

Sec. 17. As soon as reasonably possible after July 1, 1980, the commissioners of each soil conservation district in the state shall publish, in a newspaper of general circulation in the district, a notice advising owners and operators of agricultural land in the district of the provisions of section fourteen (14) of this Act. The notice shall be drawn up in accordance with rules of the department of soil conservation.

Sec. 18. Sections one (1) through seven (7) and nine (9) through fifteen (15) of this Act are effective January first following its enactment.

Approved May 22, 1980

CHAPTER 1154
CONSERVANCY DISTRICT DIRECTORS
S. F. 2357

AN ACT relating to the composition and powers of conservancy district boards of directors, and adjusting the statutory boundaries of certain conservancy districts.

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

Section 1. Section four hundred sixty-seven D point four (467D.4), Code 1979, is amended to read as follows:

467D.4 GOVERNING BODY. The governing body of each conservancy district shall be one of the following:

1. The state soil conservation committee established by section 467A.4.
2. A board of not less than five nor more than nine members elected from conservancy district wards established under section four hundred sixty-seven D point five (467D.5) of the Code. Conservancy district board members so elected shall be reimbursed for travel and other actual and necessary expenses incurred in performing their duties. The member of the state soil conservation committee appointed from that conservancy district is an ex officio nonvoting member of the district board of directors.

Sec. 2. Section four hundred sixty-seven D point five (467D.5), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

467D.5 ELECTION OF CONSERVANCY DISTRICT BOARD.

1. The state soil conservation committee acting in its capacity as a conservancy district board may propose division of a conservancy district, currently being governed by the state soil conservation committee under subsection one (1) of section four hundred sixty-seven D point four (467D.4) of the Code, into not less than five nor more than nine wards. Ward boundaries shall coincide with county boundaries, except that each ward shall lie entirely within the conservancy district of which it is a part. Each ward shall be composed of contiguous territory and shall be drawn with

equality of population as an objective, insofar as that objective can reasonably be implemented while meeting the other requirements of this subsection.

2. The board of directors of a conservancy district which has been divided into wards under subsection one (1) of this section shall consist of one director from each ward so established, who shall be elected as provided by subsection three (3) of this section. Each director shall serve a term of three years beginning on the first day of January, following that director's election, which is not a Sunday or a holiday. When a proposal for establishment of wards in a conservancy district has been approved by the state soil conservation committee, the members of the first elected board shall be chosen as provided by subsection three (3) of this section except that the election shall be held not more than one hundred eighty days after the date of approval of the proposal for establishment of wards. The first elected board of directors shall take office on a day specified by the state soil conservation committee, which shall be not more than thirty days after election of the directors is completed. Upon taking office, the first elected board shall divide itself by lot into three classes as nearly equal in size as possible. Thereafter, successors to members of the first class shall be elected in the first succeeding calendar year, successors to members of the second class shall be elected in the second succeeding calendar year, and successors to members of the third class shall be elected in the third succeeding calendar year after the year in which the first elected board takes office.

3. Each member of a conservancy district board of directors shall be elected at a ward convention attended by delegates chosen by and from among the commissioners of the respective soil conservation districts located entirely or partially within that ward.

a. A convention shall be held for each ward not earlier than October first nor later than November thirtieth of each year in which a director is to be elected from that ward. Each ward convention shall be called and its location shall be determined by the board of directors of the conservancy district of which the ward is a part. The conventions shall be held within the boundaries of the respective wards, and may be held in conjunction with other meetings attended by soil conservation district commissioners where doing so will avoid or reduce expense for travel and for use of convention sites. Notice of the time, date and place of a ward convention shall be published by the conservancy district board of directors, at least thirty days prior to the convention date, in at least one newspaper of general circulation in the ward. The cost of publication shall be paid by the conservancy district.

b. The commissioners of each separate soil conservation district located entirely or partially within a conservancy district ward shall jointly cast a single, weighted vote for director of the conservancy district from that ward. The weight of the vote cast by the commissioners of each soil conservation district shall be based upon the ratio that the population of the soil conservation district, or portion of the district, bears to that of the entire ward. The population of each soil conservation district, or

portion of a district, shall be certified by the department of soil conservation.

c. A candidate for election to the conservancy district board from a ward may file a statement of candidacy with the secretary of the conservancy district board at least ten days before the date of that ward's convention. The statement of candidacy shall state the candidate's name and address and shall indicate the soil conservation district within which the candidate resides. The list of candidates in each ward where an election is to occur shall be sent by ordinary mail to the commissioners of each soil conservation district located entirely or partially within the ward, immediately after the last day for filing. The filing of a statement of candidacy shall not be a prerequisite for election as a conservancy district director. A delegate to a ward convention shall not be bound by the soil conservation district commissioners to pledge his or her vote to any candidate prior to the date of the convention.

