

Approved 4/3

Ways and Means
Holden, Chairperson
Rodgers
Hester

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SENATE FILE 2357

By COMMITTEE ON NATURAL
RESOURCES

Approved 3/12 (p 94)

Passed Senate, Date 4-2-80 (p 1249) Passed House, Date 4/20/80 (P. 2194)
Vote: Ayes 102 Nays 0 Vote: Ayes 97 Nays 2
Approved 5/22/1980

A BILL FOR

1 An Act relating to the composition and powers of conservancy
2 district boards of directors, providing by law for the
3 establishment or continuation of certain public bodies
4 within counties and conservancy districts, providing
5 for the establishment of watershed funding districts,
6 and authorizing the levying of a tax by watershed
7 funding districts.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2357

1 Section 1. Section four hundred sixty-seven D point four
2 (467D.4), Code 1979, is amended to read as follows:

3 467D.4 GOVERNING BODY. The governing body of each
4 conservancy district shall be one of the following:

5 1. The state soil conservation committee established by
6 section 467A.4.

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

16 Sec. 2. Section four hundred sixty-seven D point five
17 (467D.5), Code 1979, is amended by striking the section and
18 inserting in lieu thereof the following:

19 467D.5 ELECTION OF CONSERVANCY DISTRICT BOARD.

20 1. The state soil conservation committee acting in its
21 capacity as a conservancy district board may propose division
22 of a conservancy district, currently being governed by the
23 state soil conservation committee under subsection one (1)
24 of section four hundred sixty-seven D point four (467D.4)
25 of the Code, into not less than five nor more than nine wards.
26 Ward boundaries shall coincide with county boundaries, except
27 that each ward shall lie entirely within the conservancy
28 district of which it is a part. Each ward shall be composed
29 of contiguous territory and shall be drawn with equality of
30 population as an objective, insofar as that objective can
31 reasonably be implemented while meeting the other requirements
32 of this subsection.

33 2. When a proposal for establishment of wards in a
34 conservancy district has been approved by the state soil
35 conservation committee, the members of the first elected board

1 shall be chosen at the next succeeding regular election
2 pursuant to subsection three (3) of this section, unless the
3 date of that election is more than one hundred eighty days
4 after the date of approval of the proposal for establish-
5 ment of wards. In that case, the state soil conservation
6 committee shall, in consultation with the state commissioner
7 of elections, set a date for a special election to choose
8 the first members of the elected board. Upon taking office,
9 the first elected board shall be divided by the soil
10 conservation committee into two classes as nearly equal in
11 number as possible. Members of the second class shall be
12 comprised of those candidates receiving the largest number
13 of votes. Successors to members of the first class shall
14 be elected at the next succeeding regular election under
15 subsection three (3) of this section, and successors to members
16 of the second class shall be elected at the second succeeding
17 such regular election.

18 3. Except as provided in subsection two (2) of this section
19 members of elected conservancy district boards shall be chosen
20 by the qualified electors of their respective wards for
21 staggered four-year terms beginning on January first following
22 their election. The election for conservancy district
23 directors shall be held in each established ward on the first
24 Tuesday following the first Monday of November of each even-
25 numbered year. A ward established under this section is a
26 political subdivision, and each election in the ward shall
27 be conducted by the county commissioner of elections who is
28 responsible under section forty-seven point two (47.2) of
29 the Code. Candidates for the board shall be nominated by
30 petition in accordance with chapter forty-five (45) of the
31 Code, except that each candidate's nominating petition must
32 be signed by at least thirty-five eligible electors of the
33 ward. The petitions shall be filed with the county
34 commissioner of elections who is conducting the election not
35 more than sixty-five nor less than forty days before the date

1 of the election. The provisions of chapters forty-nine (49)
2 and fifty (50) of the Code shall govern the conducting and
3 canvassing of the election, to the same extent and in the
4 same manner as other nonpartisan elections. A plurality is
5 sufficient to elect a person to the board, and no primary
6 shall be held.

7 4. Any eligible elector as defined in section thirty-nine
8 point three (39.3) of the Code residing in a conservancy
9 district ward is eligible to be elected to represent that
10 ward on the board. A person shall be elected to the board
11 for no more than two consecutive terms. A vacancy is created
12 when a member of the board removes his or her residence from
13 the ward he or she was elected to represent. A vacancy shall
14 be filled by appointment of the state soil conservation
15 committee from a list of nominees submitted by the remaining
16 members of the board, for the period until the next regular
17 election under subsection three (3) of this section. At that
18 election, a board member shall be elected for the remaining
19 balance of the unexpired term as provided by section sixty-
20 nine point twelve (69.12) of the Code.

21 Sec. 3. Section four hundred sixty-seven D point six
22 (467D.6), subsection five (5), Code 1979, is amended to read
23 as follows:

24 5. Review the plans and co-ordinate the programs and ac-
25 tivities between counties, cities and any of the entities
26 listed in subsection 4 of this section, and otherwise advise
27 and assist the governing bodies of such entities in any
28 appropriate manner, in all cases which relate to any matter
29 within the jurisdiction of the conservancy district, ~~provided~~
30 that. However the board shall have only advisory and
31 consultative powers with respect to any such entities except
32 as otherwise specifically provided in this chapter, or in
33 section thirty-two (32) of this Act. Upon receiving either
34 a resolution of the governing board of a levee or drainage
35 district or a petition signed by landowners of the levee or

1 drainage district and meeting the requirements of section
2 thirty-two (32) of this Act, the board shall assume
3 administration of the levee or drainage district and
4 consolidate it within a watershed funding district established
5 pursuant to section eleven (11) of this Act.

6 Sec. 4. Section four hundred sixty-seven D point six
7 (467D.6), Code 1979, is amended by adding the following new
8 subsection:

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

11 Sec. 5. Section four hundred sixty-seven D point seven
12 (467D.7), Code 1979, is amended by striking the section and
13 inserting in lieu thereof the following:

14 467D.7 ADMINISTRATION OF CONSERVANCY DISTRICTS BY STATE
15 COMMITTEE.

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

21 2. The state soil conservation committee, serving in its
22 capacity as the board of a conservancy district, shall appoint
23 a secretary and a treasurer for the conservancy district,
24 and may appoint the same individual as secretary for two or
25 more conservancy districts, or as the treasurer for two or
26 more conservancy districts. However, a person shall not
27 simultaneously serve as both a board secretary and a board
28 treasurer, either for the same conservancy district or for
29 different conservancy districts. A person appointed by the
30 committee as secretary or treasurer of one or more conservancy
31 districts, who is not otherwise employed by the state or any
32 of its political subdivisions, shall receive compensation
33 as the committee determines.

34 Sec. 6. Section four hundred sixty-seven D point eight
35 (467D.8), Code 1979, is amended by striking the section and

1 inserting in lieu thereof the following:

2 467D.8 ADMINISTRATION OF CONSERVANCY DISTRICTS BY ELECTED
3 BOARD.

4 1. The board of each conservancy district which is adminis-
5 tered by an elected board shall hold an annual meeting in
6 July and shall meet at least once each quarter. The
7 chairperson of the board shall schedule a special meeting
8 within five days on the request of any two board members.
9 An action of the board requires the affirmative votes of at
10 least a majority of the elected members.

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

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

1 of the secretary's and the treasurer's bonds may be paid from
2 the funds of the conservancy district.

3 Sec. 7. Section four hundred sixty-seven D point ten
4 (467D.10), Code 1979, is amended by adding the following new
5 subsection:

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

8 Sec. 8. Section four hundred sixty-seven D point fourteen
9 (467D.14), Code 1979, is amended by adding the following new
10 subsection:

11 NEW SUBSECTION. Revenue derived from the special annual
12 tax levied by watershed funding districts pursuant to section
13 eighteen (18) of this Act.

14 Sec. 9. Chapter four hundred sixty-seven D (467D), Code
15 1979, is amended by adding sections ten (10) through twenty-
16 one (21) of this Act.

17 Sec. 10. NEW SECTION. ESTABLISHMENT OF CERTAIN BODIES
18 BY CONSERVANCY DISTRICT BOARD. The board of each conservancy
19 district, pursuant to a plan drawn up and approved under
20 sections four hundred sixty-seven D point sixteen (467D.16)
21 and four hundred sixty-seven D point seventeen (467D.17) of
22 the Code, may establish the following bodies:

23 1. A five-member subbasin board of trustees for each sub-
24 basin established by the board within the conservancy district.
25 Subbasin trustees shall be chosen from eligible electors
26 residing in the subbasin and shall be appointed by the board
27 from lists of nominees furnished by the commissioners of each
28 soil conservation district any part of which lies in the
29 subbasin. The list shall contain no more than three nominees.
30 Subbasin trustees shall serve two-year terms, and may be
31 reappointed for not more than three consecutive terms. A
32 vacancy on a subbasin board of trustees shall be filled by
33 board appointment in the same manner as the original
34 appointment. Each subbasin board of trustees shall determine
35 priorities for developing and implementing district watershed

1 plans in concurrence with the board, and shall perform other
2 duties delegated by the board.

3 2. Local watershed committees, composed of residents of
4 the respective local watersheds established by the board.

5 3. County resources coordinating committees composed
6 of interested county residents.

7 4. A conservancy district advisory committee, composed
8 of one member from each county resource coordinating committee
9 established in a county wholly or partially contained in the
10 conservancy district.

11 Sec. 11. NEW SECTION. AUTHORITY TO ESTABLISH LOCAL
12 WATERSHED FUNDING DISTRICTS. Local watersheds whose boundaries
13 have been established by the board may be formed into watershed
14 funding districts as provided in sections twelve (12) through
15 sixteen (16) and section thirty-two (32) of this Act for the
16 purpose of carrying out water management, soil erosion and
17 sediment control projects within the local watershed. The
18 projects may include but are not limited to acquisition of
19 real and personal property, construction, operation and
20 maintenance programs, and informational and demonstration
21 programs.

22 Sec. 12. NEW SECTION. PETITION FOR FORMATION OF WATERSHED
23 FUNDING DISTRICT.

24 1. Landowners desiring to organize a watershed funding
25 district shall file a petition with the commissioners of a
26 soil conservation district in which any portion of the proposed
27 watershed funding district would be located.

28 2. The petition for formation of a watershed funding
29 district shall contain the following:

30 a. A request that the watershed be organized as a watershed
31 funding district.

32 b. A concise statement giving the scope of the construc-
33 tion, operation and maintenance project plans, taxing plans,
34 and financing plans of the watershed funding district.

35 c. A description to the nearest quarter section, of the

1 land intended for inclusion in the watershed funding district,
2 which shall be within the conservancy district and, along
3 boundaries approved by the board and shall not overlap with
4 boundaries of an existing watershed funding district.

