

House Amendment 1406

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1 1 Amend Senate File 437, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 23 the
1 4 following:
1 5 <Sec. _____. Section 468.510, Code 2009, is amended
1 6 to read as follows:
1 7 468.510 QUALIFICATIONS OF VOTERS.
1 8 Each landowner eighteen years of age or over
1 9 without regard to sex and any railway or other
1 10 corporation owning land in said district assessed for
1 11 benefits shall be entitled to one vote only, ~~except as~~
~~1 12 provided in section 468.511.~~
1 13 Sec. _____. Section 468.511, subsection 1, Code
1 14 2009, is amended to read as follows:
1 15 1. ~~When a petition asking for the right to vote in~~
~~1 16 proportion to assessment of benefits at all elections~~
~~1 17 for any purpose thereafter to be held within said~~
~~1 18 district, signed by a majority of the landowners~~
~~1 19 owning land within said district assessed for~~
~~1 20 benefits, is filed with the board of trustees, then,~~
~~1 21 in all elections of trustees thereafter held within~~
~~1 22 said district, any person whose land is assessed for~~
~~1 23 benefits without regard to age, sex, or condition~~
~~1 24 shall be entitled to one vote for each ten dollars or~~
~~1 25 fraction thereof of the original assessment under the~~
~~1 26 current classification against the land actually owned~~
~~1 27 by the person in said district at the time of the~~
~~1 28 election, but in order to have such ballot counted for~~
~~1 29 more than one vote the voter shall write the voter's~~
~~1 30 name upon the ballot.~~ The vote of any landowner of
1 31 the district may be cast by absent voters ballot as
1 32 provided in chapter 53 except that the form of the
1 33 applications for ballots, the voters' affidavits on
1 34 the envelopes, and the endorsement of the carrier
1 35 envelope for preserving the ballot shall be
1 36 substantially in the form provided in subsections 2, 3
1 37 and 4, below. Application blanks, envelopes and
1 38 ballots shall be provided by and submitted to the
1 39 office of the county auditor in which the election is
1 40 held. The cost of such blanks, envelopes, ballots and
1 41 postage shall be paid by the district. For the
1 42 purpose of this subchapter all landowners of the
1 43 district shall be considered qualified voters,
1 44 regardless of their place of residence.
1 45 Sec. _____. Section 468.512, Code 2009, is amended
1 46 to read as follows:
1 47 468.512 VOTE BY AGENT.
1 48 ~~Except where the provisions of section 468.511,~~
~~1 49 providing for vote in proportion to assessment are~~
~~1 50 invoked, any A person or corporation owning land or~~
2 1 right of way within the district and assessed for
2 2 benefits may have the person's or the corporation's
2 3 vote cast by the person's or the corporation's agent
2 4 or proxy authorized to cast such vote by a power of
2 5 attorney signed and acknowledged by such person or
2 6 corporation, and filed before such vote is cast in the
2 7 auditor's office of the county in which such election
2 8 is held. Every such power of attorney shall specify
2 9 the particular election for which it is to be used,
2 10 indicating the day, month, and year of such election,
2 11 and shall be void for all elections subsequently held.
2 12 ~~The vote of the owner of any land in a drainage or~~
~~2 13 levee district in any election, where the vote is not~~
~~2 14 determined by assessment, may be cast by absent voters~~
~~2 15 ballot in the same manner and form and subject to the~~
~~2 16 same rights and restrictions as is provided in section~~
~~2 17 468.511 relating to vote by absentee ballot when votes~~
~~2 18 are determined by assessment.~~
2 19 Sec. _____. AMENDMENT OF ORGANIC DOCUMENTS. A
2 20 drainage or levee district organized as a private
2 21 entity and under the control and management of a board
2 22 of trustees as provided in chapter 468, subchapter
2 23 III, shall amend the district's organic documents,
2 24 including its articles of incorporation and bylaws, in

2 25 order to comply with this Act.
2 26 Sec. _____. TRANSITION AND ELECTION PROVISIONS. The
2 27 term of office for those trustees of a levee or
2 28 drainage district in which the vote of qualified
2 29 electors for office of trustee was in proportion to
2 30 assessment of benefits as provided in section 468.511
2 31 shall terminate on the fourth Saturday in January
2 32 2010. Successors to the office of trustee in such
2 33 districts shall be elected at the election held on the
2 34 third Saturday of January 2010, as if it were an
2 35 original election under section 468.518, and the
2 36 tenure of office and election of successors shall be
2 37 as provided in that section.>
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2 41 REICHERT of Muscatine
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