4. Any eligible elector as defined in section thirty-nine point three (39.3) of the Code residing in a conservancy district ward is eligible to be elected to represent that ward on the board. A conservancy district board member need not be a soil conservation district commissioner, but the same individual may hold both offices concurrently. A person shall be elected to the board for no more than two consecutive terms. A vacancy is created when a member of the board removes his or her residence from the ward he or she was elected to represent. A vacancy shall be filled by appointment of the state soil conservation committee from a list of nominees submitted by the remaining members of the board, for the period until the next regular election under subsection three (3) of this section. At that election, a board member shall be elected for the remaining balance of the unexpired term.

Sec. 3. Section four hundred sixty-seven D point six (467D.6), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Establish, administer and direct various advisory committees as authorized by this chapter.

Sec. 4. Section four hundred sixty-seven D point seven (467D.7), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

467D.7 ADMINISTRATION OF CONSERVANCY DISTRICTS BY STATE COMMITTEE.

1. When officially conducting the business of a conservancy district, the committee shall formally convene as the board of that conservancy district and shall keep minutes as such. The chairperson of the committee shall be the chairperson of the board of each conservancy district that it administers.

2. The state soil conservation committee, serving in its capacity as the board of a conservancy district, shall appoint a secretary and a treasurer for the conservancy district, and may appoint the same individual as secretary for two or more conservancy districts, or as the treasurer for two or more conservancy districts. However, a person shall not simultaneously serve as both a board secretary and a board treasurer, either for the same conservancy district or for different conservancy districts. A person

appointed by the committee as secretary or treasurer of one or more conservancy districts, who is not otherwise employed by the state or any of its political subdivisions, shall receive compensation as the committee determines.

Sec. 5. Section four hundred sixty-seven D point eight (467D.8), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

467D.8 ADMINISTRATION OF CONSERVANCY DISTRICTS BY ELECTED BOARD.

1. The board of each conservancy district which is administered by an elected board shall hold an annual meeting in January and shall meet at least once each quarter. The chairperson of the board shall schedule a special meeting within five days on the request of any two board members. An action of the board requires the affirmative votes of at least a majority of the elected members.

2. At the first meeting after election of the initial board, at the annual meeting in the following calendar year, and at each succeeding annual meeting, the board shall organize by electing a chairperson and a vice-chairperson. Upon completing its organization, the initial elected board of a conservancy district shall so notify the state soil conservation committee in writing. The committee shall transfer the powers, duties and records of the board of that conservancy district to the elected board within thirty days after receiving the notice.

3. At its first meeting after election of the initial board pursuant to section two (2) of this Act, and at each succeeding annual meeting, the board of each conservancy district administered by an elected board shall appoint a secretary and a treasurer for the conservancy district. However, a person shall not simultaneously serve as both a board secretary and a board treasurer, either for the same conservancy district or for different conservancy districts. The secretary and treasurer may be either full-time or part-time employees of the conservancy district, at the board's discretion. The secretary and the treasurer shall each qualify by filing with the board, within ten days after being appointed, a bond in an amount designated by the board, but not less than one thousand dollars, conditioned on the faithful performance of their respective duties. The reasonable cost of the secretary's and the treasurer's bonds may be paid from the funds of the conservancy district.

Sec. 6. Section four hundred sixty-seven D point ten (467D.10), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Perform other duties as directed by the board.

Sec. 7. Section four hundred sixty-seven D point three (467D.3), subsection one (1), paragraph j, Code 1979, is amended to read as follows:

j. In Scott county:

<u>Twp. N.</u>	<u>Range East</u>	<u>Sections</u>
80	1, 2, 3, 4, 5	All.
79	1	1 to 18 inclusive, 23, 24.
	2	1 to 30 inclusive, 33 to 36 inclusive.
	3, 4, 5	All.