5 d. A statement of the purpose for the organization of
6 the watershed funding district.

7 e. The signature of landowners holding title to at least
8 sixty-five percent of the land area in the watershed.

9 Signatures of all landowners owning land held in joint tenancy
10 or tenancy-in-common, signatures of the buyer and seller of
11 land subject to a contract of sale filed with the county
12 recorder and signatures of all partners owning land held in
13 partnership, shall be required on the petition before such
14 lands are counted in determining whether sixty-five percent
15 of the landowners have signed the petition.

16 3. The soil conservation district commissioners receiving
17 the petition shall provide copies of the petition to the board
18 and to the commissioners of other soil conservation districts
19 in which a portion of the watershed funding district is
20 located. The soil conservation district commissioners
21 receiving the petition shall arrange to jointly review the
22 petition with the other commissioners notified.

23 Sec. 13. NEW SECTION. HEARING ON PETITION.

24 1. If the soil conservation district commissioners find
25 the petition for formation of a watershed funding district
26 is in proper form, they shall arrange for a hearing on the
27 merits of the petition. Within thirty days after the petition
28 was filed with the commissioners, they shall fix the date,
29 hour and place for the hearing.

30 2. Notice of the hearing shall be given by the secretary
31 of the commissioners by publication, as specified in subsection
32 three (3) of this section, and by certified mail sent at least
33 twenty and not more than thirty days prior to the hearing
34 to the following:

35 a. Each owner of a tract of land within the proposed

1 watershed funding district, as shown by the transfer books
2 of the county auditor's office.

3 b. Each lienholder or encumbrancer of the lands within
4 the proposed watershed funding district, as shown by the
5 records of the county recorder.

6 c. Occupants of land within the proposed watershed funding
7 district, except that notice may be by ordinary mail instead
8 of certified mail.

9 d. All other persons requesting notice in writing from
10 the commissioners.

11 3. Notice of the hearing by publication shall occur once
12 each week for two consecutive weeks in a newspaper of general
13 circulation published in each county in which the proposed
14 watershed funding district is located. The last publication
15 shall be not less than ten days prior to the day set for the
16 hearing on the petition. Proof of service of the notice shall
17 be made by affidavit of the publisher, which shall be placed
18 on file with the secretary of the soil conservation district
19 at the time the hearing is called to order.

20 4. The notice of the hearing required by subsection two
21 (2) of this section shall contain the following:

22 a. The date, hour and place of the hearing.

23 b. A brief statement of the purpose of the hearing.

24 c. That all comments and objections to establishment of
25 the proposed watershed funding district should be made in
26 writing and filed with the secretary of the soil conservation
27 district at or before the hearing.

28 d. The name and address to which all comments and
29 objections shall be sent.

30 Sec. 14. NEW SECTION. DETERMINATION OF THE MERITS OF
31 THE PETITION.

32 1. If after taking testimony at the hearing the soil
33 conservation district commissioners by majority vote determine
34 that the operation of the proposed watershed funding district
35 within the proposed boundaries is desirable, practicable,

1 feasible, and necessary for the health, safety and public
2 welfare, the commissioners shall declare in writing that the
3 watershed funding district is duly organized and shall record
4 such action in their official minutes together with an
5 appropriate official name of the watershed funding district.

6 2. All interested persons may attend the hearing on the
7 merits of the petition and present oral or written testimony.
8 The commissioners may for good cause adjourn the hearing to
9 a later date, which shall be announced prior to the adjournment
10 and made a matter of record.

11 3. If the scope or purpose of the project is materially
12 changed, a new hearing must be scheduled and notice given
13 in the same manner as the original hearing, before a
14 determination is made on the merits of the petition.

15 4. The costs of organizing the district shall be paid
16 by the board.

17 Sec. 15. NEW SECTION. JOINT BOARD OF SOIL CONSERVATION
18 DISTRICT COMMISSIONERS. If a proposed watershed funding
19 district lies in more than one soil conservation district,
20 the commissioners of the affected soil conservation districts
21 shall act jointly as a board of commissioners with respect
22 to all matters relating to the formation of the watershed
23 funding district or material changes in its project, taxing
24 or financing plans. They shall organize as a single board
25 for these purposes and shall designate a chairperson, vice-
26 chairperson, and secretary to serve until the ruling on
27 formation is made. Minutes of the commissioners acting in
28 a joint capacity shall be made part of the minutes of each
29 soil conservation district whose commissioners are acting
30 in a joint capacity. A watershed funding district crossing
31 soil conservation district lines shall have the same powers
32 and duties as a funding district formed solely within a single
33 soil conservation district.

34 Sec. 16. NEW SECTION. RECORDING OF WATERSHED FUNDING
35 DISTRICT FORMATION. Following the entry in the official

1 minutes of the soil conservation district commissioners of
2 the creation of a watershed funding district, the commissioners
3 shall certify this fact on a separate form with a description
4 of the watershed funding district's boundaries. Verified
5 copies of the form shall be recorded with the county recorder
6 of each county in which a portion of the funding district
7 lies, with the board and with the department. Upon record-
8 ing the watershed funding district is deemed established.

9 Sec. 17. NEW SECTION. GOVERNING BODY OF WATERSHED FUNDING
10 DISTRICT. The board shall be the governing body of the
11 watershed funding district and shall have all the powers and
12 duties granted to the board in section four hundred sixty-
13 seven D point six (467D.6) of the Code when administering
14 a watershed funding district. A local watershed committee
15 established pursuant to section ten (10), subsection two (2)
16 of this Act, comprised of landowners residing in the local
17 watershed and commissioners of the affected soil conservation
18 districts, shall be organized by the board, if not already
19 in existence, upon establishment of a watershed funding
20 district. The local watershed committee shall assist the
21 board in an advisory capacity in governing the watershed
22 funding district.

23 Sec. 18. NEW SECTION. SPECIAL ANNUAL TAX.

24 1. After obtaining agreement to carry out recommended
25 soil erosion and sediment control measures on not less than
26 fifty percent of the land situated in the watershed funding
27 district, the governing body of a watershed funding district
28 may levy a special annual tax upon all land within the
29 watershed funding district not exceeding one dollar and eight
30 cents per one thousand dollars of assessed valuation of taxable
31 land in the watershed funding district.

32 2. The revenue derived from the tax shall be used for
33 the following purposes only:

34 a. Repayment of actual and necessary expenses incurred
35 by the board in organizing the watershed funding district.

1 b. The acquisition of real and personal property and
2 construction, repair, alteration, maintenance and operation
3 of the present and future works of improvement within its
4 boundaries for the purpose of carrying out water management,
5 soil erosion and sediment control projects.

6 c. The watershed funding district's portion of cost sharing
7 with landowners for installation of land treatment measures.

8 d. Payment of administrative costs of the watershed funding
9 district.

10 3. A special tax levied by the governing body shall be
11 certified by the secretary of the board on or before January
12 tenth to the county auditor of each county where any of the
13 property included within the limits of the watershed funding
14 district is located. The levied tax shall be placed upon
15 the tax list for the current fiscal year by the county auditor
16 and the county treasurer shall collect the tax in the same
17 manner as other real property taxes, and when delinquent the
18 tax shall draw the same interest and penalties as other real
19 property taxes.

20 4. All special taxes levied and collected shall be paid
21 over by the collecting officer to the treasurer of the county
22 in which the largest amount of revenue from the special tax
23 is raised. This county treasurer shall credit the tax revenue
24 to the account of the watershed funding district from which
25 it was collected. Expenditures from the account shall be
26 made on requisition of the chairperson and secretary of the
27 governing body of the watershed funding district.

28 5. Sales for delinquent special taxes shall be made at
29 the same time and in the same manner as sales are made for
30 other real property taxes, and provisions of the law relating
31 to the sale of property for delinquent taxes shall be
32 applicable to such sales.

33 Sec. 19. NEW SECTION. WARRANTS AND BONDS. If the petition
34 filed pursuant to section twelve (12) of this Act or section
35 twenty (20) of this Act contained plans for issuing warrants

1 and bonds, then upon majority vote the governing body of a
2 watershed funding district may issue warrants or bonds payable
3 in not more than forty semiannual installments and may pledge
4 and assign the proceeds of the special annual tax and other
5 revenues of the watershed funding district as security
6 therefore. The warrants and bonds of indebtedness shall be
7 general obligations of the watershed funding district, exempt
8 from all state and local taxes, and the warrants and bonds
9 shall not constitute an indebtedness of the soil conservation
10 district, conservancy district, or the state of Iowa.

11 Sec. 20. NEW SECTION. MODIFICATION OF WATERSHED FUNDING
12 DISTRICT PURPOSES.

13 1. Before the scope of the project, taxing or financing
14 plans of a watershed funding district are materially modified
15 from that specified in the original petition for formation
16 of the district, a new petition must be filed and processed
17 in the same manner as the petition for formation of a watershed
18 funding district pursuant to section twelve (12) through
19 fifteen (15) of this Act, except as otherwise provided in
20 this section.

21 2. The petition to modify the project, taxing or financing
22 plans shall request the particular modification in lieu of
23 the request to form a district and shall state the purpose
24 of the modification in lieu of stating the purpose for
25 formation of the district.

26 3. The notice of the hearing on the petition shall specify
27 that comments and objections to the proposed modification
28 in the project, taxing or financing plans should be made in
29 writing and filed with the secretary of the soil conservation
30 district at or before the hearing in lieu of comments and
31 objections to establishment of the proposed district.

32 4. If after taking testimony at the hearing the soil con-
33 servation district commissioners by majority vote determine
34 that the modification of the project, taxing or financing
35 plans is desirable, practicable, feasible, and necessary for

1 the health, safety and public welfare, the commissioners shall
 2 in writing declare that the watershed funding district's
 3 authorized project, taxing or financing plans are modified
 4 and shall record such action in their official minutes.

5 Sec. 21. NEW SECTION. INTERGOVERNMENTAL COOPERATION.

6 1. A watershed funding district may cooperate with any
 7 other local, state or federal entity of government in
 8 discharging its duties and powers.

9 2. A soil conservation district and a watershed funding
 10 district shall cooperate in the implementation of the programs
 11 of the watershed funding district.

12 Sec. 22. Section four hundred sixty-seven D point three
 13 (467D.3), subsection one (1), paragraph j, Code 1979, is
 14 amended to read as follows:

15 j. In Scott county:

16 <u>Twp. N.</u>	<u>Range East</u>	<u>Sections</u>
17 80	1, 2, 3, 4, 5	All.
18 79	1	1 to 18 inclusive, 23, 24.
19	2	1 to 30 inclusive, 33 to 36
20		inclusive.
21	3, 4, 5	All.
22 78	2	1, 2, 10 to 17 inclusive,
23		20 to 36 inclusive
24		<u>20 to 30 inclusive,</u>
25		<u>32 to 36 inclusive.</u>
26	3, 4, 5	All.
27 77	2-3	All <u>1 to 5 inclusive,</u>
28		<u>8 to 17 inclusive,</u>
29		<u>20 to 36 inclusive.</u>
30	<u>3</u>	<u>All.</u>

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

1 Sec. 23. Section four hundred sixty-seven D point three
 2 (467D.3), subsection one (1), paragraphs k and l, Code 1979,
 3 are amended by striking the paragraphs.

