

## CHAPTER 1057

### SOIL CONSERVATION – LAND SUBJECT TO A PUBLIC INTEREST

*S.F. 200*

**AN ACT** relating to soil conservation by providing for protection of land subject to a public interest.

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

Section 1. Section 467A.47, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The commissioners of a soil and water conservation district shall inspect or cause to be inspected any land within the district, ~~upon receipt of a written and signed complaint, from an owner or occupant of~~ to determine if land is being damaged by sediment, ~~that from soil erosion is occurring on the neighboring land in excess of the limits established by the district's soil erosion control regulations. If the land is privately owned, the commissioners shall make or cause to be made the inspection, upon receiving a written complaint signed by an owner or occupant of land claiming that the owner's or occupant's land is being damaged by sediment. If the land is subject to a public interest, the commissioners shall make or cause to be made the inspection upon a majority vote of commissioners at an open meeting held pursuant to chapter 21. Land is subject to a public interest if the land is publicly held, subject to an easement held by the public, or the subject of an improvement made at public expense.~~

**PARAGRAPH DIVIDED.** If, ~~they~~ after the inspection, the commissioners find that sediment damages are occurring to ~~property land which is owned or occupied by the person filing the complaint or subject to a public interest,~~ and that excess soil erosion is occurring on the neighboring land ~~inspected,~~ they the commissioners shall issue an administrative order to the landowner or landowners of record, and to the occupant of the land if known to the commissioners, ~~describing.~~ The order shall describe the land and ~~stating~~ state as nearly as possible the extent to which soil erosion on the land exceeds the limits established by the district's regulations. The order shall be delivered either by personal service or by restricted certified mail to each of the persons to whom it is directed, and shall:

Approved April 13, 1992

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## CHAPTER 1058

### BOUNDARIES FOR LOCAL EXCHANGE UTILITIES

*S.F. 511*

**AN ACT** relating to certified exchange boundaries for local exchange utilities and providing an effective date.

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

Section 1. **NEW SECTION. 476.29 CERTIFICATES FOR PROVIDING LOCAL TELECOMMUNICATIONS SERVICES.**

1. After September 30, 1992, a utility must have a certificate of public convenience and necessity issued by the board before furnishing land-line local telephone service in this state. No lines or equipment shall be constructed, installed, or operated for the purpose of furnishing the service before a certificate has been issued.

2. Except as provided in subsection 12, a certificate shall be issued by the board, after notice and opportunity for hearing, if the board determines that the service proposed to be rendered