78	2	1, 2, 10 to 17 inclusive, 20 to 36 inclusive <u>20 to 30 inclusive</u> , 32 to 36 inclusive.
	3, 4, 5	All.
77	2 -3	All <u>1 to 5 inclusive</u> , 8 to 17 inclusive, 20 to 36 inclusive.
	<u>3</u>	<u>All.</u>

All territory within the corporate limits of the city of Bluegrass, as such limits existed on January 1, 1979, shall be within the northeast Iowa conservancy district, including the portion of such city not within any of the sections of land previously listed in this paragraph.

Sec. 8. Section four hundred sixty-seven D point three (467D.3), subsection one (1), paragraphs k and l, Code 1979, are amended by striking the paragraphs.

Sec. 9. Section four hundred sixty-seven D point three (467D.3), subsection two (2), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

2. The Iowa-Cedar river conservancy district shall include all of Worth, Cerro Gordo, Butler, Franklin, Grundy, Benton, Tama, Johnson, Muscatine, and Iowa counties, those portions of Mitchell, Floyd, Chickasaw, Bremer, Black Hawk, Buchanan, Linn, Cedar, and Scott, ~~and Muscatine~~ counties not included in the northeast Iowa conservancy district, that portion of Jones county not so included in the northeast Iowa conservancy district and also all territory within the corporate limits of the city of Martelle in Jones county, as such limits existed on January 1, 1969, including that portion of such city within any of the sections of land listed in paragraph "h" of subsection 1 of this section, and the designated portions of each of the following counties:

Sec. 10. Section four hundred sixty-seven D point three (467D.3), subsection two (2), paragraph m, Code 1979, is amended to read as follows:

m. In Louisa county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
76	5	All.
75	<u>2</u>	<u>All.</u>
	3	4 to 9 inclusive, 16 to 22 inclusive, 27 to 34 inclusive <u>All.</u>
	4, 5	All.
74	1	All.
	2	18, 19, 29 to 32 inclusive, <u>36 5 to 9 inclusive, 16 to 22 inclusive, 26 to 36 inclusive.</u>
	3	2 to 36 inclusive <u>All.</u>
	4	1 to 30 inclusive, 32 to 36 inclusive.

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
	5	1 to 29 inclusive, 34.
73	1	All.
	2	17-4-to-36-inclusive All.
	3	All.
	4	1 to 5 inclusive, 9 to 16 inclusive, 23 to 26 inclusive, 35, 36.

~~All-territory-within-the-corporate-limits-of-the-city-of-Grandview,--as--such-limits--existed--on--January--1,--1969,--shall-be-within-the-Iowa-Gedar-river-conservancy-district,--including-the-portion-of-the-city-not-within-any-of-the-sections-of-land-listed-in-this-paragraph.~~

Sec. 11. Section four hundred sixty-seven D point three (467D.3), subsection five (5), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The southern Iowa conservancy district shall include all of Wayne, Decatur, Ringgold, Adams, Taylor, Cass, Montgomery, Mills, Fremont, and Page counties, those portions of Audubon and Monroe counties not included in the Des Moines river conservancy district, and the designated portions of each of the following counties:

Sec. 12. Section four hundred sixty-seven D point three (467D.3), subsection five (5), paragraph k, Code 1979, is amended to read as follows:

k. In Crawford county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
83	37	11 to 36 inclusive.
	38	23 to 26 inclusive, 34, 35, 36.
82	37	All.
	38	1 to 5 inclusive, 9 to 36 inclusive.
	39	13, 23 to 28 inclusive, 33 <u>30 to 36 inclusive.</u>

Sec. 13. Section four hundred sixty-seven D point three (467D.3), subsection five (5), paragraph l, Code 1979, is amended to read as follows:

l. In Shelby county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
81	37, 38	All.
	39	17--27-37-10--to-15--inclusive, 22--to-27--inclusive, 347-357-36 1 to 5 inclusive, 7 to 36 inclusive.
	<u>40</u>	<u>13, 23 to 26 inclusive, 35, 36.</u>
80	37, 38	All.
	39	17--27-37--10--to-16--inclusive, 21--to-29--inclusive, 347-357-36 All.