4 Sec. 24. Section four hundred sixty-seven D point three
 5 (467D.3), subsection two (2), unnumbered paragraph one (1),
 6 Code 1979, is amended to read as follows:

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

20 Sec. 25. Section four hundred sixty-seven D point three
 21 (467D.3), subsection two (2), paragraph m, Code 1979, is
 22 amended to read as follows:

23 m. In Louisa county:

24	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
25	76	5	All.
26	75	<u>2</u>	<u>All.</u>
27		3	4-to-9-inclusive,
28			16-to-22-inclusive,
29			27-to-34-inclusive
30			<u>All.</u>
31		4, 5	All.
32	74	1	All.
33		2	18,-19,-29-to-32-inclusive,-36
34			<u>5 to 9 inclusive, 16 to 22</u>
35			<u>inclusive, 26 to 36 inclusive.</u>

1 3 ~~2-to-36-inclusive~~ All.
 2 4 1 to 30 inclusive,
 3 32 to 36 inclusive.
 4 5 1 to 29 inclusive, 34.
 5 73 1 All.
 6 2 ~~1, 4-to-36-inclusive~~ All.
 7 3 All.
 8 4 1 to 5 inclusive,
 9 9 to 16 inclusive,
 10 23 to 26 inclusive, 35, 36.

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

16 Sec. 26. Section four hundred sixty-seven D point three
 17 (467D.3), subsection five (5), unnumbered paragraph one (1),
 18 Code 1979, is amended to read as follows:

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

25 Sec. 27. Section four hundred sixty-seven D point three
 26 (467D.3), subsection five (5), paragraph k, Code 1979, is
 27 amended to read as follows:

28 k. In Crawford county:

29	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
30	83	37	11 to 36 inclusive.
31		38	23 to 26 inclusive, 34, 35, 36.
32	82	37	All.
33		38	1 to 5 inclusive, 9 to 36 inclusive.
34		39	13, 23 to 28 inclusive, 33 <u>30</u> to 36
35			inclusive.

1 Sec. 28. Section four hundred sixty-seven D point three
 2 (467D.3), subsection five (5), paragraph 1, Code 1979, is
 3 amended to read as follows:

4 1. In Shelby county:

5	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
6	81	37, 38	All.
7		39	17-27-37-10-to-15-inclusive, 22-to-27
8			inclusive, 34, 35, 36
9			<u>1 to 5 inclusive, 7 to 36 inclusive.</u>
10		<u>40</u>	<u>13, 23 to 26 inclusive, 35, 36.</u>
11	80	37, 38	All.
12		39	17-27-37-10-to-16-inclusive, 21-to-29
13			inclusive, 34, 35, 36
14			All.
15		<u>40</u>	<u>1 to 4 inclusive, 8 to 17 inclusive,</u>
16			<u>19 to 36 inclusive.</u>
17	79	37, 38	All.
18		<u>39, 40</u>	17-27-37-10-to-16-inclusive, 21-to-28
19			inclusive, 32-to-36-inclusive
20			All.
21	78	37, 38, 39	All.
22		40	17-27-37-10-to-15-inclusive, 21-to-28
23			inclusive, 32-to-36-inclusive
24			All.

25 ~~All territory within the corporate limits of the cities of~~
 26 ~~Shelby, Tennant, and Westphalia, as such limits existed on~~
 27 ~~January 17, 1969, shall be within the southern Iowa conservancy~~
 28 ~~district, including the portions of such cities not within~~
 29 ~~any of the sections of land listed in this paragraph.~~

30 Sec. 29. Section four hundred sixty-seven D point three
 31 (467D.3), subsection five (5), paragraph m, Code 1979, is
 32 amended to read as follows:

33 m. In Pottawattamie county:

34	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
35	77	38, 39, 40	All.

1		<u>41, 42, 43</u>	<u>257-36 All.</u>
2		<u>44</u>	<u>1, 12, 13, 24, 25, 28 to 36 inclusive.</u>
3	76	38, 39, 40	All.
4		<u>41, 42, 43,</u>	17-11-to-15-inclusive, 21-to-29
5		<u>44</u>	inclusive, 32-to-36-inclusive
6			<u>All.</u>
7	75	38, 39, 40,	
8		41	All.
9		<u>42, 43, 44</u>	137-247-257-267-357-36 <u>All.</u>
10	74	38, 39, 40,	
11		41	All.
12		<u>42, 43, 44</u>	17-27-11-to-14-inclusive, 237-247
13			257-357-36 <u>All.</u>

14 Sec. 30. Section four hundred sixty-seven D point three
 15 (467D.3), subsection five (5), paragraphs n and o, Code 1979,
 16 are amended by striking the paragraphs and adding the following
 17 new paragraph:

18 NEW PARAGRAPH. In Harrison county:

19	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
20	80	41	25, 26, 34, 35, 36.
21	79	41	1, 2, 3, 10 to 16 inclusive, 21 to
22			29 inclusive, 31 to 36 inclusive.
23		42	36.
24	78	41	All.
25		42	1 to 5 inclusive, 7 to 36 inclusive.
26		43	13, 15, 22 to 28 inclusive, 32 to
27			36 inclusive.

28 Sec. 31. Section four hundred sixty-seven D point three
 29 (467D.3), subsection six (6), paragraphs c and d, Code 1979,
 30 are amended by striking the paragraphs and adding the following
 31 new paragraph:

32 NEW PARAGRAPH. That portion of Harrison county not in-
 33 cluded in the southern Iowa conservancy district.

34 Sec. 32. Chapter four hundred fifty-six (456), Code 1979,
 35 is amended by adding the following new section:

1 NEW SECTION. CONVERSION TO WATERSHED FUNDING DISTRICT.

2 1. a. Notwithstanding any provision of this chapter or
3 sections twelve (12) through sixteen (16) of this Act to the
4 contrary, if a levee or drainage district is contained entirely
5 within a watershed funding district established pursuant to
6 section eleven (11) of this Act and entirely within the same
7 conservancy district, it may be dissolved and incorporated
8 into that watershed funding district in accordance with the
9 provisions of subsection two (2) or three (3) of this section.

10 b. Upon incorporation into a watershed funding district,
11 the powers, duties and responsibilities conferred on the levee
12 or drainage district pursuant to chapters four hundred fifty-
13 five (455) and four hundred fifty-six (456) through four
14 hundred sixty-six (466) of the Code shall be exercised by
15 the governing body of the watershed funding district.

16 2. a. A levee or drainage district may be dissolved and
17 its projects and internal improvements incorporated into an
18 existing watershed funding district by filing with the county
19 auditor and the governing body of the levee or drainage
20 district a petition requesting that the levee or drainage
21 district be dissolved and its projects incorporated into a
22 specific watershed funding district and a separate petition
23 requesting that all projects within the levee or drainage
24 district be incorporated into an existing watershed funding
25 district.

26 b. The petition for dissolution of the levee or drainage
27 district and incorporation of its projects into a specific
28 watershed funding district shall be signed by the landowners
29 holding title to at least sixty-five percent of the land area
30 in the levee or drainage district. The petition for
31 incorporation of the levee or drainage district projects into
32 the watershed funding district shall be signed by landowners
33 holding title to at least sixty-five percent of the land area
34 in the watershed funding district. The provisions of paragraph
35 e of subsection two (2) of section twelve (12) of this Act

1 shall apply in determining if the requisite number of
2 landowners have signed the petitions. The county auditor
3 shall certify to the governing body of the levee or drainage
4 district and to the conservancy district board whether the
5 petitions contain the required signatures.

6 c. Within thirty days of receiving from the auditor
7 certification that both petitions have the requisite number
8 of signatures, the governing body of the levee or drainage
9 district shall adopt a resolution to dissolve the district
10 and incorporate it into the watershed funding district. The
11 resolution shall be certified and recorded on a separate form
12 in the manner prescribed in section sixteen (16) of this Act.
13 Upon recording the resolution, the levee or drainage district
14 is dissolved and incorporated into the watershed funding
15 district.

16 3. A levee or drainage district may be dissolved and
17 incorporated into an existing watershed funding district by
18 adoption of a resolution by the governing body of the levee
19 or drainage district. The resolution shall be certified and
20 recorded on a separate form in the manner prescribed in section
21 sixteen (16) of this Act. Upon recording the resolution,
22 the levee or drainage district is dissolved and incorporated
23 into the watershed funding district.

24 4. When a levee or drainage district is dissolved and
25 incorporated into a watershed funding district pursuant to
26 this section, all indebtedness of the levee or drainage
27 district shall be assessed only against the lands in the
28 watershed funding district that were part of the previously
29 dissolved levee or drainage district. Upon dissolution and
30 incorporation of a levee or drainage district, all real
31 property and improvements of the levee or drainage district
32 shall be transferred to the conservancy district and all
33 present or future liquid assets will be turned over to the
34 county treasurer as specified in subsection four (4) of section
35 eighteen (18) of this Act, for deposit in the account created

1 for that watershed funding district.

2 Sec. 33. Section four hundred sixty-seven D point nine
3 (467D.9), Code 1979, is repealed.

4 Sec. 34. This Act is effective January first following
5 its enactment.

6

EXPLANATION

7 This bill amends chapter 467D of the Code relating to con-
8 servancy districts in order to implement the recommendations
9 made in the Iowa-Cedar Conservancy district plan adopted by
10 the state soil conservation committee pursuant to section
11 467D.17 of the Code.

12 Under present law the governing body of a conservancy
13 district is the state soil conservation committee, which is
14 also the governing body of the department of soil conservation.
15 Sections one through eight of the bill provide for election
16 of the governing body of the conservancy district, which would
17 then administer the conservancy district in lieu of the
18 committee. The election would be called by the committee,
19 acting in its capacity as the conservancy district board,
20 after dividing the conservancy district into five or more
21 wards. The elected members of the conservancy district board
22 must be qualified electors and residents of the ward they
23 represent.

24 Section ten of the bill provides that the conservancy
25 district board may establish certain bodies that are intended
26 to provide active and constant public participation in the
27 conservancy district programs. These bodies include the
28 following: (1) a five-member subbasin board of trustees
29 appointed by the board for each subbasin designated in the
30 conservancy district; (2) a local watershed committee, composed
31 of residents of local watersheds; (3) county resource
32 coordinating committees, composed of all interested county
33 residents; and (4) a conservancy district advisory committee,
34 composed of one member from each county resource coordinating
35 committee.

