminate information throughout the state
26 concerning the activities and programs of the conservancy districts
27 established by section four hundred sixty-seven D point three (467D.3)
28 of the Code.

29 NEW PARAGRAPH. To render financial aid and assistance to the six
30 conservancy districts established by section four hundred sixty-seven
31 D point three (467D.3) of the Code for the purpose of carrying out
32 the policy stated in chapter four hundred sixty-seven D (467D) of the
33 Code.

1 SEC. 4. Section four hundred sixty-seven A point seven (467A.7),
2 subsection three (3), Code 1973, is amended to read as follows:

3 3. To carry out preventive and control measures within the dis-
4 trict, including, but not limited to, crop rotations, engineering opera-
5 tions, methods of cultivation, the growing of vegetation, changes in
6 use of land, and the measures listed in section 467A.2, on lands owned
7 or controlled by this state or any of its agencies, with the consent and
8 co-operation of the agency administering and having jurisdiction
9 thereof, and on any other lands within the district, upon obtaining
10 the consent of the owner or occupier of such lands or the necessary
11 rights or interests in such lands. ~~The Any approval of or permits from~~
12 ~~the Iowa natural resources council shall be required on any project~~
13 ~~which relates to or in any manner affects flood control under other~~
14 ~~provisions of law shall be obtained by the district prior to initiation of~~
15 ~~any construction activity.~~

1 SEC. 5. Section four hundred sixty-seven A point seven (467A.7),
2 subsection seven (7), Code 1973, is amended to read as follows:

3 7. To construct, improve, and maintain such structures as may be
4 necessary or convenient for the performance of any of the operations
5 authorized in this chapter. ~~The Any approval of or permits from the~~
6 ~~Iowa natural resources council shall be required on any project which~~
7 ~~relates to or in any manner affects flood control under other provisions~~
8 ~~of law shall be obtained by the district prior to initiation of any con-~~
9 ~~struction activity.~~

1 SEC. 6. Section four hundred sixty-seven A point seven (467A.7),
2 subsection thirteen (13), Code 1973, is amended to read as follows:

3 13. After the formation of any district under the provisions of this
4 chapter, all participation hereunder shall be purely voluntary, ~~any~~
5 ~~provision herein contained on the contrary notwithstanding except as~~
6 ~~specifically stated herein.~~

1 SEC. 7. Section four hundred sixty-seven A point seven (467A.7),
2 subsection fifteen (15), Code 1973, is amended to read as follows:

3 15. To take notice of the *conservancy* district plan, and conform to
4 the duly promulgated rules of the conservancy district or *conservancy*
5 districts in which the soil conservation district is located; provided
6 that this subsection shall not be construed to grant any authority not
7 otherwise granted by law to the commissioners of soil conservation
8 districts.

1 SEC. 8. Section four hundred sixty-seven A point forty-four
2 (467A.44), subsection three (3), Code 1973, is amended to read as
3 follows:

4 3. Require the owners of real property in the district to employ
5 either soil and water conservation practices or erosion control prac-
6 tices, ~~but may and:~~

7 a. *May not specify the particular practices to be employed so long*
8 *as such owners voluntarily comply with the applicable soil loss limit or*
9 *with an administrative order limits established for the district.*

10 b. *May specify two or more approved soil and water conservation*
11 *practices or erosion control practices, one of which shall be employed*
12 *by the landowner to bring erosion from land under ~~their~~ his control*
13 *with within the applicable soil loss limit, and in of the district when an*
14 *administrative order is issued to the landowner.*

15 c. In no case may the commissioners require:

16 a. (1) The employment of erosion control practices as defined in
17 section 467A.42, subsection 3, on land used in good faith for agricul-
18 tural or horticultural purposes only.

19 b. (2) The employment of soil and water conservation practices or
20 erosion control practices on that portion of any public street, road or
21 highway completed or under construction within the corporate limits
22 of any city or town, which is or will become the traveled or surfaced
23 portion of such street, road, or highway.

