

January 22, 1970  
Passed on File  
*Cities and Towns 1-23, Passed 2-12*

SENATE FILE 1101

By BALLOUN

Passed Senate, Date.....*1-23-70*..... Passed House, Date.....

Vote: Ayes.....*57*..... Nays.....*2*..... Vote: Ayes..... Nays.....

Approved.....

## A BILL FOR

1 An Act specifically providing that cities and towns within the  
2 outside boundaries of any soil conservation district are a  
3 part of such district, and granting the governing bodies of  
4 such cities and towns discretion to remove them from the  
5 jurisdiction of the soil conservation district.

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

7 Section 1. Section four hundred sixty-seven A point five  
8 (467A.5), Code 1966, as amended by Chapter two hundred sixty-  
9 three (263), section one (1), Acts of the Sixty-third General  
10 Assembly, First Session, is hereby further amended by adding  
11 thereto the following new subsection:

12 "All land within the outside boundaries of any district es-  
13 tablished in accordance with this chapter shall be subject to  
14 the jurisdiction of the district, including land lying within  
15 any city or town. The governing body of any city or town may,  
16 by resolution passed in the same manner as is required by  
17 chapter three hundred sixty-six (366) of the Code for passage  
18 of ordinances, remove the land lying within the corporate limits  
19 of the city or town from the jurisdiction of the district. Upon  
20 the passage of any such resolution, the city or town clerk shall  
21 forward a true copy thereof to the commissioners of the district  
22 within whose boundaries the city or town is located."

### EXPLANATION OF SENATE FILE 1101

It is not clearly stated in present law whether or not cities and towns within the outside boundaries of soil conservation districts are parts of such districts. This bill provides that cities and towns are parts of the Soil Conservation Districts within which they lie, but establishes a method for the governing body of any city or town to remove the city or town from the jurisdiction of the soil conservation district if it so desires.

1 Amend Senate File 1101 as follows:

2 1. Amend page 1, by striking from line 10 the words "by add-  
3 ing" and inserting in lieu thereof the words "as follows:".

4 2. Amend page 1, by striking lines 11 through 22, inclusive,  
5 and inserting in lieu thereof the following:

6 1. By striking from subsection three (3) lines fifty-  
7 seven (57), fifty-eight (58), and fifty-nine (59) and inserting in  
8 lieu thereof the following: "organized, all qualified electors  
9 residing within the jurisdiction of the district as defined by  
10 this Act shall have the right".

11 2. By adding thereto the following new subsection:  
12 "All land within the outside boundaries of any district established  
13 in accordance with this chapter shall be subject to the jurisdiction  
14 of the district, including land lying within any city or town."

15 3. Further amend page 1, by adding the following new section:  
16 "Chapter two hundred sixty-three (263), section two (2),  
17 Acts of the Sixty-third General Assembly, First Session, amending  
18 section four hundred sixty-seven A point six (467A.6), Code 1966,  
19 is hereby amended as follows:

20 1. By striking from lines five (5) and six (6) the words  
21 'who shall be residents of the district and'.

22 2. By striking from line eight (8) the word 'No' and in-  
23 serting in lieu thereof the word 'Any'.

24 3. By striking lines nine (9) and ten (10) and inserting  
25 in lieu thereof the following: 'a qualified elector and resides  
26 within the jurisdiction of the district as defined by this Act.'

27 4. Page 1, by striking from line 3 all after the word  
28 "district", and inserting in lieu thereof a period, and by striking  
29 lines 4 and 5.

Filed - *Adapted 2-23*  
February 19, 1970

By BALLOUN

1 Amend the Balloun amendment to Senate File 1101,  
2 filed February 19, 1970, by striking in line 14 the  
3 words "including land lying within any city or town."  
4 and by inserting in lieu thereof the following:  
5 "except land lying within a city or town unless  
6 the governing body of such city or town by resolution  
7 passed in the same manner as required by chapter three  
8 hundred sixty-six (366) of the Code for passage of  
9 ordinances, places the land lying within a city or  
10 town within the appropriate soil conservation district  
11 or districts."

Filed - *Adapted 2-23*  
February 20, 1970

By GAUDINEER

February 23, 1970

SENATE FILE 1101

*2-26, Pass 3/17*

By BALLOUN  
(AS PASSED BY THE SENATE)

Passed Senate, Date *2-23-70* Passed House, Date *4-13-70*

Vote: Ayes *24* Nays *2* Vote: Ayes *74* Nays *0*

Approved.....

## A BILL FOR

1 An Act specifically providing that cities and towns within the  
2 outside boundaries of any soil conservation district are a  
3 part of such district.

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

5 Section 1. Section four hundred sixty-seven A point five  
6 (467A.5), Code 1966, as amended by chapter two hundred sixty-  
7 three (263), section one (1), Acts of the Sixty-third General  
8 Assembly, First Session, is hereby further amended as follows:

9 1. *By striking from subsection three (3) lines fifty-*  
10 *seven (57), fifty-eight (58), and fifty-nine (59) and inserting*  
11 *in lieu thereof the following: "organized, all qualified electors*  
12 *residing within the jurisdiction of the district as defined by*  
13 *this Act shall have the right".*

14 2. *By adding thereto the following new subsection:*

15 *"All land within the outside boundaries of any district*  
16 *established in accordance with this chapter shall be subject*  
17 *to the jurisdiction of the district, including land lying within*  
18 *any city or town."*

19 Sec. 2. Chapter two hundred sixty-three (263), section  
20 two (2), Acts of the Sixty-third General Assembly, First Session,  
21 amending section four hundred sixty-seven A point six (467.6),  
22 Code 1966, is hereby amended as follows:

23 1. *By striking from lines (5) and (6) the words*  
24 *"who shall be residents of the district and".*

- 1    2. *By striking from line eight (8) the word "No" and*
- 2    *inserting in lieu thereof the word "Any".*
- 3    3. *By striking lines nine (9) and ten (10) and inserting*
- 4    *in lieu thereof the following: "a qualified elector and resides*
- 5    *within the jurisdiction of the district as defined by this Act."*

EXPLANATION

It is not clearly stated in present law whether or not cities and towns within the outside boundaries of soil conservation districts are parts of such districts. This bill provides that cities and towns are parts of the Soil Conservation Districts within which they lie, but establishes a method for the governing body of any city or town to remove the city or town from the jurisdiction of the soil conservation district if it so desires.