1 Sections eleven through twenty-one of the bill provide
2 for creation and administration of watershed funding districts.
3 The procedures for forming the watershed funding district
4 include filing a petition for formation with the soil
5 conservation district commissioners signed by landowners
6 holding title to at least sixty-five percent of the land
7 affected, a hearing on the petition after notice, and a finding
8 by the commissioners that the formation would be desirable,
9 practicable, feasible and necessary for the health, safety
10 and public welfare. Once established, a watershed funding
11 district is governed by the conservancy district board, and
12 it may engage in water management, soil erosion and sediment
13 control programs.

14 Section thirty-two of the bill provides procedures for
15 dissolution of a levee or drainage district contained within
16 a watershed funding district and incorporation of its projects
17 into the programs administered by the watershed funding
18 district.

19 Sections eighteen and nineteen of the bill provide that
20 a watershed funding district may also levy a tax of up to
21 one dollar and eight cents per one thousand dollars of assessed
22 valuation of taxable land in the watershed funding district
23 and issue warrants and bonds, provided the petition for
24 formation of the district or a subsequent petition for
25 modification of the district's powers requested the authority.

26 Sections twenty-two through thirty-one of the bill provide
27 for minor changes in the conservancy district boundaries
28 presently set by section 467D.3 of the Code.

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SENATE FILE 2357
FISCAL NOTE

REQUESTED BY SENATOR SCHWENGELS, MARCH 19, 1980

In compliance with a written request there is hereby submitted Fiscal Note for Senate File 2357 pursuant to Joint Rule 16.

Senate File 2357, An Act relating to the composition and powers of conservancy district boards of directors, providing by law for the establishment or continuation of certain public bodies within counties and conservancy districts, providing for the establishment of watershed funding districts, and authorizing the levying of a tax by watershed funding districts.

No fiscal estimate is necessary. Principal changes relate to change in composition of the board which if used would change from a Per Diem board to a non-paid board. The other principal change is the watershed funding district provision which would allow a land tax within small watersheds (groups of landowners) but only if 65% of the owners within the watershed petition to do so and expenditure would be within that local unit. The number of watershed units that may wish to do this is unknown at this time. We cannot identify any other revenues-county or state that would be affected by this taxing provision.

SOURCE: DEPARTMENT OF SOIL CONSERVATION
RECEIVED BY THE SECRETARY OF THE SENATE, MARCH 26, 1980
FILED: BY GERRY RANKIN, DIRECTOR
MARCH 28, 1980 LEGISLATIVE FISCAL BUREAU

SENATE FILE 2357

S-5632

- 1 Amend the Tieden amendment S-5574 to Senate File
- 2 2357 as follows:
- 3 1. Page 1, line 20, by striking the words "at
- 4 least" and inserting in lieu thereof the words
- 5 "more than".
- 6 2. Page 1, by striking lines 39 through 42 and
- 7 inserting in lieu thereof the words "conduct the
- 8 referendum. The county commissioner of elections
- 9 shall oversee the election, and section forty-seven
- 10 point two (47.2), subsection two (2), of the Code
- 11 shall apply. The election shall be conducted in
- 12 accordance".
- 13 3. Page 2, line 3, by inserting after the word
- 14 "lands." the words "Each such owner shall be sent
- 15 a notice of the referendum by certified mail."

S-5632 FILED
APRIL 2, 1980
ADOPTED (4/12/80)

BY DALE L. TIEDEN

S-5574

1 Amend Senate File 2357 as follows:

2 1. By striking page 6, line 17 through page 7,
3 line 10 and inserting in lieu thereof the following:

4 "Sec. 10. NEW SECTION. GOVERNING BODY OF WATERSHED
5 FUNDING DISTRICT. The board of each conservancy
6 district shall be the governing body of each watershed
7 funding district established, pursuant to sections
8 eleven (11) through sixteen (16) of this Act, in that
9 conservancy district. When administering a watershed
10 funding district, the board shall have all the powers
11 and duties granted it by section four hundred sixty-
12 seven D point six (467D.6) of the Code."

13 2. Page 11, by striking lines 9 through 31 and
14 inserting in lieu thereof the following:

15 "Sec. 17. NEW SECTION. REFERENDUM BEFORE LEVYING
16 SPECIAL ANNUAL TAX.

17 1. Before a watershed funding district may levy
18 a special annual tax under section eighteen (18) of
19 this Act, the board governing that district must
20 obtain the approval of at least fifty percent of the
21 landowners in the watershed funding district at a
22 referendum election. Each owner of a tract of land
23 within the watershed funding district, as shown by
24 the transfer books in the office of the county auditor
25 or auditors, as the case may be, shall be entitled
26 to one vote in the referendum.

27 2. When the board determines that it is desirable
28 to levy a special annual tax under section eighteen
29 (18) of this Act, it shall order that a referendum
30 election be held at some convenient place within the
31 watershed funding district or, if no convenient place
32 is available there, at some point conveniently
33 accessible to owners of land in the watershed funding
34 district, and shall set a time for the referendum
35 not less than forty nor more than sixty days from
36 the date of the order. The board shall appoint from
37 the freeholders of the watershed funding district
38 at least three polling place election officials to
39 conduct the referendum. It shall not be mandatory
40 for the county commissioner of elections to oversee
41 the conducting of elections held under this section,
42 but such elections shall be conducted in accordance
43 with the provisions of chapter forty-nine (49) of
44 the Code where those provisions are not in conflict
45 with this section.

46 3. Before an election is held under this section,
47 the appointed polling place election officials shall
48 obtain from the county recorder or recorders and
49 auditor or auditors, as the case may be, a copy of
50 so much of the record of the establishment of the

S-5574 - PAGE 2

1 watershed funding district as will show the lands
2 included therein, and a list of the present record
3 owners of those lands. Any individual who acquires
4 ownership of land in the watershed funding district
5 after the information required by this subsection
6 is prepared shall be entitled to vote in the referendum
7 upon presenting to the polling place election officials
8 evidence satisfactory to them that that individual
9 has acquired title to land in the watershed funding
10 district. Each landowner in the watershed funding
11 district who is eighteen years of age or over, and
12 each artificial person owning land therein, is entitled
13 to one vote in the election, except that no more than
14 one vote shall be cast on behalf of any particular
15 tract or parcel of land, even if two or more persons
16 share title to that land.

17 Sec. 18. NEW SECTION. SPECIAL ANNUAL TAX.

18 1. The board, in its capacity as governing board
19 of a watershed funding district, may levy a special
20 annual tax upon all land within that watershed funding
21 district, not exceeding one dollar and eight cents
22 per one thousand dollars of assessed value of taxable
23 land in the watershed funding district, after the
24 board has both:

25 a. Obtained agreement to carry out recommended
26 soil erosion and sediment control measures on not
27 less than fifty percent of the land situated in the
28 watershed funding district.

29 b. Obtained approval of fifty percent of the
30 landowners in the district at a referendum held as
31 provided in section seventeen (17) of this Act."

32 3. Title, by striking lines 3, 4 and 5 and
33 inserting in lieu thereof the words "establishment
34 of watershed funding districts and for the board of
35 directors of the conservancy district within which
36 a watershed funding district is established to act
37 as the governing board of the watershed funding dis-
38 trict,".

S-5574 FILED
MARCH 31, 1980

BY DALE TIEDEN

A. Adopted 4/2 (p. 1245)
B. Adopted as amended by 7-132 (p. 1247)

SENATE FILE 2357

S-5614

1 Amend Senate File 2357 as follows:

2 1. Page 8, line 14, by inserting after the word
3 "whether" the words "the owners of".

4 2. Page 8, line 15, by striking the word "landowners"
5 and inserting in lieu thereof the word "land".

6 3. Page 21, by striking lines 4 and 5.

S-5614 FILED
APRIL 1, 1980

BY DALE L. TIEDEN

Adopted 4/2 (p. 1245)

1 Section 1. Section four hundred sixty-seven D point four
2 (467D.4), Code 1979, is amended to read as follows:

3 467D.4 GOVERNING BODY. The governing body of each
4 conservancy district shall be one of the following:

5 1. The state soil conservation committee established by
6 section 467A.4.

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

16 Sec. 2. Section four hundred sixty-seven D point five
17 (467D.5), Code 1979, is amended by striking the section and
18 inserting in lieu thereof the following:

19 467D.5 ELECTION OF CONSERVANCY DISTRICT BOARD.

20 1. The state soil conservation committee acting in its
21 capacity as a conservancy district board may propose division
22 of a conservancy district, currently being governed by the
23 state soil conservation committee under subsection one (1)
24 of section four hundred sixty-seven D point four (467D.4)
25 of the Code, into not less than five nor more than nine wards.
26 Ward boundaries shall coincide with county boundaries, except
27 that each ward shall lie entirely within the conservancy
28 district of which it is a part. Each ward shall be composed
29 of contiguous territory and shall be drawn with equality of
30 population as an objective, insofar as that objective can
31 reasonably be implemented while meeting the other requirements
32 of this subsection.

33 2. When a proposal for establishment of wards in a
34 conservancy district has been approved by the state soil
35 conservation committee, the members of the first elected board

1 shall be chosen at the next succeeding regular election
2 pursuant to subsection three (3) of this section, unless the
3 date of that election is more than one hundred eighty days
4 after the date of approval of the proposal for establish-
5 ment of wards. In that case, the state soil conservation
6 committee shall, in consultation with the state commissioner
7 of elections, set a date for a special election to choose
8 the first members of the elected board. Upon taking office,
9 the first elected board shall be divided by the soil
10 conservation committee into two classes as nearly equal in
11 number as possible. Members of the second class shall be
12 comprised of those candidates receiving the largest number
13 of votes. Successors to members of the first class shall
14 be elected at the next succeeding regular election under
15 subsection three (3) of this section, and successors to members
16 of the second class shall be elected at the second succeeding
17 such regular election.

18 3. Except as provided in subsection two (2) of this section
19 members of elected conservancy district boards shall be chosen
20 by the qualified electors of their respective wards for
21 staggered four-year terms beginning on January first following
22 their election. The election for conservancy district
23 directors shall be held in each established ward on the first
24 Tuesday following the first Monday of November of each even-
25 numbered year. A ward established under this section is a
26 political subdivision, and each election in the ward shall
27 be conducted by the county commissioner of elections who is
28 responsible under section forty-seven point two (47.2) of
29 the Code. Candidates for the board shall be nominated by
30 petition in accordance with chapter forty-five (45) of the
31 Code, except that each candidate's nominating petition must
32 be signed by at least thirty-five eligible electors of the
33 ward. The petitions shall be filed with the county
34 commissioner of elections who is conducting the election not
35 more than sixty-five nor less than forty days before the date

1 of the election. The provisions of chapters forty-nine (49)
2 and fifty (50) of the Code shall govern the conducting and
3 canvassing of the election, to the same extent and in the
4 same manner as other nonpartisan elections. A plurality is
5 sufficient to elect a person to the board, and no primary
6 shall be held.