24 e. (3) That any owner or operator of agricultural land refrain from
25 fall plowing of land on which he intends to raise a crop during the
26 next succeeding growing season, however on those lands which are
27 prone to excessive wind erosion the commissioners may require that
28 reasonable temporary measures be taken to minimize the likelihood of
29 wind erosion so long as such measures do not unduly increase the cost
30 of operation of the farm on which the land is located. However, fall
31 plowing of soil which is commonly known as gumbo shall always be
32 permitted.

1 SEC. 9. Section four hundred sixty-seven A point forty-seven
2 (467A.47), unnumbered paragraph one (1), Code 1973, is amended
3 to read as follows:

4 The commissioners of any soil conservation district shall inspect or
5 cause to be inspected any land within the district, upon receipt of a
6 written and signed complaint, *from an owner or occupant of land*
7 *being damaged by sediment*, that soil erosion is occurring thereon in
8 excess of the limits established by the district's soil erosion control
9 regulations. If they find that *sediment damages are occurring to prop-*
10 *erty owned or occupied by the person filing the complaint and that*
11 *such excess soil erosion is so occurring on the land inspected, they*
12 *shall issue an administrative order to the landowner or landowners of*

13 record, and to the occupant of the land if known to the commission-
 14 ers, describing said land and stating as nearly as possible the extent
 15 to which soil erosion thereon exceeds the limits established by the dis-
 16 trict's regulations. The order shall be delivered either by personal
 17 service or by restricted certified mail to each of the persons to whom
 18 it is directed, and shall:

1 SEC. 10. Section four hundred sixty-seven A point fifty-one
 2 (467A.51), Code 1973, is amended to read as follows:

3 467A.51 **Entering on land.** The commissioners and their author-
 4 ized agents or employees shall have authority *after ten days written*
 5 *notice by restricted certified mail addressed to the owner and also to*
 6 *the occupant to enter upon any land in the district without the consent*
 7 *of the landowner or person in possession or control of the land, by the*
 8 *procedures and subject to the limitations prescribed in section 467D.24,*
 9 *to determine whether soil erosion is occurring thereon in violation of*
 10 *the district's regulations. Such entry, after notice, shall not be deemed*
 11 *a trespass, and the commissioners may be aided by injunction to insure*
 12 *peaceful entry, when necessary in order to properly discharge their*
 13 *duties under this chapter.*

1 SEC. 11. Section four hundred sixty-seven D point two (467D.2),
 2 subsections one (1) and two (2), Code 1973, are amended to read as
 3 follows:

4 1. The terms "district" or "conservancy" "Conservancy district"
 5 mean means one of the six conservancy districts established by section
 6 467D.3.

7 2. "Board" means the body designated by section 467D.4 to admin-
 8 ister each of the *conservancy* districts.

1 SEC. 12. Section four hundred sixty-seven D point two (467D.2),
 2 Code 1973, is amended by adding the following new subsections:

3 NEW SUBSECTION. "Department" or "department of soil conserva-
 4 tion" means the agency established by section four hundred sixty-
 5 seven A point four (467A.4) of the Code.

6 NEW SUBSECTION. "Committee" or "state soil conservation com-
 7 mittee" means the committee established by section four hundred
 8 sixty-seven A point four (467A.4) of the Code.

1 SEC. 13. Section four hundred sixty-seven D point five (467D.5),
 2 Code 1973, is amended to read as follows:

3 467D.5 **Officially as board of conservancy districts.** When officially
 4 conducting the business of any conservancy district, the ~~state soil~~
 5 ~~conservation~~ committee shall formally convene as the board of that
 6 *conservancy* district and shall keep minutes as such. The chairman of
 7 the ~~state soil conservation~~ committee shall be the chairman of the
 8 board of each conservancy district.

1 SEC. 14. Section four hundred sixty-seven D point six (467D.6),
 2 subsections one (1), six (6), and eleven (11), Code 1973, are amended
 3 to read as follows:

4 1. Exercise such supervision over the water resources of the *con-*
 5 *servancy* district, including water in any basin, watercourse, or other
 6 body of water in the *conservancy* district, and have authority to pro-
 7 mulgate and repeal, with approval of the ~~council~~ *department*, and

8 enforce such rules and regulations, except those *rules and regulations*
 9 *relating to water quality standards resources* under the authority of
 10 the *council and the Iowa water pollution control quality* commission,
 11 as necessary to achieve the objectives of this chapter as set forth in
 12 section 467D.1.