	<u>40</u>	<u>1 to 4 inclusive, 8 to 17 inclusive, 19 to 36 inclusive.</u>
79	37, 38 39, <u>40</u>	All. 17--27-37--10-to-16--inclusive,--21-to-28--inclusive, 32-to-36-inclusive <u>All.</u>
78	37, 38, 39 40	All. 17--27-37--10-to--15-inclusive,--21--to-28--inclusive, 32-to-36-inclusive <u>All.</u>

~~All--territory--within--the--corporate--limits--of--the--cities--of--Shelby,--Fennant, and--Westphalia,--as--such--limits--existed--on--January--1,--1969,--shall--be--within the--southern--Iowa--conservaney--district,--including--the--portions--of--such--cities not--within--any--of--the--sections--of--land--listed--in--this--paragraph.~~

Sec. 14. Section four hundred sixty-seven D point three (467D.3), subsection five (5), paragraph m, Code 1979, is amended to read as follows:

m. In Pottawattamie county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
77	38, 39, 40 <u>41, 42, 43</u> <u>44</u>	All. <u>25, 36 All.</u> <u>1, 12, 13, 24, 25, 28 to 36 inclusive.</u>
76	38, 39, 40 <u>41, 42, 43,</u> <u>44</u>	All. 17--11--to-15-inclusive,--21 to--29-inclusive,--32-to-36 inclusive <u>All.</u>
75	38, 39, 40, 41 <u>42, 43, 44</u>	All. <u>13, 24, 25, 26, 35, 36 All.</u>
74	38, 39, 40, 41 <u>42, 43, 44</u>	All. 17--27-11-to-14--inclusive, 23, 24, 25, 35, 36 <u>All.</u>

Sec. 15. Section four hundred sixty-seven D point three (467D.3), subsection five (5), paragraphs n and o, Code 1979, are amended by striking the paragraphs and adding the following new paragraph:

NEW PARAGRAPH. In Harrison county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
80	41	25, 26, 34, 35, 36.
79	41	1, 2, 3, 10 to 16 inclusive, 21 to 29 inclusive, 31 to 36 inclusive.
	42	36.
78	41	All.
	42	1 to 5 inclusive, 7 to 36 inclusive.
	43	13, 15, 22 to 28 inclusive, 32 to 36 inclusive.

Sec. 16. Section four hundred sixty-seven D point three (467D.3), subsection six (6), paragraphs c and d, Code 1979, are amended by striking the paragraphs and adding the following new paragraph:

NEW PARAGRAPH. That portion of Harrison county not included in the southern Iowa conservancy district.

Sec. 17. Section four hundred sixty-seven A point thirteen (467A.13), Code 1979, is amended to read as follows:

467A.13 PURPOSE OF SUBDISTRICTS. Subdistricts of a soil conservation district may be formed as hereinafter provided for the purpose purposes of cooperating with conservancy districts and of carrying out watershed protection and flood prevention programs within the subdistrict but may not be formed solely for the purpose of establishing or taking over the operation of an existing drainage district.

Sec. 18. Section four hundred sixty-seven A point twenty-four (467A.24), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

The amount of benefit appraised to each forty acres of land within the subdistrict shall be determined by the improvements within said subdistrict based upon the work plan as agreed upon by the subdistrict ~~and--furnished--by the-United-States-soil-conservation-service.~~

Sec. 19. Section four hundred sixty-seven D point nine (467D.9), Code 1979, is repealed.

Approved May 22, 1980

CHAPTER 1155
COMMERCE COMMISSION RULES
H. F. 2550

AN ACT relating to the authority of the Iowa state commerce commission to promulgate rules requiring energy conservation management and strategies.

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

Section 1. Chapter four hundred seventy-six (476), Code 1979, is amended by adding the following new section:

NEW SECTION. PEAK-LOAD ENERGY CONSERVATION.

1. The commission may promulgate rules pursuant to chapter seventeen A (17A) of the Code which require or authorize a public utility to establish peak load management procedures.

2. Rules of the commission shall relate to reducing or limiting the peak-load period consumption.

3. In promulgating rules under this section, the commission is not bound by decisions, rulings or orders which relate to the definitions of types or