7 4. Any eligible elector as defined in section thirty-nine
8 point three (39.3) of the Code residing in a conservancy
9 district ward is eligible to be elected to represent that
10 ward on the board. A person shall be elected to the board
11 for no more than two consecutive terms. A vacancy is created
12 when a member of the board removes his or her residence from
13 the ward he or she was elected to represent. A vacancy shall
14 be filled by appointment of the state soil conservation
15 committee from a list of nominees submitted by the remaining
16 members of the board, for the period until the next regular
17 election under subsection three (3) of this section. At that
18 election, a board member shall be elected for the remaining
19 balance of the unexpired term as provided by section sixty-
20 nine point twelve (69.12) of the Code.

21 Sec. 3. Section four hundred sixty-seven D point six
22 (467D.6), subsection five (5), Code 1979, is amended to read
23 as follows:

24 5. Review the plans and co-ordinate the programs and ac-
25 tivities between counties, cities and any of the entities
26 listed in subsection 4 of this section, and otherwise advise
27 and assist the governing bodies of such entities in any
28 appropriate manner, in all cases which relate to any matter
29 within the jurisdiction of the conservancy district, ~~provided~~
30 ~~that.~~ However the board shall have only advisory and
31 consultative powers with respect to any such entities except
32 as otherwise specifically provided in this chapter, or in
33 section thirty-two (32) of this Act. Upon receiving either
34 a resolution of the governing board of a levee or drainage
35 district or a petition signed by landowners of the levee or

1 drainage district and meeting the requirements of section
2 thirty-two (32) of this Act, the board shall assume
3 administration of the levee or drainage district and
4 consolidate it within a watershed funding district established
5 pursuant to section eleven (11) of this Act.

6 Sec. 4. Section four hundred sixty-seven D point six
7 (467D.6), Code 1979, is amended by adding the following new
8 subsection:

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

11 Sec. 5. Section four hundred sixty-seven D point seven
12 (467D.7), Code 1979, is amended by striking the section and
13 inserting in lieu thereof the following:

14 467D.7 ADMINISTRATION OF CONSERVANCY DISTRICTS BY STATE
15 COMMITTEE.

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

21 2. The state soil conservation committee, serving in its
22 capacity as the board of a conservancy district, shall appoint
23 a secretary and a treasurer for the conservancy district,
24 and may appoint the same individual as secretary for two or
25 more conservancy districts, or as the treasurer for two or
26 more conservancy districts. However, a person shall not
27 simultaneously serve as both a board secretary and a board
28 treasurer, either for the same conservancy district or for
29 different conservancy districts. A person appointed by the
30 committee as secretary or treasurer of one or more conservancy
31 districts, who is not otherwise employed by the state or any
32 of its political subdivisions, shall receive compensation
33 as the committee determines.

34 Sec. 6. Section four hundred sixty-seven D point eight
35 (467D.8), Code 1979, is amended by striking the section and

1 inserting in lieu thereof the following:

2 467D.8 ADMINISTRATION OF CONSERVANCY DISTRICTS BY ELECTED
3 BOARD.

4 1. The board of each conservancy district which is adminis-
5 tered by an elected board shall hold an annual meeting in
6 July and shall meet at least once each quarter. The
7 chairperson of the board shall schedule a special meeting
8 within five days on the request of any two board members.
9 An action of the board requires the affirmative votes of at
10 least a majority of the elected members.

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

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

1 of the secretary's and the treasurer's bonds may be paid from
2 the funds of the conservancy district.

3 Sec. 7. Section four hundred sixty-seven D point ten
4 (467D.10), Code 1979, is amended by adding the following new
5 subsection:

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

8 Sec. 8. Section four hundred sixty-seven D point fourteen
9 (467D.14), Code 1979, is amended by adding the following new
10 subsection:

11 NEW SUBSECTION. Revenue derived from the special annual
12 tax levied by watershed funding districts pursuant to section
13 eighteen (18) of this Act.

14 Sec. 9. Chapter four hundred sixty-seven D (467D), Code
15 1979, is amended by adding sections ten (10) through twenty-
16 one (21) of this Act.

17 Sec. 10. NEW SECTION. GOVERNING BODY OF WATERSHED FUNDING
18 DISTRICT. The board of each conservancy district shall be
19 the governing body of each watershed funding district
20 established, pursuant to sections eleven (11) through sixteen
21 (16) of this Act, in that conservancy district. When
22 administering a watershed funding district, the board shall
23 have all the powers and duties granted it by section four
24 hundred sixty-seven D point six (467D.6) of the Code.

25 Sec. 11. NEW SECTION. AUTHORITY TO ESTABLISH LOCAL
26 WATERSHED FUNDING DISTRICTS. Local watersheds whose boundaries
27 have been established by the board may be formed into watershed
28 funding districts as provided in sections twelve (12) through
29 sixteen (16) and section thirty-two (32) of this Act for the
30 purpose of carrying out water management, soil erosion and
31 sediment control projects within the local watershed. The
32 projects may include but are not limited to acquisition of
33 real and personal property, construction, operation and
34 maintenance programs, and informational and demonstration
35 programs.

1 Sec. 12. NEW SECTION. PETITION FOR FORMATION OF WATERSHED
2 FUNDING DISTRICT.

3 1. Landowners desiring to organize a watershed funding
4 district shall file a petition with the commissioners of a
5 soil conservation district in which any portion of the proposed
6 watershed funding district would be located.

7 2. The petition for formation of a watershed funding
8 district shall contain the following:

9 a. A request that the watershed be organized as a watershed
10 funding district.

11 b. A concise statement giving the scope of the construc-
12 tion, operation and maintenance project plans, taxing plans,
13 and financing plans of the watershed funding district.

14 c. A description to the nearest quarter section, of the
15 land intended for inclusion in the watershed funding district,
16 which shall be within the conservancy district and, along
17 boundaries approved by the board and shall not overlap with
18 boundaries of an existing watershed funding district.

19 d. A statement of the purpose for the organization of
20 the watershed funding district.

21 e. The signature of landowners holding title to at least
22 sixty-five percent of the land area in the watershed.

23 Signatures of all landowners owning land held in joint tenancy
24 or tenancy-in-common, signatures of the buyer and seller of
25 land subject to a contract of sale filed with the county
26 recorder and signatures of all partners owning land held in
27 partnership, shall be required on the petition before such
28 lands are counted in determining whether the owners of sixty-
29 five percent of the land have signed the petition.

30 3. The soil conservation district commissioners receiving
31 the petition shall provide copies of the petition to the board
32 and to the commissioners of other soil conservation districts
33 in which a portion of the watershed funding district is
34 located. The soil conservation district commissioners
35 receiving the petition shall arrange to jointly review the

1 petition with the other commissioners notified.

2 Sec. 13. NEW SECTION. HEARING ON PETITION.

3 1. If the soil conservation district commissioners find
4 the petition for formation of a watershed funding district
5 is in proper form, they shall arrange for a hearing on the
6 merits of the petition. Within thirty days after the petition
7 was filed with the commissioners, they shall fix the date,
8 hour and place for the hearing.

9 2. Notice of the hearing shall be given by the secretary
10 of the commissioners by publication, as specified in subsection
11 three (3) of this section, and by certified mail sent at least
12 twenty and not more than thirty days prior to the hearing
13 to the following:

14 a. Each owner of a tract of land within the proposed
15 watershed funding district, as shown by the transfer books
16 of the county auditor's office.

17 b. Each lienholder or encumbrancer of the lands within
18 the proposed watershed funding district, as shown by the
19 records of the county recorder.

20 c. Occupants of land within the proposed watershed funding
21 district, except that notice may be by ordinary mail instead
22 of certified mail.

23 d. All other persons requesting notice in writing from
24 the commissioners.

25 3. Notice of the hearing by publication shall occur once
26 each week for two consecutive weeks in a newspaper of general
27 circulation published in each county in which the proposed
28 watershed funding district is located. The last publication
29 shall be not less than ten days prior to the day set for the
30 hearing on the petition. Proof of service of the notice shall
31 be made by affidavit of the publisher, which shall be placed
32 on file with the secretary of the soil conservation district
33 at the time the hearing is called to order.

34 4. The notice of the hearing required by subsection two
35 (2) of this section shall contain the following:

- 1 a. The date, hour and place of the hearing.
- 2 b. A brief statement of the purpose of the hearing.
- 3 c. That all comments and objections to establishment of
4 the proposed watershed funding district should be made in
5 writing and filed with the secretary of the soil conservation
6 district at or before the hearing.
- 7 d. The name and address to which all comments and
8 objections shall be sent.

9 Sec. 14. NEW SECTION. DETERMINATION OF THE MERITS OF
10 THE PETITION.

11 1. If after taking testimony at the hearing the soil
12 conservation district commissioners by majority vote determine
13 that the operation of the proposed watershed funding district
14 within the proposed boundaries is desirable, practicable,
15 feasible, and necessary for the health, safety and public
16 welfare, the commissioners shall declare in writing that the
17 watershed funding district is duly organized and shall record
18 such action in their official minutes together with an
19 appropriate official name of the watershed funding district.

20 2. All interested persons may attend the hearing on the
21 merits of the petition and present oral or written testimony.
22 The commissioners may for good cause adjourn the hearing to
23 a later date, which shall be announced prior to the adjournment
24 and made a matter of record.

25 3. If the scope or purpose of the project is materially
26 changed, a new hearing must be scheduled and notice given
27 in the same manner as the original hearing, before a
28 determination is made on the merits of the petition.

29 4. The costs of organizing the district shall be paid
30 by the board.

31 Sec. 15. NEW SECTION. JOINT BOARD OF SOIL CONSERVATION
32 DISTRICT COMMISSIONERS. If a proposed watershed funding
33 district lies in more than one soil conservation district,
34 the commissioners of the affected soil conservation districts
35 shall act jointly as a board of commissioners with respect

1 to all matters relating to the formation of the watershed
2 funding district or material changes in its project, taxing
3 or financing plans. They shall organize as a single board
4 for these purposes and shall designate a chairperson, vice-
5 chairperson, and secretary to serve until the ruling on
6 formation is made. Minutes of the commissioners acting in
7 a joint capacity shall be made part of the minutes of each
8 soil conservation district whose commissioners are acting
9 in a joint capacity. A watershed funding district crossing
10 soil conservation district lines shall have the same powers
11 and duties as a funding district formed solely within a single
12 soil conservation district.

