

House substituted S. 126 - 3/18

rec. Passage 2/18

January 29, 1953.
Conservation, Drainage,
Flood Control.

House File 192

By HADDEN, DARRINGTON, ECKELS,
MEYER, BROWN of Mahaska, SOETH,
PAUL, KERR, MORRIS, NELSON of
Woodbury, PIM and BASS.

Passed House, Date.....

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to amend sections four hundred sixty-two point twelve (462.12), Code 1950, and four hundred sixty-two point thirteen (462.13), Code 1950, relating to voting for trustees of the drainage districts.

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

1 Section 1. Section four hundred sixty-two point twelve
2 (462.12), Code 1950, is hereby amended by striking everything
3 after the period in line seventeen (17) and inserting in lieu
4 thereof the following: "The vote of any landowner in the dis-
5 trict must be cast in person except as provided in section
6 462.14 of this chapter. For the purpose of voting, any one
7 regular employee of a corporation or executor or administrator
8 of an estate may cast the vote of said corporation or estate
9 in person."

1 Sec. 2. Section four hundred sixty-two point thirteen
2 (462.13), Code 1950, is hereby amended by striking the section
3 in its entirety.

EXPLANATION OF H. F. 192

It is possible under the present law for one or two individuals, in certain large drainage districts in Iowa, whose interests are not the same as those of the majority of resident landowners, to gain enough proxy votes from absentee landowners living outside the county to completely control the election of drainage ditch trustees, even though the resident landowners vote solidly the other way. Such individuals controlling the proxy votes need not even be resident landowners themselves, but can simply function as self-appointed agents of the absentee landowners.

The present law requires landowners residing in the county where the election is held to cast their votes in person. The effect of this bill would be to make all landowners meet that same provision.

This bill also eliminates an inconsistency in the present chapter.