13 6. Have authority to enter into binding agreements, with respect to
 14 any matter within the jurisdiction of the *conservancy* district, with:

15 a. Any person, firm, corporation or association, the state of Iowa,
 16 or any of its political subdivisions.

17 b. The federal government, or any of the agencies thereof.

18 c. Other states or agencies or subdivisions thereof comparable in
 19 purpose to the district, provided all such agreements are entered into
 20 jointly with the ~~council~~ *department in accordance with other provi-*
 21 *sions of law.*

22 11. Maintain at its office a record of all the *conservancy* district's
 23 proceedings, rules and regulations, and orders, and furnish copies
 24 thereof to the *department and the council* upon request.

1 SEC. 15. Section four hundred sixty-seven D point thirteen
 2 (467D.13), Code 1973, is amended to read as follows:

3 467D.13 **Review by state committee.** The ~~state soil conservation~~
 4 committee shall review the proposed biennial budget of each of the
 5 *conservancy* districts, and may revise any such budget. The ~~state soil~~
 6 ~~conservation~~ committee shall prepare a consolidated list of the appro-
 7 priations requested for administration, operation, and maintenance
 8 of each *conservancy* district for each year of the ensuing biennium,
 9 and of capital appropriations requested, if any, for each *conservancy*
 10 district, and shall forward the consolidated list to the state comptroller
 11 as a part of the ~~state soil conservation~~ committee's estimates of ex-
 12 penditure requirements submitted pursuant to section 8.23.

1 SEC. 16. Section four hundred sixty-seven D point sixteen
 2 (467D.16), unnumbered paragraph one (1), Code 1973, is amended to
 3 read as follows:

4 The board shall prepare, ~~in consultation with the council,~~ a plan for
 5 accomplishment of the objectives of this chapter within the *conserv-*
 6 *ancy* district. For this purpose the board may request and shall obtain
 7 from any state agency or political subdivision information which the
 8 agency or subdivision may have already collected which is pertinent to
 9 preparation of the plan, and may conduct such hearings as it deems
 10 necessary. The plan shall establish an order of priorities for carrying
 11 out projects necessary to accomplish the objectives of this chapter,
 12 shall conform as nearly as practicable to the comprehensive state-wide
 13 water resources plan established by the council pursuant to section
 14 455A.17 and shall reflect the following general policies:

1 SEC. 17. Section four hundred sixty-seven D point seventeen
 2 (467D.17), Code 1973, is amended to read as follows:

3 467D.17 **Plan presented to department and council.** The board
 4 shall tentatively adopt the plan by resolution and shall present the plan
 5 to the *department and the council* ~~not later than July 1, 1973~~ for
 6 review. The council shall within ninety days ~~approve~~ review the plan
 7 as presented, ~~or with such amendments and make such recommenda-~~
 8 ~~tions~~ as, in its discretion, it deems necessary to bring the *conservancy*

9 district's plan into conformity with the comprehensive state-wide water
 10 resources plan established by the council pursuant to section 455A.17.
 11 *The department shall review the plan as presented and, with such*
 12 *amendments as are necessary to bring the plan into conformity with*
 13 *the statewide water resources plan, give final approval within one hun-*
 14 *dred twenty days.*

1 SEC. 18. Section four hundred sixty-seven D point eighteen
 2 (467D.18), Code 1973, is amended to read as follows:

3 **467D.18 Working program.** The plan and the order of priorities
 4 established thereby shall constitute the working program of the *con-*
 5 *servancy* district. The plan shall be reviewed from time to time and
 6 shall, ~~with the consent of the council,~~ be changed as deemed necessary
 7 as the result of experience gained in construction and maintenance of
 8 internal improvements by the *conservancy* district, and in operation of
 9 the *conservancy* district, or as the result of changed conditions. The
 10 board may initiate changes in the *conservancy* district plan on its own
 11 motion or at the direction of the ~~council~~ department.