13 Sec. 16. NEW SECTION. RECORDING OF WATERSHED FUNDING
14 DISTRICT FORMATION. Following the entry in the official
15 minutes of the soil conservation district commissioners of
16 the creation of a watershed funding district, the commissioners
17 shall certify this fact on a separate form with a description
18 of the watershed funding district's boundaries. Verified
19 copies of the form shall be recorded with the county recorder
20 of each county in which a portion of the funding district
21 lies, with the board and with the department. Upon record-
22 ing the watershed funding district is deemed established.

23 Sec. 17. NEW SECTION. REFERENDUM BEFORE LEVYING SPECIAL
24 ANNUAL TAX.

25 1. Before a watershed funding district may levy a special
26 annual tax under section eighteen (18) of this Act, the board
27 governing that district must obtain the approval of more than
28 fifty percent of the landowners in the watershed funding
29 district at a referendum election. Each owner of a tract
30 of land within the watershed funding district, as shown by
31 the transfer books in the office of the county auditor or
32 auditors, as the case may be, shall be entitled to one vote
33 in the referendum.

34 2. When the board determines that it is desirable to levy
35 a special annual tax under section eighteen (18) of this Act,

1 it shall order that a referendum election be held at some
2 convenient place within the watershed funding district or,
3 if no convenient place is available there, at some point
4 conveniently accessible to owners of land in the watershed
5 funding district, and shall set a time for the referendum
6 not less than forty nor more than sixty days from the date
7 of the order. The board shall appoint from the freeholders
8 of the watershed funding district at least three polling place
9 election officials to conduct the referendum. The county
10 commissioner of elections shall oversee the election, and
11 section forty-seven point two (47.2), subsection two (2),
12 of the Code shall apply. The election shall be conducted
13 in accordance with the provisions of chapter forty-nine (49)
14 of the Code where those provisions are not in conflict with
15 this section.

16 3. Before an election is held under this section, the
17 appointed polling place election officials shall obtain from
18 the county recorder or recorders and auditor or auditors,
19 as the case may be, a copy of so much of the record of the
20 establishment of the watershed funding district as will show
21 the lands included therein, and a list of the present record
22 owners of those lands. Each such owner shall be sent a notice
23 of the referendum by certified mail. Any individual who
24 acquires ownership of land in the watershed funding district
25 after the information required by this subsection is prepared
26 shall be entitled to vote in the referendum upon presenting
27 to the polling place election officials evidence satisfactory
28 to them that that individual has acquired title to land in
29 the watershed funding district. Each landowner in the
30 watershed funding district who is eighteen years of age or
31 over, and each artificial person owning land therein, is
32 entitled to one vote in the election, except that no more
33 than one vote shall be cast on behalf of any particular tract
34 or parcel of land, even if two or more persons share title
35 to that land.

1 Sec. 18. NEW SECTION. SPECIAL ANNUAL TAX.

2 1. The board, in its capacity as governing board of a
3 watershed funding district, may levy a special annual tax
4 upon all land within that watershed funding district, not
5 exceeding one dollar and eight cents per one thousand dollars
6 of assessed value of taxable land in the watershed funding
7 district, after the board has both:

8 a. Obtained agreement to carry out recommended soil erosion
9 and sediment control measures on not less than fifty percent
10 of the land situated in the watershed funding district.

11 b. Obtained approval of fifty percent of the landowners
12 in the district at a referendum held as provided in section
13 seventeen (17) of this Act.

14 2. The revenue derived from the tax shall be used for
15 the following purposes only:

16 a. Repayment of actual and necessary expenses incurred
17 by the board in organizing the watershed funding district.

18 b. The acquisition of real and personal property and
19 construction, repair, alteration, maintenance and operation
20 of the present and future works of improvement within its
21 boundaries for the purpose of carrying out water management,
22 soil erosion and sediment control projects.

23 c. The watershed funding district's portion of cost sharing
24 with landowners for installation of land treatment measures.

25 d. Payment of administrative costs of the watershed funding
26 district.

27 3. A special tax levied by the governing body shall be
28 certified by the secretary of the board on or before January
29 tenth to the county auditor of each county where any of the
30 property included within the limits of the watershed funding
31 district is located. The levied tax shall be placed upon
32 the tax list for the current fiscal year by the county auditor
33 and the county treasurer shall collect the tax in the same
34 manner as other real property taxes, and when delinquent the
35 tax shall draw the same interest and penalties as other real

1 property taxes.

2 4. All special taxes levied and collected shall be paid
3 over by the collecting officer to the treasurer of the county
4 in which the largest amount of revenue from the special tax
5 is raised. This county treasurer shall credit the tax revenue
6 to the account of the watershed funding district from which
7 it was collected. Expenditures from the account shall be
8 made on requisition of the chairperson and secretary of the
9 governing body of the watershed funding district.

10 5. Sales for delinquent special taxes shall be made at
11 the same time and in the same manner as sales are made for
12 other real property taxes, and provisions of the law relating
13 to the sale of property for delinquent taxes shall be
14 applicable to such sales.

15 Sec. 19. NEW SECTION. WARRANTS AND BONDS. If the petition
16 filed pursuant to section twelve (12) of this Act or section
17 twenty (20) of this Act contained plans for issuing warrants
18 and bonds, then upon majority vote the governing body of a
19 watershed funding district may issue warrants or bonds payable
20 in not more than forty semiannual installments and may pledge
21 and assign the proceeds of the special annual tax and other
22 revenues of the watershed funding district as security
23 therefore. The warrants and bonds of indebtedness shall be
24 general obligations of the watershed funding district, exempt
25 from all state and local taxes, and the warrants and bonds
26 shall not constitute an indebtedness of the soil conservation
27 district, conservancy district, or the state of Iowa.

28 Sec. 20. NEW SECTION. MODIFICATION OF WATERSHED FUNDING
29 DISTRICT PURPOSES.

30 1. Before the scope of the project, taxing or financing
31 plans of a watershed funding district are materially modified
32 from that specified in the original petition for formation
33 of the district, a new petition must be filed and processed
34 in the same manner as the petition for formation of a watershed
35 funding district pursuant to section twelve (12) through

1 fifteen (15) of this Act, except as otherwise provided in
2 this section.

3 2. The petition to modify the project, taxing or financing
4 plans shall request the particular modification in lieu of
5 the request to form a district and shall state the purpose
6 of the modification in lieu of stating the purpose for
7 formation of the district.

8 3. The notice of the hearing on the petition shall specify
9 that comments and objections to the proposed modification
10 in the project, taxing or financing plans should be made in
11 writing and filed with the secretary of the soil conservation
12 district at or before the hearing in lieu of comments and
13 objections to establishment of the proposed district.

14 4. If after taking testimony at the hearing the soil con-
15 servation district commissioners by majority vote determine
16 that the modification of the project, taxing or financing
17 plans is desirable, practicable, feasible, and necessary for
18 the health, safety and public welfare, the commissioners shall
19 in writing declare that the watershed funding district's
20 authorized project, taxing or financing plans are modified
21 and shall record such action in their official minutes.

22 Sec. 21. NEW SECTION. INTERGOVERNMENTAL COOPERATION.

23 1. A watershed funding district may cooperate with any
24 other local, state or federal entity of government in
25 discharging its duties and powers.

26 2. A soil conservation district and a watershed funding
27 district shall cooperate in the implementation of the programs
28 of the watershed funding district.

29 Sec. 22. Section four hundred sixty-seven D point three
30 (467D.3), subsection one (1), paragraph j, Code 1979, is
31 amended to read as follows:

32 j. In Scott county:

33 <u>Twp. N.</u>	<u>Range East</u>	<u>Sections</u>
34 80	1, 2, 3, 4, 5	All.
35 79	1	1 to 18 inclusive, 23, 24.

1		2	1 to 30 inclusive, 33 to 36
2			inclusive.
3		3, 4, 5	All.
4	78	2	1, 2, 10 to 17 inclusive,
5			20 to 36 inclusive
6			<u>20 to 30 inclusive,</u>
7			<u>32 to 36 inclusive.</u>
8		3, 4, 5	All.
9	77	2, 3	All <u>1 to 5 inclusive,</u>
10			<u>8 to 17 inclusive,</u>
11			<u>20 to 36 inclusive.</u>
12		3	<u>All.</u>

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

18 Sec. 23. Section four hundred sixty-seven D point three
 19 (467D.3), subsection one (1), paragraphs k and l, Code 1979,
 20 are amended by striking the paragraphs.

21 Sec. 24. Section four hundred sixty-seven D point three
 22 (467D.3), subsection two (2), unnumbered paragraph one (1),
 23 Code 1979, is amended to read as follows:

24 2. The Iowa-Cedar river conservancy district shall include
 25 all of Worth, Cerro Gordo, Butler, Franklin, Grundy, Benton,
 26 Tama, Johnson, Muscatine, and Iowa counties, those portions
 27 of Mitchell, Floyd, Chickasaw, Bremer, Black Hawk, Buchanan,
 28 Linn, Cedar, and Scott~~7-and-Muscatine~~ counties not included
 29 in the northeast Iowa conservancy district, that portion of
 30 Jones county not so included in the northeast Iowa conservancy
 31 district and also all territory within the corporate limits
 32 of the city of Martelle in Jones county, as such limits existed
 33 on January 1, 1969, including that portion of such city within
 34 any of the sections of land listed in paragraph "h" of
 35 subsection 1 of this section, and the designated portions

1 of each of the following counties:

2 Sec. 25. Section four hundred sixty-seven D point three
3 (467D.3), subsection two (2), paragraph m, Code 1979, is
4 amended to read as follows:

5 m. In Louisa county:

6	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
7	76	5	All.
8	75	<u>2</u>	<u>All.</u>
9		3	4-to-9-inclusive,
10			16-to-22-inclusive,
11			27-to-34-inclusive
12			<u>All.</u>
13		4, 5	All.
14	74	1	All.
15		2	18,-19,-29-to-32-inclusive,-36
16			<u>5 to 9 inclusive, 16 to 22</u>
17			<u>inclusive, 26 to 36 inclusive.</u>
18		3	2-to-36-inclusive <u>All.</u>
19		4	1 to 30 inclusive,
20			32 to 36 inclusive.
21		5	1 to 29 inclusive, 34.
22	73	1	All.
23		2	17-4-to-36-inclusive <u>All.</u>
24		3	All.
25		4	1 to 5 inclusive,
26			9 to 16 inclusive,
27			23 to 26 inclusive, 35, 36.

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

33 Sec. 26. Section four hundred sixty-seven D point three
34 (467D.3), subsection five (5), unnumbered paragraph one (1),
35 Code 1979, is amended to read as follows:

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

7 Sec. 27. Section four hundred sixty-seven D point three
 8 (467D.3), subsection five (5), paragraph k, Code 1979, is
 9 amended to read as follows:

10 k. In Crawford county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
12 83	37	11 to 36 inclusive.
13	38	23 to 26 inclusive, 34, 35, 36.
14 82	37	All.
15	38	1 to 5 inclusive, 9 to 36 inclusive.
16	39	13, 23 to 28 inclusive, 33 <u>30</u> to 36 17 inclusive.

18 Sec. 28. Section four hundred sixty-seven D point three
 19 (467D.3), subsection five (5), paragraph l, Code 1979, is
 20 amended to read as follows:

21 l. In Shelby county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
23 81	37, 38	All.
24	39	1-2-3-10-to-15-inclusive, 22-to-27 25 inclusive, 34-35-36 26 <u>1 to 5 inclusive, 7 to 36 inclusive.</u>
27	<u>40</u>	<u>13, 23 to 26 inclusive, 35, 36.</u>
28 80	37, 38	All.
29	39	1-2-3-10-to-16-inclusive, 21-to-29 30 inclusive, 34-35-36 31 <u>All.</u>
32	<u>40</u>	<u>1 to 4 inclusive, 8 to 17 inclusive,</u> 33 <u>19 to 36 inclusive.</u>
34 79	37, 38	All.
35	39, <u>40</u>	1-2-3-10-to-16-inclusive, 21-to-28

1 inclusive,--32-to-36-inclusive
 2 All.
 3 78 37, 38, 39 All.
 4 40 17-27-37-10-to-15-inclusive,--21-to-28
 5 inclusive,--32-to-36-inclusive
 6 All.

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

12 Sec. 29. Section four hundred sixty-seven D point three
 13 (467D.3), subsection five (5), paragraph m, Code 1979, is
 14 amended to read as follows:

15 m. In Pottawattamie county:

16	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
17	77	38, 39, 40	All.
18		<u>41, 42, 43</u>	<u>25, 36 All.</u>
19		<u>44</u>	<u>1, 12, 13, 24, 25, 28 to 36 inclusive.</u>
20	76	38, 39, 40	All.
21		<u>41, 42, 43,</u>	<u>17-11-to-15-inclusive,--21-to-29</u>
22		<u>44</u>	<u>inclusive,--32-to-36-inclusive</u>
23			<u>All.</u>
24	75	38, 39, 40,	
25		41	All.
26		<u>42, 43, 44</u>	<u>13, 24, 25, 26, 35, 36 All.</u>
27	74	38, 39, 40,	
28		41	All.
29		<u>42, 43, 44</u>	<u>17-27-11-to-14-inclusive,--23, 24,</u>
30			<u>25, 35, 36 All.</u>

31 Sec. 30. Section four hundred sixty-seven D point three
 32 (467D.3), subsection five (5), paragraphs n and o, Code 1979,
 33 are amended by striking the paragraphs and adding the following
 34 new paragraph:

35 NEW PARAGRAPH. In Harrison county:

<u>1 Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
2 80	41	25, 26, 34, 35, 36.
3 79	41	1, 2, 3, 10 to 16 inclusive, 21 to
4		29 inclusive, 31 to 36 inclusive.
5	42	36.
6 78	41	All.
7	42	1 to 5 inclusive, 7 to 36 inclusive.
8	43	13, 15, 22 to 28 inclusive, 32 to
9		36 inclusive.

10 Sec. 31. Section four hundred sixty-seven D point three
11 (467D.3), subsection six (6), paragraphs c and d, Code 1979,
12 are amended by striking the paragraphs and adding the following
13 new paragraph:

14 NEW PARAGRAPH. That portion of Harrison county not in-
15 cluded in the southern Iowa conservancy district.

16 Sec. 32. Chapter four hundred fifty-six (456), Code 1979,
17 is amended by adding the following new section:

18 NEW SECTION. CONVERSION TO WATERSHED FUNDING DISTRICT.

19 1. a. Notwithstanding any provision of this chapter or
20 sections twelve (12) through sixteen (16) of this Act to the
21 contrary, if a levee or drainage district is contained entirely
22 within a watershed funding district established pursuant to
23 section eleven (11) of this Act and entirely within the same
24 conservancy district, it may be dissolved and incorporated
25 into that watershed funding district in accordance with the
26 provisions of subsection two (2) or three (3) of this section.

27 b. Upon incorporation into a watershed funding district,
28 the powers, duties and responsibilities conferred on the levee
29 or drainage district pursuant to chapters four hundred fifty-
30 five (455) and four hundred fifty-six (456) through four
31 hundred sixty-six (466) of the Code shall be exercised by
32 the governing body of the watershed funding district.

33 2. a. A levee or drainage district may be dissolved and
34 its projects and internal improvements incorporated into an
35 existing watershed funding district by filing with the county

1 auditor and the governing body of the levee or drainage
2 district a petition requesting that the levee or drainage
3 district be dissolved and its projects incorporated into a
4 specific watershed funding district and a separate petition
5 requesting that all projects within the levee or drainage
6 district be incorporated into an existing watershed funding
7 district.

8 b. The petition for dissolution of the levee or drainage
9 district and incorporation of its projects into a specific
10 watershed funding district shall be signed by the landowners
11 holding title to at least sixty-five percent of the land area
12 in the levee or drainage district. The petition for
13 incorporation of the levee or drainage district projects into
14 the watershed funding district shall be signed by landowners
15 holding title to at least sixty-five percent of the land area
16 in the watershed funding district. The provisions of paragraph
17 e of subsection two (2) of section twelve (12) of this Act
18 shall apply in determining if the requisite number of
19 landowners have signed the petitions. The county auditor
20 shall certify to the governing body of the levee or drainage
21 district and to the conservancy district board whether the
22 petitions contain the required signatures.

23 c. Within thirty days of receiving from the auditor
24 certification that both petitions have the requisite number
25 of signatures, the governing body of the levee or drainage
26 district shall adopt a resolution to dissolve the district
27 and incorporate it into the watershed funding district. The
28 resolution shall be certified and recorded on a separate form
29 in the manner prescribed in section sixteen (16) of this Act.
30 Upon recording the resolution, the levee or drainage district
31 is dissolved and incorporated into the watershed funding
32 district.

33 3. A levee or drainage district may be dissolved and
34 incorporated into an existing watershed funding district by
35 adoption of a resolution by the governing body of the levee

1 or drainage district. The resolution shall be certified and
2 recorded on a separate form in the manner prescribed in section
3 sixteen (16) of this Act. Upon recording the resolution,
4 the levee or drainage district is dissolved and incorporated
5 into the watershed funding district.

6 4. When a levee or drainage district is dissolved and
7 incorporated into a watershed funding district pursuant to
8 this section, all indebtedness of the levee or drainage
9 district shall be assessed only against the lands in the
10 watershed funding district that were part of the previously
11 dissolved levee or drainage district. Upon dissolution and
12 incorporation of a levee or drainage district, all real
13 property and improvements of the levee or drainage district
14 shall be transferred to the conservancy district and all
15 present or future liquid assets will be turned over to the
16 county treasurer as specified in subsection four (4) of section
17 eighteen (18) of this Act, for deposit in the account created
18 for that watershed funding district.

19 Sec. 33. Section four hundred sixty-seven D point nine
20 (467D.9), Code 1979, is repealed.

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SF 2357A
pb/slc/26c

SENATE FILE 2357

H-6345

1 Amend Senate File 2357, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 33 through page 3, line
4 6, and inserting in lieu thereof the following:

5 "2. The board of directors of a conservancy district
6 which has been divided into wards under subsection one
7 (1) of this section shall consist of one director from
8 each ward so established, who shall be elected as
9 provided by subsection three (3) of this section. Each
10 director shall serve a term of three years beginning on
11 the first day of January, following that director's
12 election, which is not a Sunday or a holiday. When
13 a proposal for establishment of wards in a conservancy
14 district has been approved by the state soil conser-
15 vation committee, the members of the first elected
16 board shall be chosen as provided by subsection three
17 (3) of this section except that the election shall be
18 held not more than one hundred eighty days after the date
19 of approval of the proposal for establishment of wards.
20 The first elected board of directors shall take office
21 on a day specified by the state soil conservation committee,
22 which shall be not more than thirty days after election
23 of the directors is completed. Upon taking office, the
24 first elected board shall divide itself by lot into three
25 classes as nearly equal in size as possible. Thereafter,
26 successors to members of the first class shall be elected
27 in the first succeeding calendar year, successors to
28 members of the second class shall be elected in the second
29 succeeding calendar year, and successors to members of
30 the third class shall be elected in the third succeeding
31 calendar year after the year in which the first elected
32 board takes office.

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

38 a. A convention shall be held for each ward not
39 earlier than October first nor later than November thirtieth
40 of each year in which a director is to be elected from that
41 ward. Each ward convention shall be called and its location
42 shall be determined by the board of directors of the conser-
43 vancy district of which the ward is a part. The conventions
44 shall be held within the boundaries of the respective wards,
45 and may be held in conjunction with other meetings attended
46 by soil conservation district commissioners where doing so
47 will avoid or reduce expense for travel and for use of
48 convention sites. Notice of the time, date and place of
49 a ward convention shall be published by the conservancy district
50 board of directors, at least thirty days prior to the convention

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Page two

1 date, in at least one newspaper of general circulation
2 in the ward. The cost of publication shall be paid by
3 the conservancy district.

4 b. The commissioners of each separate soil conservation
5 district located entirely or partially within a conservancy
6 district ward shall jointly cast a single, weighted vote
7 for director of the conservancy district from that ward.
8 The weight of the vote cast by the commissioners of each
9 soil conservation district shall be based upon the ratio
10 that the population of the soil conservation district,
11 or portion of the district, bears to that of the entire
12 ward. The population of each soil conservation district,
13 or portion of a district, shall be certified by the
14 department of soil conservation.

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

32 2. Page 3, line 10, by inserting after the word
33 "board." the words "A conservancy district board member need
34 not be a soil conservation district commissioner, but the
35 same individual may hold both offices concurrently."

36 3. Page 3, lines 19 and 20, by striking the words
37 "as provided by section sixty-nine point twelve (69.12) of
38 the Code".

39 4. Page 5, line 6, by striking the word "July" and
40 inserting in lieu thereof the word "January".

H-6345 FILED APRIL 24, 1980 By DAGGETT of Taylor

4/25 4/26

SENATE FILE 2357

H-6346

1 Amend Senate File 2357 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 12, line 22, by inserting after the word
4 "projects" the words ", provided that no more than
5 fifty percent of the cost of any acquisition of real
6 property or of any construction project under this
7 paragraph may be paid from the proceeds of the special
8 annual tax levied under this section".

9 2. Page 12, line 24, by inserting after the word
10 "measures" the words ", provided that no more than
11 fifty percent of the district's portion shall be paid
12 from the proceeds of the special annual tax levied
13 under this section".

4/25 4/26

SENATE FILE 2357

H-6387

1 Amend Senate File 2357, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. By striking page 1, line 33 through page 3,
4 line 6 and inserting in lieu thereof the following:
5 "2. The board of directors of a conservancy
6 district which has been divided into wards under
7 subsection one (1) of this section shall consist of
8 one director from each ward so established, who shall
9 be elected as provided by subsection three (3) of
10 this section. Each director shall serve a term of
11 three years beginning on the first day of January,
12 following that director's election, which is not a
13 Sunday or a holiday. When a proposal for establishment
14 of wards in a conservancy district has been approved
15 by the state soil conservation committee, the members
16 of the first elected board shall be chosen as provided
17 by subsection three (3) of this section except that
18 the election shall be held not more than one hundred
19 eighty days after the date of approval of the proposal
20 for establishment of wards. The first elected board
21 of directors shall take office on a day specified
22 by the state soil conservation committee, which shall
23 be not more than thirty days after election of the
24 directors is completed. Upon taking office, the first
25 elected board shall divide itself by lot into three
26 classes as nearly equal in size as possible.
27 Thereafter, successors to members of the first class
28 shall be elected in the first succeeding calendar
29 year, successors to members of the second class shall
30 be elected in the second succeeding calendar year,
31 and successors to members of the third class shall
32 be elected in the third succeeding calendar year after
33 the year in which the first elected board takes office.
34 3. Each member of a conservancy district board
35 of directors shall be elected at a ward convention
36 attended by delegates chosen by and from among the
37 commissioners of the respective soil conservation
38 districts located entirely or partially within that
39 ward.
40 a. A convention shall be held for each ward not
41 earlier than October first nor later than November
42 thirtieth of each year in which a director is to be
43 elected from that ward. Each ward convention shall
44 be called and its location shall be determined by
45 the board of directors of the conservancy district
46 of which the ward is a part. The conventions shall
47 be held within the boundaries of the respective wards,
48 and may be held in conjunction with other meetings
49 attended by soil conservation district commissioners
50 where doing so will avoid or reduce expense for travel

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Page two

1 and for use of convention sites. Notice of the time,
2 date and place of a ward convention shall be published
3 by the conservancy district board of directors, at
4 least thirty days prior to the convention date, in
5 at least one newspaper of general circulation in the
6 ward. The cost of publication shall be paid by the
7 conservancy district.

8 b. The commissioners of each separate soil
9 conservation district located entirely or partially
10 within a conservancy district ward shall jointly cast
11 a single, weighted vote for director of the conservancy
12 district from that ward. The weight of the vote cast
13 by the commissioners of each soil conservation district
14 shall be based upon the ratio that the population
15 of the soil conservation district, or portion of the
16 district, bears to that of the entire ward. The
17 population of each soil conservation district, or
18 portion of a district, shall be certified by the
19 department of soil conservation.

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

38 2. Page 3, line 10, by inserting after the word
39 "board." the words "A conservancy district board
40 member need not be a soil conservation district
41 commissioner, but the same individual may hold both
42 offices concurrently."

43 3. Page 3, lines 19 and 20, by striking the words
44 "as provided by section sixty-nine point twelve (69.12)
45 of the Code".

46 4. By striking page 3, line 21 through page 4,
47 line 5.

48 5. Page 5, line 6, by striking the word "July"
49 and inserting in lieu thereof the word "January".

50 6. By striking page 6, line 8 through page 14,

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Page three

1 line 28.

2 7. By striking page 19, line 16 through page 21,
3 line 18, and inserting in lieu thereof the following:

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

7 467A.13 PURPOSE OF SUBDISTRICTS. Subdistricts
8 of a soil conservation district may be formed as
9 hereinafter provided for the ~~purpose~~ purposes of
10 cooperating with conservancy districts and of carrying
11 out watershed protection and flood prevention programs
12 within the subdistrict but may not be formed solely
13 for the purpose of establishing or taking over the
14 operation of an existing drainage district.

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

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

24 8. Title, by striking lines 2 through 7 and
25 inserting in lieu thereof the words "district boards
26 of directors, and adjusting the statutory boundaries
27 of certain conservancy".

H-6387 FILED APRIL 25, 1980 By COMMITTEE ON WAYS AND MEANS
Adopted 4/26/80 WEST, Chair

HOUSE AMENDMENT TO SENATE FILE 2357

S-5973

1 Amend Senate File 2357, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 33 through page 3,
4 line 6 and inserting in lieu thereof the following:

5 "2. The board of directors of a conservancy
6 district which has been divided into wards under
7 subsection one (1) of this section shall consist of
8 one director from each ward so established, who shall
9 be elected as provided by subsection three (3) of
10 this section. Each director shall serve a term of
11 three years beginning on the first day of January,
12 following that director's election, which is not a
13 Sunday or a holiday. When a proposal for establishment
14 of wards in a conservancy district has been approved
15 by the state soil conservation committee, the members
16 of the first elected board shall be chosen as provided
17 by subsection three (3) of this section except that
18 the election shall be held not more than one hundred
19 eighty days after the date of approval of the proposal
20 for establishment of wards. The first elected board
21 of directors shall take office on a day specified
22 by the state soil conservation committee, which shall
23 be not more than thirty days after election of the
24 directors is completed. Upon taking office, the first
25 elected board shall divide itself by lot into three
26 classes as nearly equal in size as possible.
27 Thereafter, successors to members of the first class
28 shall be elected in the first succeeding calendar
29 year, successors to members of the second class shall
30 be elected in the second succeeding calendar year,
31 and successors to members of the third class shall
32 be elected in the third succeeding calendar year after
33 the year in which the first elected board takes office.

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

40 a. A convention shall be held for each ward not
41 earlier than October first nor later than November
42 thirtieth of each year in which a director is to be
43 elected from that ward. Each ward convention shall
44 be called and its location shall be determined by
45 the board of directors of the conservancy district
46 of which the ward is a part. The conventions shall
47 be held within the boundaries of the respective wards,
48 and may be held in conjunction with other meetings
49 attended by soil conservation district commissioners
50 where doing so will avoid or reduce expense for travel

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1 and for use of convention sites. Notice of the time,
2 date and place of a ward convention shall be published
3 by the conservancy district board of directors, at
4 least thirty days prior to the convention date, in
5 at least one newspaper of general circulation in the
6 ward. The cost of publication shall be paid by the
7 conservancy district.

8 b. The commissioners of each separate soil
9 conservation district located entirely or partially
10 within a conservancy district ward shall jointly cast
11 a single, weighted vote for director of the conservancy
12 district from that ward. The weight of the vote cast
13 by the commissioners of each soil conservation district
14 shall be based upon the ratio that the population
15 of the soil conservation district, or portion of the
16 district, bears to that of the entire ward. The
17 population of each soil conservation district, or
18 portion of a district, shall be certified by the
19 department of soil conservation.

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

38 2. Page 3, line 10, by inserting after the word
39 "board." the words "A conservancy district board
40 member need not be a soil conservation district
41 commissioner, but the same individual may hold both
42 offices concurrently."

43 3. Page 3, lines 19 and 20, by striking the words
44 "as provided by section sixty-nine point twelve (69.12)
45 of the Code".

46 4. By striking page 3, line 21 through page 4,
47 line 5.

48 5. Page 5, line 6, by striking the word "July"
49 and inserting in lieu thereof the word "January".

50 6. By striking page 6, line 8 through page 14,

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1 line 28.

2 7. By striking page 19, line 16 through page 21,
3 line 18, and inserting in lieu thereof the following:

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

7 467A.13 PURPOSE OF SUBDISTRICTS. Subdistricts
8 of a soil conservation district may be formed as
9 hereinafter provided for the ~~purpose~~ purposes of
10 cooperating with conservancy districts and of carrying
11 out watershed protection and flood prevention programs
12 within the subdistrict but may not be formed solely
13 for the purpose of establishing or taking over the
14 operation of an existing drainage district.

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

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

24 8. Title, by striking lines 2 through 7 and
25 inserting in lieu thereof the words "district boards
26 of directors, and adjusting the statutory boundaries
27 of certain conservancy".

S-5973 FILED
APRIL 26, 1980

RECEIVED FROM THE HOUSE

Senate committee #126 (7-1320)

SENATE FILE 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:

Twp. N.	Range East	Sections
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> <u>32 to 36 inclusive.</u>
	3, 4, 5	All.
77	2-3	All <u>1 to 5 inclusive,</u> <u>8 to 17 inclusive,</u> <u>20 to 36 inclusive.</u>
	3	All.

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:

Twp. N.	Range West	Sections
76	5	All.
75	2	All.
	3	4 to 9 inclusive, 16 to 22 inclusive, 27 to 34 inclusive All.
	4, 5	All.
	74	1
	2	18 to 19 to 29 to 32 inclusive, 36 <u>5 to 9 inclusive, 16 to 22 inclusive, 26 to 36 inclusive.</u>
	3	2 to 36 inclusive All.
	4	1 to 30 inclusive, 32 to 36 inclusive.
	5	1 to 29 inclusive, 34.
73	1	All.
	2	17 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 17, 1969, shall be within the Iowa Cedar 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:

Twp. N.	Range West	Sections
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, 34 to 36 inclusive.

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:

Twp. N.	Range West	Sections
81	37, 38	All.
	39	17-27-37-40-46-45-inclusive, 22-40-29 inclusive, 34, 35, 36
		1 to 5 inclusive, 7 to 36 inclusive.

40	13, 23 to 26 inclusive, 35, 36.
80	37, 38
	39
	40
79	37, 38
	39, 40
78	37, 38, 39
	40

All territory within the corporate limits of the cities of Shelby, Tennant, and Westphalia, as such limits existed on January 17, 1969, shall be within the southern Iowa conservancy 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:

Twp. N.	Range West	Sections
77	38, 39, 40	All.
	41, 42, 43	25, 36 All.
76	44	1, 12, 13, 24, 25, 28 to 36 inclusive.
	38, 39, 40	All.
	41, 42, 43,	17-21-40-45-inclusive, 21-40-29 inclusive, 32-40-36-inclusive
	44	All.
75	38, 39, 40,	
	41	All.

74 42, 43, 44 19, 24, 25, 26, 25, 26 All.
 38, 39, 40,
 41 All.
 42, 43, 44 17-27-11-12-14-inclusive, 23, 24,
 25, 25, 26 All.

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>
90	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.

 TERRY E. BRANSTAD
 President of the Senate

 WILLIAM H. HARBOR
 Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2357, Sixty-eighth General Assembly.

 FRANK J. STORK
 Secretary of the Senate

Approved 5/22 1980

 ROBERT D. RAY
 Governor