1 SEC. 19. Section four hundred sixty-seven D point nineteen
 2 (467D.19), Code 1973, is amended to read as follows:

3 **467D.19 Implementation.** After final approval of the plan, the
 4 board shall begin to implement the plan as expeditiously as possible,
 5 within the limitations of available appropriations and other financial
 6 resources. When implementation of the plan involves construction or
 7 improvement of any internal improvement by the *conservancy* dis-
 8 trict, the board may order the preparation of detailed plans and speci-
 9 fications, and a refined cost estimate. Upon completion of such plans,
 10 specifications and cost estimate to their satisfaction, the board shall
 11 adopt the same, subject to the approval of the ~~council~~ department, and
 12 shall let the contract or contracts therefor in accordance with section
 13 467D.20. *Any approval or permits from the council required under*
 14 *other provisions of law shall be obtained by the conservancy district*
 15 *prior to initiation of any construction activity.*

1 SEC. 20. Section four hundred fifty-five A point forty (455A.40),
 2 subsection two (2), Code 1973, is amended to read as follows:

3 2. Review, ~~amend,~~ and ~~give final approval~~ *make such recommenda-*
 4 *tions as it deems necessary to bring the plan of each of the conservancy*
 5 *districts, and to any subsequent changes therein, in the manner pro-*
 6 *vided by this chapter into conformity with the statewide water re-*
 7 *sources plan established by the council pursuant to section four hun-*
 8 *dred fifty-five A point seventeen (455A.17) of the Code.*

1 SEC. 21. Section four hundred fifty-five A point forty (455A.40),
 2 Code 1973, is amended by striking subsection three (3).

1 SEC. 22. The Code editor is directed to insert the word "conserv-
 2 ancy" before the word "district" or the word "districts" or the word
 3 "district's" wherever any of these words appear, except where they
 4 are immediately preceded by the word "conservancy" or the words
 5 "soil conservation", and to make any necessary conforming changes in
 6 capitalization or punctuation, in sections four hundred sixty-seven D
 7 point four (467D.4), four hundred sixty-seven D point six (467D.6),
 8 subsections two (2), five (5), eight (8), nine (9) and ten (10), sections

9 four hundred sixty-seven D point seven (467D.7), four hundred sixty-
 10 seven D point eight (467D.8), four hundred sixty-seven D point ten
 11 (467D.10), subsections two (2), three (3) and four (4), sections four
 12 hundred sixty-seven D point eleven (467D.11), four hundred sixty-
 13 seven D point twelve (467D.12), four hundred sixty-seven D point
 14 fourteen (467D.14), four hundred sixty-seven D point fifteen
 15 (467D.15), four hundred sixty-seven D point twenty (467D.20), four
 16 hundred sixty-seven D point twenty-one (467D.21), four hundred
 17 sixty-seven D point twenty-two (467D.22), unnumbered paragraph
 18 one (1), and section four hundred sixty-seven D point twenty-three
 19 (467D.23), Code 1973, and to such extent the enumerated sections and
 20 subsections are amended.

Approved May 27, 1974

CHAPTER 1237

CO-OPERATIVE ASSOCIATIONS

H. F. 335

AN ACT relating to annual reports of cooperative associations.

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

1 SECTION 1. Section four hundred ninety-nine point forty-nine
 2 (499.49), unnumbered paragraph one (1), Code 1973, is amended to
 3 read as follows:

4 Each association shall, before April ~~1~~ *first* of each year, file a report
 5 with the secretary of state on forms prescribed by him, to be accom-
 6 panied by the annual fee required by section 499.45, subsection 4.
 7 Such report shall be ~~sworn to~~ *signed* by an officer of the association,
 8 or a receiver or trustee liquidating its affairs, and shall state:

Approved March 4, 1974

CHAPTER 1238

SECURITIES LAW MODIFICATIONS

H. F. 1432

AN ACT relating to the definition of "security" and providing for the clarification and modification of certain exemptions under the Iowa securities law; relating to the registration requirements of those operating as dealers in securities, and to the licensing and examination fees payable by dealers and salesmen of securities, and increasing the amount of the surety bond to be obtained prior to being registered as a securities dealer; relating to the requirements of escrow agreements entered into under the Iowa securities law; relating to the public disclosure of information required to be furnished the commissioner of insurance; and providing penalties.

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

1 SECTION 1. Section five hundred two point three (502.3), subsec-
 2 tion one (1), Code 1973, is amended to read as follows: