

JAN 19 1971

Environmental Preservation

Referred Appropriations 3/25
Pass per amendment 4/1

Pass per amendment 3/5
HOUSE FILE 73

By VARLEY, LAWSON, BLOUIN,
KENNEDY, COCHRAN, MILLER,
RODGERS, REX, McCORMICK, and
WINKELMAN
(Lavery, Erskine, Curran,
Smith, Potgeter, and Schaben)

Passed House, Date 4-19-71 Passed Senate, Date _____
Vote: Ayes 92 Nays 4 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to conservation of soil and water resources of
2 the state, and to control of water pollution.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. It is hereby declared to be the policy of the
2 state of Iowa and the objectives of this Act to preserve and
3 protect the public interest in the soil and water resources
4 of this state for future generations, and for this purpose to
5 encourage, promote, facilitate, and where such public interest
6 requires, to mandate the conservation and proper control and
7 use of the soil and water resources of this state, by measures
8 including but not limited to the control of floods, the control
9 of erosion by water or by wind, the preservation of the quan-
10 tity and quality of water for its optimum use for agricultural,
11 irrigation, recreational, industrial, and domestic purposes,
12 all of which shall be presumed conducive to the public health,
13 convenience and welfare, both present and prospective.

14 Sec. 2. As used in this Act, unless the context otherwise
15 requires:

16 1. The terms "district" or "conservancy district" mean one
17 of the six conservancy districts established by section three
18 (3) of this Act.

19 2. "Board" means the body designated by section four (4)
20 of this Act to administer each of the districts.

21 3. "Council" means the Iowa natural resources council.

22 4. "Internal improvement" includes, but it is not limited
23 to, dams or other water impoundment structures, levees, ditches,
24 or other artificial watercourses, tile lines, or any other phys-
25 ical structure constructed or improved by a conservancy district
26 in furtherance of the objectives of this Act.

27 Sec. 3. In furtherance of the policy set forth in section
28 one (1) of this Act, the entire area of the state of Iowa shall
29 be divided into six conservancy districts, and the same are
30 hereby established as political subdivisions of the state of
31 Iowa, as follows:

32 1. The northeast Iowa conservancy district shall include
33 all of Allamakee, Winneshiek, Howard, Fayette, Clayton, Dela-
34 ware, Dubuque, Jackson, and Clinton counties, and the desig-
35 nated portions of each of the following counties:

1 a. In Mitchell county:

2	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
3	100	15	7 to 18 inclusive, 20 to 29 inclusive,
4			32 to 36 inclusive.
5		16	12.
6	99	15	1 to 4 inclusive, 9 to 15 inclusive,
7			22 to 26 inclusive, 35, 36.
8	98	15	1, 2, 11 to 14 inclusive, 23 to 26
9			inclusive, 36.
10	97	15	1, 12, 13.

11 b. In Floyd county:

12	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
13	97	15	24, 25, 36.

14 c. In Chickasaw county:

15	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
16	97	11, 12, 13, 14	All.
17	96	11, 12, 13	All.
18		14	1 to 6 inclusive, 8 to 17 inclusive,
19			21 to 28 inclusive, 34, 35, 36.
20	95	11, 12, 13	All.
21		14	1, 2, 3, 11 to 14 inclusive, 23, 24.
22	94	11, 12	All.
23		13	1 to 5 inclusive, 8 to 16 inclusive,
24			21 to 28 inclusive, 33 to 36 inclusive.

25 d. In Bremer county:

26	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
27	93	11, 12	All.
28		13	1 to 4 inclusive, 9 to 16 inclusive,
29			21 to 27 inclusive, 34 to 36 inclusive.
30	92	11, 12	All.
31		13	1, 2, 11 to 13 inclusive.
32	91	11	All.
33		12	1 to 5 inclusive, 8 to 17 inclusive,
34			20 to 29 inclusive, 31 to 36 inclusive.

35 e. In Black Hawk county:

	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
1			
2	90	11	1 to 30 inclusive, 32 to 36 inclusive.
3		12	1 to 5 inclusive, 8 to 17 inclusive,
4			20, 21, 23, 24, 25.
5	89	11	1 to 4 inclusive, 11 to 15 inclusive,
6			22, 23, 27.

7 f. In Buchanan county:

	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
8			
9	90	7, 8, 9, 10	All.
10	89	7, 8, 9	All.
11		10	1 to 18 inclusive, 20 to 28 inclusive.
12	88	7, 8	All.
13		9	1 to 5 inclusive, 8 to 15 inclusive,
14			23, 24, 25.
15	87	7	All.
16		8	1 to 30 inclusive, 34 to 36 inclusive.
17		9	12, 13, 24, 25.

18 All territory within the corporate limits of the town of Rowley,
 19 as such limits existed on January 1, 1969, shall be within the
 20 northeast Iowa conservancy district, including the portion of
 21 such town not within any of the sections of land previously
 22 listed in this paragraph.

23 g. In Linn county:

	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
24			
25	86	5, 6	All.
26		7	1 to 17 inclusive, 22 to 26 inclusive,
27			36.
28		8	1, 12.
29	85	5	1 to 30 inclusive, 32 to 36 inclusive.
30		6	1 to 4 inclusive, 8 to 16 inclusive,
31			23, 24.
32		7	1.
33	84	5	1 to 4 inclusive, 10 to 14 inclusive,
34			24.

35 h. In Jones county:

1	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
2	86	1, 2, 3, 4	All.
3	85	1, 2, 3, 4	All.
4	84	1, 2, 3	All.
5		4	1 to 30 inclusive, 32 to 36 inclusive.
6	83	1, 2, 3	All.
7		4	1 to 5 inclusive, 7 to 30 inclusive,
8			32 to 36 inclusive.

9 i. In Cedar county:

10	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
11	82	1	All.
12		2	1 to 17 inclusive, 20 to 29 inclusive,
13			35, 36.
14		3	1 to 11 inclusive, 17, 18.
15		4	1, 2, 3, 10 to 13 inclusive.
16	81	1	1 to 30 inclusive, 32 to 36 inclusive.
17		2	1, 2, 11 to 14 inclusive, 23, 24, 25.
18	80	1	1, 2, 3, 11, 12, 13, 24 to 27 inclusive,
19			34, 35, 36.
20	79	1	1, 12, 13.

21 All territory within the corporate limits of the town of
 22 Mechanicsville, as such limits existed on January 1, 1969,
 23 shall be within the northeast Iowa conservancy district, in-
 24 cluding the portion of such town not within any of the sections
 25 of land previously listed in this paragraph.

26 j. In Scott county:

27	<u>Twp. N.</u>	<u>Range East</u>	<u>Sections</u>
28	80	1, 2, 3, 4, 5	All.
29	79	1	1 to 18 inclusive, 23, 24.
30		2	1 to 30 inclusive, 33 to 36 inclusive.
31		3, 4, 5	All.
32	78	2	1, 2, 10 to 17 inclusive, 20 to 36
33			inclusive.
34		3, 4, 5	All.
35	77	2, 3	All.

1 k. In Muscatine county:

2	<u>Twp. N.</u>	<u>Range East</u>	<u>Sections</u>
3	78	1	19, 28 to 36 inclusive.
4	77	1	All.
5	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
6	78	1	13, 22 to 27 inclusive, 34, 35, 36.
7	77	1	All.
8		2	1, 12 to 15 inclusive, 21 to 29 in-
9			clusive, 31 to 36 inclusive.
10		3	36.
11	76	2	All.
12		3	1, 11 to 15 inclusive, 22 to 27 in-
13			clusive, 34, 35, 36.

14 l. In Louisa county:

15	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
16	75	2	All.
17		3	1, 2, 3, 10 to 15 inclusive, 23 to
18			26 inclusive, 35, 36.
19	74	2	5 to 9 inclusive, 16, 17, 20, 21,
20			22, 26, 27, 28, 33, 34, 35.
21		3	1.
22	73	2	2, 3.

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

1 a. In Winnebago county:

2	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
3	100	23	All.
4		24	11 to 16 inclusive, 20 to 29 inclusive,
5			33 to 36 inclusive.
6	99	23	All.
7		24	1 to 5 inclusive, 7 to 36 inclusive.
8		25	12, 13, 23 to 26 inclusive, 34, 35,
9			36.
10	98	23, 24	All.
11		25	1, 2, 3, 11 to 14 inclusive, 24, 25,
12			26, 34, 35, 36.

13 b. In Hancock county:

14	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
15	97	23, 24	All.
16		25	1, 2, 3, 9 to 16 inclusive, 19 to 36
17			inclusive.
18		26	24, 25, 36.
19	96	23, 24	All.
20		25	1 to 18 inclusive, 20 to 28 inclusive,
21			34, 35, 36.
22		26	1, 12.
23	95	23, 24	All.
24		25	1, 2, 3, 11 to 14 inclusive, 24, 25,
25			36.
26	94	23	All.
27		24	1 to 30 inclusive, 32 to 36 inclusive.
28		25	1.

29 c. In Wright county:

30	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
31	93	23	All.
32		24	1 to 5 inclusive, 9 to 16 inclusive,
33			21 to 27 inclusive, 33 to 36 inclusive.
34	92	23	All.
35		24	1 to 4 inclusive, 10 to 15 inclusive,

1 21 to 28 inclusive, 34, 35, 36.
 2 91 23 All.
 3 24 1, 2, 11 to 15 inclusive, 22 to 26 in-
 4 clusive, 36.
 5 90 23 All.
 6 24 1, 12, 13, 23 to 26 inclusive, 35, 36.

7 d. In Hamilton county:

8	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
9	89	23	1 to 18 inclusive, 22 to 27 inclusive, 34, 35, 36.
10		24	1, 2, 11 to 14 inclusive, 23 to 26 inclusive.
11	88	23	1 to 5 inclusive, 8 to 17 inclusive, 20 to 29 inclusive, 32 to 36 inclusive.
12		23	1 to 4 inclusive, 10 to 14 inclusive, 23 to 26 inclusive.
13	87	23	
14			
15			
16			

17 e. In Hardin county:

18	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
19	89	19, 20, 21, 22	All.
20	88	19, 20, 21, 22	All.
21	87	19, 20, 21, 22	All.
22	86	19, 20, 21	All.
23		22	1 to 16 inclusive, 22 to 27 inclusive, 34, 35, 36.
24			

25 f. In Story county:

26	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
27	85	21	1 to 30 inclusive, 33 to 36 inclusive.
28		22	1, 2, 3, 10 to 15 inclusive, 24, 25.
29	84	21	1 to 4 inclusive, 9 to 14 inclusive, 23 to 26 inclusive, 35, 36.
30			
31	83	21	1, 2, 11.

32 All territory within the corporate limits of the town of
 33 McCallsburg, as such limits existed on January 1, 1969, shall
 34 be within the Iowa-Cedar river conservancy district, including
 35 the portion of such town not within any of the sections of land

1 listed in this paragraph.

2 g. In Marshall county:

3	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
4	85	17, 18, 19, 20	All.
5	84	17, 18, 19, 20	All.
6	83	17, 18	All.
7		19	1 to 30 inclusive, 33 to 36 inclusive.
8		20	1 to 6 inclusive, 9 to 16 inclusive,
9			23, 24.
10	82	17	All.
11		18	1 to 18 inclusive, 20 to 27 inclusive.
12		19	1, 2, 3, 12.

13 h. In Jasper county:

14	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
15	81	17	1, 2, 3, 10 to 14 inclusive, 24.

16 i. In Poweshiek county:

17	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
18	81	13, 14, 15	All.
19		16	1 to 30 inclusive, 33 to 36 inclusive.
20	80	13, 14, 15	All.
21		16	1, 2, 3, 10 to 15 inclusive, 21 to 28
22			inclusive, 33 to 36 inclusive.
23	79	13, 14	All.
24		15	1 to 17 inclusive, 22 to 27 inclusive.
25		16	1, 2, 3, 12.
26	78	13	All.
27		14	1 to 17 inclusive, 20 to 29 inclusive,
28			33 to 36 inclusive.

29 j. In Mahaska county:

30	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
31	77	14	1, 2.

32 k. In Keokuk county:

33	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
34	77	10	1 to 30 inclusive, 36.
35		11	1 to 25 inclusive, 30.

1 12 1 to 25 inclusive.
 2 13 1 to 6 inclusive, 8 to 15 inclusive.
 3 All territory within the corporate limits of the town of Keswick,
 4 as such limits existed on January 1, 1969, shall be within the
 5 Iowa-Cedar river conservancy district, including the portion of
 6 such town not within any of the sections of land listed in this
 7 paragraph.

8 1. In Washington county:

9	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
10	77	6, 7, 8, 9	All.
11	76	6, 7	All.
12		8	1 to 5 inclusive, 11 to 14 inclusive, 22 to 26 inclusive.
13			
14	75	6	All.
15		7	1 to 6 inclusive, 8 to 16 inclusive, 21 to 27 inclusive, 36.
16			
17	74	6	1 to 5 inclusive, 11, 12, 13.

18 m. In Louisa county:

19	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
20	76	5	All.
21	75	3	4 to 9 inclusive, 16 to 22 inclusive, 27 to 34 inclusive.
22			
23		4, 5	All.
24	74	1	All.
25		2	18, 19, 29 to 32 inclusive, 36.
26		3	2 to 36 inclusive.
27		4	1 to 30 inclusive, 32 to 36 inclusive.
28		5	1 to 29 inclusive, 34.
29	73	1	All.
30		2	1, 4 to 36 inclusive.
31		3	All.
32		4	1 to 5 inclusive, 9 to 16 inclusive, 23 to 26 inclusive, 35, 36.
33			

34 All territory within the corporate limits of the town of Grand-
 35 view, as such limits existed on January 1, 1969, shall be within

1 the Iowa-Cedar river conservancy district, including the portion
 2 of the town not within any of the sections of land listed in
 3 this paragraph.

4 n. In Des Moines county:

5	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
6	72	1, 2, 3	All.
7		4	1, 2, 11 to 15 inclusive, 22 to 27 in-
8			clusive, 33 to 36 inclusive.
9	71	1, 2, 3	All.
10		4	1 to 5 inclusive, 7 to 30 inclusive,
11			32 to 36 inclusive.
12	70	1, 2	All.
13		3	1 to 30 inclusive, 33 to 36 inclusive.
14		4	1 to 4 inclusive, 10 to 14 inclusive,
15			23, 24, 25.
16	69	2	All.
17		3	1 to 4 inclusive, 9 to 15 inclusive,
18			23, 24, 25.
19	68	2	5, 6, 8.

20 All territory within the corporate limits of the town of Middle-
 21 town, as such limits existed on January 1, 1969, shall be within
 22 the Iowa-Cedar river conservancy district, including the portion
 23 of the town not within any of the sections of land listed in
 24 this paragraph.

25 o. In Henry county:

26	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
27	71	5	12, 13, 23, 24, 25.

28 3. The Skunk river conservancy district shall include those
 29 portions of Hardin and Marshall counties not included in the
 30 Iowa-Cedar river conservancy district by subsection two (2)
 31 of this section, that portion of Louisa county not included
 32 in the northeast Iowa conservancy district by subsection one
 33 (1) of this section nor in the Iowa-Cedar river conservancy
 34 district by subsection two (2) of this section, and the desig-
 35 nated portions of each of the following counties:

1 a. In Hamilton county:

2	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
3	89	23	19, 20, 21, 28 to 33 inclusive.
4		24	15, 22, 27, 28, 33, 34, 35, 36.
5	88	23	6, 7, 18, 19, 30, 31.
6		24	All.
7		25	1, 12, 13, 24, 25, 26, 34, 35, 36.
8	87	23	5 to 9 inclusive, 15 to 22 inclusive,
9			27 to 36 inclusive.
10		24	All.
11		25	1, 2, 3, 10 to 16 inclusive, 21 to 36
12			inclusive.
13		26	25, 26, 27, 33 to 36 inclusive.
14	86	23, 24, 25	All.
15		26	1 to 5 inclusive, 7 to 36 inclusive.

16 All territory within the corporate limits of the towns of Blairs-
 17 burg and Kamrar, and of that portion of the town of Stratford
 18 which is located in Hamilton county, as such limits existed on
 19 January 1, 1969, shall be within the Skunk river conservancy
 20 district, including the portions of the towns of Blairsburg
 21 and Kamrar and that portion of the town of Stratford which is
 22 within Hamilton county which are not within any of the sections
 23 of land listed in this paragraph.

24 b. In Webster county:

25	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
26	86	27	24, 25, 36

27 All territory within the corporate limits of that portion
 28 of the town of Stratford which is located in Webster county,
 29 as such limits existed on January 1, 1969, shall be within
 30 the Skunk river conservancy district, including that portion
 31 of the town which is within Webster county but is not within
 32 any of the sections of land listed in this paragraph.

33 c. In Boone county:

34	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
35	85	25	All.

1		26	1 to 6 inclusive, 8 to 16 inclusive,
2			21 to 27 inclusive, 33 to 36 inclusive.
3	84	25	All.
4		26	1, 2, 11 to 14 inclusive, 24.
5	83	25	1 to 5 inclusive, 9 to 16 inclusive,
6			23, 24, 25, 36.
7	82	25	12, 13.

8 d. In Story county:

9	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
10	85	21	31, 32.
11		22	4 to 9 inclusive, 16 to 23 inclusive,
12			26 to 36 inclusive.
13		23, 24	All.
14	84	21	5 to 8 inclusive, 15 to 22 inclusive,
15			27 to 34 inclusive.
16		22, 23, 24	All.
17	83	21	3 to 10 inclusive, 12 to 36 inclusive.
18		22, 23, 24	All.
19	82	21, 22, 23	All.
20		24	1 to 18 inclusive, 20 to 27 inclusive,
21			36.

22 e. In Polk county:

23	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
24	81	22	All.
25		23	1 to 18 inclusive, 20 to 28 inclusive,
26			34, 35, 36.
27		24	1, 12.
28	80	22	1 to 29 inclusive, 32 to 36 inclusive.
29		23	1, 2, 11, 12.
30	79	22	1.

31 All territory within the corporate limits of the town of Elk-
 32 hart, as such limits existed on January 1, 1969, shall be
 33 within the Skunk river conservancy district, including the
 34 portion of the town not within any of the sections of land
 35 listed in this paragraph.

1 f. In Jasper county:

2	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
3	81	17	4 to 9 inclusive, 15 to 23 inclusive,
4			25 to 36 inclusive.
5		18, 19, 20, 21	All.
6	80	17, 18, 19, 20,	
7		21	All.
8	79	17, 18, 19, 20	All.
9		21	1 to 18 inclusive, 21 to 26 inclusive,
10			35, 36.
11	78	17, 18	All.
12		19	1 to 30 inclusive, 32 to 36 inclusive.
13		20	1 to 5 inclusive, 10 to 14 inclusive,
14			24, 25.

15 All territory within the corporate limits of the towns of
 16 Monroe and Prairie City, as such limits existed on January 1,
 17 1969, shall be within the Skunk river conservancy district,
 18 including the portions of such towns not within any of the
 19 sections of land listed in this paragraph.

20 g. That portion of Poweshiek county not included in the
 21 Iowa-Cedar river conservancy district and also all territory
 22 within the corporate limits of the city of Grinnell, the town
 23 of Montezuma, and that portion of the town of Barnes City
 24 which is located within Poweshiek county, as such limits
 25 existed on January 1, 1969, including those portions of the
 26 city of Grinnell and the town of Montezuma, and that portion
 27 of the town of Barnes City which is located within Poweshiek
 28 county, within any of the sections listed in paragraph i of
 29 subsection two (2) of this section.

30 h. In Marion county:

31	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
32	77	18	All.
33		19	1 to 5 inclusive, 9 to 15 inclusive,
34			23, 24, 25.
35	76	18	2 to 5 inclusive, 10, 11.

1 All territory within the corporate limits of the city of Pella,
 2 as such limits existed on January 1, 1969, shall be within the
 3 Skunk river conservancy district, including the portion of the
 4 city not within any of the sections of land previously listed
 5 in this paragraph.

6 i. In Mahaska county:

7	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
8	77	14	3 to 36 inclusive.
9		15, 16, 17	All.
10	76	14, 15, 16	All.
11		17	1 to 5 inclusive, 9 to 16 inclusive,
12			23, 24, 25.
13	75	14	All.
14		15	1 to 28 inclusive, 34, 35, 36.
15		16	1, 2, 3, 11, 12, 13.
16	74	14	All.
17		15	1, 2, 11 to 15 inclusive, 22 to 26 in-
18			clusive.

19 All territory within the corporate limits of the city of
 20 Oskaloosa and the town of University Park, and that portion of
 21 the town of Barnes City which is located in Mahaska county, as
 22 such limits existed on January 1, 1969, including the portions
 23 of the city of Oskaloosa and the town of University Park, and
 24 that portion of the town of Barnes City located in Mahaska
 25 county, not within any of the sections of land listed in this
 26 paragraph.

27 j. That portion of Keokuk county not included in the Iowa-
 28 Cedar river conservancy district and also all territory within
 29 the corporate limits of the towns of Gibson, South English,
 30 and Webster, as such limits existed on January 1, 1969, includ-
 31 ing the portions of such towns within any of the sections of
 32 land listed in paragraph 1 of subsection two (2) of this sec-
 33 tion.

34 k. That portion of Washington county not included in the
 35 Iowa-Cedar river conservancy district and also all territory

1 within the corporate limits of the city of Washington and the
 2 town of Crawfordsville, as such limits existed on January 1,
 3 1969, including the portions of such city and such town within
 4 any of the sections of land listed in paragraph m of subsec-
 5 tion two (2) of this section.

6 1. In Wapello county:

7	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
8	73	12, 13	All.
9		14	1 to 5 inclusive, 9 to 15 inclusive,
10			23 to 26 inclusive, 36.
11	72	12	All.
12		13	1 to 6 inclusive, 10 to 14 inclusive,
13			24, 25.
14		14	1.
15	71	12	1 to 5 inclusive, 9 to 12 inclusive,
16			14, 15.

17 m. In Jefferson county:

18	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
19	73	8, 9, 10, 11	All.
20	72	8, 9, 10, 11	All.
21	71	8, 9	All.
22		10	1 to 17 inclusive, 22 to 27 inclusive,
23			35, 36.
24		11	1 to 12 inclusive, 16, 17.

25 All territory within the corporate limits of the town of
 26 Libertyville, as such limits existed on January 1, 1969, shall
 27 be within the Skunk river conservancy district, including the
 28 portion of such town not within any of the sections of land
 29 listed in this paragraph.

30 n. That portion of Henry county not included in the Iowa-
 31 Cedar river conservancy district and also all territory within
 32 the corporate limits of the town of New London, as such limits
 33 existed on January 1, 1969, including the portion of such town
 34 within any of the sections of land listed in paragraph p of
 35 subsection two (2) of this section.

1 o. That portion of Des Moines county not included in the
 2 Iowa-Cedar river conservancy district and also all territory
 3 within the corporate limits of the town of Danville, as such
 4 limits existed on January 1, 1969, including the portion of
 5 such town within any of the sections of land listed in para-
 6 graph o of subsection two (2) of this section.

7 p. In Van Buren county:

8	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
9	70	8	All.
10		9	1 to 12 inclusive, 16, 36.
11	69	8	1 to 5 inclusive, 11, 12, 13.

12 All territory within the corporate limits of the town of
 13 Birmingham, as such limits existed on January 1, 1969, shall
 14 be within the Skunk river conservancy district, including the
 15 portion of such town not within any of the sections of land
 16 listed in this paragraph.

17 q. In Lee county:

18	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
19	69	3, 4, 5, 6	All.
20		7	1 to 25 inclusive, 36.
21	68	2, 3, 4, 5	All.
22		6	1 to 6 inclusive, 8 to 17 inclusive, 20 to 28 inclusive, 33 to 36 inclusive.
23			
24	67	4, 5	All.
25		6	1, 2, 3, 10 to 15 inclusive, 23 to 26 inclusive, 36.
26			
27	66	4	All.
28		5	3 to 6 inclusive, 8 to 16 inclusive, 21 to 28 inclusive, 33 to 36 inclusive.
29			
30	65	4	All.
31		5	1 to 4 inclusive, 10 to 15 inclusive, 22 to 27 inclusive, 34, 35, 36.
32			

33 All territory within the corporate limits of the city of Keokuk,
 34 as such limits existed on January 1, 1969, shall be within the
 35 Skunk river conservancy district, including the portion of such

1 city not within any of the sections of land listed in this para-
2 graph.

3 4. The Des Moines river conservancy district shall include
4 all of Kossuth, Humboldt, Pocahontas, Calhoun, Greene, Dallas,
5 and Warren counties, those portions of Wright, Webster, Hamil-
6 ton, Boone, Story, Jasper, Marion, Mahaska, Jefferson, and
7 Henry counties not included in either the Iowa-Cedar river
8 conservancy district or the Skunk river conservancy district,
9 or both, by subsections two (2) and three (3) of this section, and
10 the designated portions of each of the following counties:

11 a. In Dickinson county:

12	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
13	100	35	7 to 17 inclusive, 20 to 28 inclusive, 14 33 to 36 inclusive.
15	99	35	1, 12, 13, 24.

16 All territory within the corporate limits of the town of
17 Superior, as such limits existed on January 1, 1969, shall
18 be within the Des Moines river conservancy district, includ-
19 ing the portion of such town not within any of the sections
20 of land listed in this paragraph.

21 b. In Emmet county:

22	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
23	100	31, 32, 33, 34	All.
24	99	31, 32, 33	All.
25		34	1 to 30 inclusive, 32 to 36 inclusive.
26	98	31, 32, 33	All.
27		34	1 to 4 inclusive, 9 to 16 inclusive, 28 22 to 27 inclusive, 34, 35, 36.

29 c. That portion of Winnebago county not included in the
30 Iowa-Cedar river conservancy district and also all territory
31 within the corporate limits of the town of Thompson, as such
32 limits existed on January 1, 1969, including the portion of
33 such town within any of the sections of land listed in para-
34 graph a of subsection two (2) of this section.

35 d. That portion of Hancock county not included in the Iowa-

1 Cedar river conservancy district and also all territory within
 2 the corporate limits of the town of Britt, as such limits
 3 existed on January 1, 1969, including the portion of such town
 4 within any of the sections of land listed in paragraph b of
 5 subsection two (2) of this section.

6 e. In Palo Alto county:

7	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
8	97	31, 32, 33	All.
9		34	1, 2, 3, 10 to 15 inclusive, 23 to 27
10			inclusive, 35, 36.
11	96	31, 32, 33	All.
12		34	1, 2, 10 to 15 inclusive, 22 to 28
13			inclusive, 33 to 36 inclusive.
14	95	31, 32, 33	All.
15		34	1 to 5 inclusive, 8 to 36 inclusive.
16	94	31, 32, 33, 34	All.

17 f. In Clay county:

18	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
19	95	35	13, 24, 25, 34, 35, 36.
20	94	35	1, 2, 3, 10 to 15 inclusive, 22 to 28
21			inclusive, 33 to 36 inclusive.

22 g. In Buena Vista county:

23	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
24	93	35	1 to 5 inclusive, 7 to 36 inclusive.
25		36	13 to 16 inclusive, 19 to 36 inclusive.
26		37	24 to 27 inclusive, 34, 35, 36.
27	92	35, 36	All.
28		37	1 to 4 inclusive, 9 to 16 inclusive,
29			22 to 29 inclusive, 32 to 36 inclusive.
30	91	35, 36	All.
31		37	1, 2, 3, 9 to 16 inclusive, 21 to 36
32			inclusive.
33		38	11, 13, 14, 23, 24, 25, 26, 36.
34	90	35	All.
35		36	1 to 30 inclusive, 32 to 36 inclusive.

1 37 1 to 18 inclusive, 22, 23, 24.

2 38 1.

3 All territory within the corporate limits of the town of Alta,
 4 as such limits existed on January 1, 1969, shall be within the
 5 Des Moines river conservancy district, including the portion of
 6 such town not within any of the sections of land listed in this
 7 paragraph.

8 h. In Sac county:

9	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
10	89	35	All.
11		36	1 to 17 inclusive, 20 to 29 inclusive, 32 to 36 inclusive.
12			
13	88	35, 36	All.
14		37	1, 2, 11 to 14 inclusive, 24, 25, 36.
15	87	35	All.
16		36	1 to 30 inclusive, 32 to 36 inclusive.
17		37	1, 12.
18	86	35	All.
19		36	1 to 5 inclusive, 8 to 17 inclusive, 21 to 28 inclusive, 34, 35, 36.
20			

21 All territory within the corporate limits of the town of Lake
 22 View, as such limits existed on January 1, 1969, shall be
 23 within the Des Moines river conservancy district, including
 24 the portions of such town not within any of the sections of
 25 land listed in this paragraph.

26 i. In Carroll county:

27	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
28	85	33, 34, 35	All.
29		36	1, 11 to 15 inclusive, 21 to 28 inclusive, 34, 35, 36.
30			
31	84	33, 34, 35	All.
32		36	1, 2, 3, 10 to 15 inclusive, 22 to 28 inclusive, 33 to 36 inclusive.
33			
34	83	33, 34, 35	All.
35		36	1, 2, 11 to 14 inclusive, 24.

1 82 33 All.
 2 34 1 to 30 inclusive, 32 to 36 inclusive.
 3 35 1 to 5 inclusive, 8 to 14 inclusive, 24.

4 j. In Audubon county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
5 81	34	1 to 4 inclusive, 9 to 16 inclusive, 22 to 26 inclusive, 36.

8 k. In Guthrie county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
9 81	30, 31, 32, 33	All.
10 80	30, 31, 32	All.
11 33		1 to 18 inclusive, 20 to 29 inclusive, 33 to 36 inclusive.
12 79	30, 31, 32	All.
13 33		1, 2, 3, 10 to 15 inclusive, 23, 24, 25, 35, 36.
14 78	30, 31, 32	All.
15 33		1 to 6 inclusive, 8 to 16 inclusive, 21 to 28 inclusive, 34, 35, 36.

16 l. That portion of Polk county not included in the Skunk
 17 river conservancy district and also all territory within the
 18 corporate limits of the towns of Bondurant and Mitchellville,
 19 as such limits existed on January 1, 1969, including the
 20 portions of such towns within any of the sections of land
 21 listed in paragraph e of subsection three (3) of this section.

22 m. In Adair county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
23 77	30, 31	All.
24 32		1 to 27 inclusive, 34, 35, 36.
25 33		1, 2, 11, 12, 13, 24.
26 76	30	1 to 30 inclusive, 32 to 36 inclusive.
27 31		1 to 24 inclusive.
28 32		1, 2, 11, 12, 13, 24.
29 75	30	1 to 4 inclusive, 9 to 15 inclusive, 23 to 26 inclusive.

1 n. In Madison county:

2	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
3	77	26, 27, 28, 29	All.
4	76	26, 27, 28, 29	All.
5	75	26, 27, 28	All.
6		29	1 to 29 inclusive, 33 to 36 inclusive.
7	74	26, 27	All.
8		28	1 to 29 inclusive, 32 to 36 inclusive.
9		29	1 to 4 inclusive, 10 to 15 inclusive,
10			23, 24.

11 o. In Union county:

12	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
13	73	28	1 to 4 inclusive, 10 to 13 inclusive.

14 p. In Clarke county:

15	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
16	73	24, 25, 26	All.
17		27	1 to 18 inclusive, 20 to 29 inclusive,
18			33 to 36 inclusive.
19	72	24, 25	All.
20		26	1 to 18 inclusive, 20 to 29 inclusive,
21			32 to 36 inclusive.
22		27	1, 2, 3, 10.
23	71	24	1 to 12 inclusive, 14 to 20 inclusive.
24		25	1 to 24 inclusive, 28, 29, 30.
25		26	1, 12, 13, 24, 25.

26 q. In Lucas county:

27	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
28	73	20, 21, 22, 23	All.
29	72	20	All.
30		21	1 to 29 inclusive, 33 to 36 inclusive.
31		22	1 to 12 inclusive, 15 to 22 inclusive,
32			27 to 33 inclusive.
33		23	All.
34	71	20	1, 2, 3, 12.
35		21	1, 2, 3.

1 22 6.
 2 23 1 to 7 inclusive.

3 All territory within the corporate limits of the city of
 4 Chariton, as such limits existed on January 1, 1969, shall be
 5 within the Des Moines river conservancy district, including
 6 the portion of the city not within any of the sections of land
 7 listed in this paragraph.

8 r. In Monroe county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
10 73	16, 17, 18, 19	All.
11 72	16, 17, 18, 19	All.
12 71	16, 17, 18	All.
13	19	1 to 25 inclusive, 28, 30.

14 s. That portion of Wapello county not included in the
 15 Skunk river conservancy district and also all territory within
 16 the corporate limits of the towns of Agency and Kirkville and
 17 the city of Ottumwa, as such limits existed on January 1, 1969,
 18 including the portions of such towns and city within any of
 19 the sections of land listed in paragraph 1 of subsection three
 20 (3) of this section.

21 t. In Appanoose county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
22 70	16	All.
24	17	1 to 5 inclusive, 9 to 15 inclusive, 22 to 27 inclusive, 35, 36.
26 69	16	6, 7.
27	17	1, 2.

28 All territory within the corporate limits of the towns of
 29 Moravia and Unionville, as such limits existed on January 1,
 30 1969, shall be within the Des Moines river conservancy dis-
 31 trict, including the portion of such towns not within any of
 32 the sections of land listed in this paragraph.

33 u. In Davis county:

<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
34 70	12, 13, 14, 15	All.

- 1 69 12 1 to 24 inclusive, 28, 29, 30.
- 2 13 1 to 17 inclusive, 23, 24, 25.
- 3 14 1 to 6 inclusive, 12.
- 4 15 2 to 6 inclusive, 8, 9.

5 v. In Van Buren county:

6	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
7	70	9	13, 14, 15, 17 to 35 inclusive.
8		10, 11	All.
9	69	8	6 to 10 inclusive, 14 to 36 inclusive.
10		9, 10	All.
11		11	1 to 30 inclusive, 32 to 36 inclusive.
12	68	8, 9	All.
13		10	1 to 18 inclusive, 20 to 27 inclusive,
14			36.
15		11	1 to 4 inclusive, 11, 12, 13.
16	67	8	All.
17		9	1 to 6 inclusive, 9 to 16 inclusive.

18 All territory within the corporate limits of the town of Stock-
 19 port, as such limits existed on January 1, 1969, shall be
 20 within the Des Moines river conservancy district, including
 21 the portion of the city not within any of the sections of land
 22 listed in this paragraph.

23 w. That portion of Lee county not included in the Skunk
 24 river conservancy district and also all territory within the
 25 corporate limits of the town of Donnellson, as such limits
 26 existed on January 1, 1969, including the portion of such
 27 town within any of the sections of land listed in paragraph
 28 q of subsection three (3) of this section.

29 5. The southern Iowa conservancy district shall include
 30 all of Wayne, Decatur, Ringgold, Adams, Taylor, Cass,
 31 Montgomery, and Page counties, those portions of Audubon and
 32 Monroe counties not included in the Des Moines river conser-
 33 vancy district, and the designated portions of each of the
 34 following counties:

35 a. That portion of Van Buren county not included in either

1 the Skunk river conservancy district or the Des Moines river
2 conservancy district and also all territory within the cor-
3 porate limits of the town of Mount Sterling, as such limits
4 existed on January 1, 1969, including the portion of such
5 town within any of the sections of land listed in paragraph
6 v of subsection four (4) of this section.

7 b. That portion of Davis county not included in the Des
8 Moines river conservancy district and also all territory
9 within the corporate limits of the town of Drakesville, as
10 such limits existed on January 1, 1969, including the portion
11 of such town within any of the sections of land listed in
12 paragraph u of subsection four (4) of this section.

13 c. That portion of Appanoose county not included in the
14 Des Moines river conservancy district and also all territory
15 within the corporate limits of the town of Udell, as such
16 limits existed on January 1, 1969, including the portion of
17 such town within any of the sections of land listed in para-
18 graph t of subsection four (4) of this section.

19 d. That portion of Lucas county not included in the Des
20 Moines river conservancy district and also all territory
21 within the corporate limits of the town of Russell, as such
22 limits existed on January 1, 1969, including the portion of
23 such town within any of the sections of land listed in para-
24 graph q of subsection four (4) of this section.

25 e. That portion of Clarke county not included in the Des
26 Moines river conservancy district and also all territory
27 within the corporate limits of the town of Murray, as such
28 limits existed on January 1, 1969, including the portion
29 of such town within any of the sections of land listed in
30 paragraph p of subsection four (4) of this section.

31 f. That portion of Union county not included in the Des
32 Moines river conservancy district and also all territory
33 within the corporate limits of the town of Lorimor, as such
34 limits existed on January 1, 1969, including the portion of
35 such town within any of the sections of land listed in para-

1 graph o of subsection four (4) of this section.

2 g. That portion of Madison county not included in the Des
 3 Moines river conservancy district and also all territory
 4 within the corporate limits of the town of Macksburg, as such
 5 limits existed on January 1, 1969, including the portion of
 6 such town within any of the sections of land listed in para-
 7 graph n of subsection four (4) of this section.

8 h. That portion of Adair county not included in the Des
 9 Moines river conservancy district and also all territory
 10 within the corporate limits of that portion of the town of
 11 Adair which is located in Adair county, as such limits existed
 12 on January 1, 1969, including that portion of the town of Adair
 13 which is located in Adair county within any of the sections of
 14 land listed in paragraph m of subsection four (4) of this sec-
 15 tion.

16 i. That portion of Guthrie county not included in the Des
 17 Moines river conservancy district and also all territory
 18 within the corporate limits of that portion of the town of
 19 Adair which is located in Guthrie county, as such limits
 20 existed on January 1, 1969, including that portion of the
 21 town of Adair which is located in Guthrie county within any
 22 of the sections of land listed in paragraph k of subsection
 23 four (4) of this section.

24 j. In Carroll county:

Twp. N.	Range West	Sections
83	36	3, 4, 5, 7 to 10 inclusive, 15 to 23 inclusive, 25 to 36 inclusive.
82	34	31.
29	35	6, 7, 15 to 23 inclusive, 25 to 36 inclusive.
31	36	All.

32 All territory within the corporate limits of the town of
 33 Templeton, as such limits existed on January 1, 1969, shall
 34 be within the southern Iowa conservancy district, including
 35 the portion of the town not within any of the sections of land

1 previously listed in this paragraph.

2 k. In Crawford county:

3	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
4	83	37	11 to 36 inclusive.
5		38	23 to 26 inclusive, 34, 35, 36.
6	82	37	All.
7		38	1 to 5 inclusive, 9 to 36 inclusive.
8		39	13, 23 to 28 inclusive, 33 to 36 in-
9			clusive.

10 l. In Shelby county:

11	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
12	81	37, 38	All.
13		39	1, 2, 3, 10 to 15 inclusive,
14			22 to 27 inclusive, 34, 35, 36.
15	80	37, 38	All.
16		39	1, 2, 3, 10 to 16 inclusive, 21 to
17			28 inclusive, 34, 35, 36.
18	79	37, 38	All.
19		39	1, 2, 3, 10 to 16 inclusive, 21 to
20			29 inclusive, 32 to 36 inclusive.
21	78	37, 38, 39	All.
22		40	1, 2, 3, 10 to 15 inclusive, 21 to
23			28 inclusive, 32 to 36 inclusive.

24 All territory within the corporate limits of the towns of
 25 Shelby, Tennant, and Westphalia, as such limits existed on
 26 January 1, 1969, shall be within the southern Iowa conservancy
 27 district, including the portions of such towns not within any
 28 of the sections of land listed in this paragraph.

29 m. In Pottawattamie county:

30	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
31	77	38, 39, 40	All.
32		41	25, 36.
33	76	38, 39, 40	All.
34		41	1, 11 to 15 inclusive, 21 to 29
35			inclusive, 32 to 36 inclusive.

- 1 75 38, 39, 40, 41 All.
- 2 42 13, 24, 25, 26, 35, 36.
- 3 74 38, 39, 40, 41 All.
- 4 42 1, 2, 11 to 14 inclusive, 23, 24,
- 5 25, 35, 36.

6 n. In Mills county:

7	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
8	73	40, 41	All.
9		42	1, 2, 11 to 15 inclusive, 22 to 27
10			inclusive, 34, 35, 36.
11	72	40, 41	All.
12		42	1, 2, 3, 10 to 15 inclusive, 22 to
13			27 inclusive, 34, 35, 36.
14	71	40, 41	All.
15		42	1, 2, 3, 10 to 15 inclusive, 22 to
16			27 inclusive, 34, 35, 36.

17 o. In Fremont county:

18	<u>Twp. N.</u>	<u>Range West</u>	<u>Sections</u>
19	70	40, 41	All.
20		42	1, 2, 3, 10 to 14 inclusive, 23 to
21			27 inclusive, 34, 35, 36.
22	69	40, 41	All.
23		42	1 to 4 inclusive, 9 to 16 inclusive,
24			19 to 36 inclusive.
25		43	25, 36.
26	68	40, 41, 42	All.
27		43	9 to 16 inclusive, 21 to 27 inclusive,
28			35, 36.
29	67	40, 41, 42	All.
30		43	1, 2, 12, 13, 24, 25, 26, 35, 36.

31 6. The western Iowa conservancy district shall include all
 32 of Lyon, Osceola, Sioux, O'Brien, Plymouth, Cherokee, Woodbury,
 33 Ida, Monona, and Harrison counties, those portions of Dickinson,
 34 Emmet, Palo Alto, Clay, and Buena Vista counties not included in
 35 the Des Moines river conservancy district, those portions of

1 Crawford, Shelby, and Pottawattamie counties not included in
2 the southern Iowa conservancy district, and the designated
3 portions of each of the following counties:

4 a. That portion of Sac county not included in the Des
5 Moines river conservancy district and also all territory
6 within the corporate limits of the town of Wall Lake, as such
7 limits existed on January 1, 1969, including the portion of
8 such town within any of the sections of land listed in para-
9 graph h of subsection four (4) of this section.

10 b. That portion of Carroll county not included in either
11 the Des Moines river conservancy district or the southern Iowa
12 conservancy district and also all territory within the cor-
13 porate limits of the town of Arcadia, as such limits existed
14 on January 1, 1969, including the portion of such town
15 within any of the sections of land listed in paragraph i of
16 subsection four (4) of this section.

17 c. That portion of Mills county not included in the
18 southern Iowa conservancy district and also all territory
19 within the corporate limits of that portion of the town of
20 Tabor which is located in Mills county, as such limits
21 existed on January 1, 1969, including that portion of the
22 town of Tabor which is located in Mills county within any
23 of the sections of land listed in paragraph n of subsection
24 five (5) of this section.

25 d. That portion of Fremont county not included in the
26 southern Iowa conservancy district and also all territory
27 within the corporate limits of that portion of the town of
28 Tabor which is located in Fremont county, as such limits
29 existed on January 1, 1969, including that portion of the
30 town of Tabor which is located in Fremont county within any
31 of the sections of land listed in paragraph o of subsection
32 five (5) of this section.

33 Sec. 4. The governing body of each district shall be the
34 state soil conservation committee established by section four
35 hundred sixty-seven A point four (467A.4) of the Code.

1 Sec. 5. When officially conducting the business of any con-
2 servancy district, the state soil conservation committee shall
3 formally convene as the board of that district and shall keep
4 minutes as such. The chairman of the state soil conservation
5 committee shall be the chairman of the board of each conservancy
6 district.

7 Sec. 6. The board of each district shall:

8 1. Exercise such supervision over the water resources of
9 the district, including water in any basin, watercourse, or
10 other body of water in the district, and have authority to pro-
11 mulgate and repeal, with approval of the council, and enforce
12 such rules and regulations, as necessary to achieve the objec-
13 tives of this Act as set forth in section one (1) hereof.

14 2. Have authority to employ, appoint, or retain attorneys,
15 engineers, other professional and technical employees, and such
16 other personnel as are deemed necessary, and approve bonds of
17 district employees.

18 3. Prepare, adopt, and implement a plan, and review and
19 revise the same, in the manner prescribed by this Act.

20 4. Encourage, foster, and promote establishment, enlargement,
21 or consolidation of drainage, levee, soil conservation, flood
22 control, and sanitation districts where desirable, provided
23 that this subsection shall not be construed to vest the board
24 with authority to directly establish, enlarge, or consolidate
25 any such districts by any procedure not otherwise prescribed
26 by law.

27 5. Review the plans and coordinate the programs and activities
28 between counties, cities, towns, and any of the entities listed
29 in subsection four (4) of this section, and otherwise advise
30 and assist the governing bodies of such entities in any appro-
31 priate manner, in all cases which relate to any matter within
32 the jurisdiction of the district, provided that the board shall
33 have only advisory and consultative powers with respect to any
34 such entities except as otherwise specifically provided in this
35 Act.

1 6. Have authority to enter into binding agreements, with
2 respect to any matter within the jurisdiction of the district,
3 with:

4 a. Any person, firm, corporation or association, the state
5 of Iowa, or any of its political subdivisions.

6 b. The federal government, or any of the agencies thereof.

7 c. Other states or agencies or subdivisions thereof compa-
8 rable in purpose to the district, provided all such agreements
9 are entered into jointly with the council.

10 7. Have authority to expend funds outside the state of Iowa,
11 or in adjoining conservancy districts, pursuant to agreements
12 made under subsection six (6) of this section, where necessary
13 in order to more effectively or efficiently achieve the objec-
14 tives of this Act, and to receive funds from other states for
15 expenditure in Iowa, or from other conservancy districts for
16 expenditure in the district receiving such funds.

17 8. Have authority to acquire by gift, lease, purchase, grant,
18 or inheritance any property, real or personal, in fee or a lesser
19 interest, needed to achieve the objectives of this Act, and
20 to sell and convey property owned but no longer needed by the
21 district. The board shall also have authority to acquire by
22 condemnation proceedings any real property, in fee or a lesser
23 interest, needed to achieve the objectives of this Act, but
24 no condemnation proceedings shall be instituted by the board
25 less than fifteen days after a letter has been sent by restricted
26 certified mail to the owner or owners of the property sought,
27 setting forth in detail the reasons why the property is needed
28 and the board's best offer for the property.

29 9. Construct, operate, maintain, repair, enlarge, and make
30 such internal improvements as are necessary to implement the
31 district's overall plan.

32 10. Have authority to sue and be sued in the name of the
33 district, and bring action to abate soil erosion nuisances in
34 the manner prescribed by section twenty-three (23) of this Act.

35 11. Maintain at its office a record of all the district's

1 proceedings, rules and regulations, and orders, and furnish
2 copies thereof to the council upon request.

3 Sec. 7. The state soil conservation committee, in its re-
4 spective capacities as the board of each of the several con-
5 servancy districts, shall appoint a secretary and a treasurer
6 for each district.

7 Sec. 8. The state soil conservation committee may at its
8 discretion appoint the same individual as secretary for two
9 or more conservancy districts, or as the treasurer for two or
10 more conservancy districts. No person shall simultaneously
11 serve as both a conservancy board secretary and a conservancy
12 board treasurer, either for the same district or for different
13 districts.

14 Sec. 9. Any person appointed by the state soil conservation
15 committee as secretary or treasurer of one or more conservancy
16 districts, who is not otherwise employed by the state or any
17 of its political subdivisions, shall receive such compensation
18 as the committee shall determine.

19 Sec. 10. The secretary of each conservancy district shall:

20 1. Keep a complete record of the proceedings at each meet-
21 ing of the board.

22 2. File and preserve copies of all rules and regulations
23 promulgated and all orders adopted by the board, and of all
24 correspondence and other papers transmitted to him pertaining
25 to the business of the district.

26 3. Keep an accurate account of the district's funds with
27 the treasurer, charge him with all warrants and drafts drawn
28 in his favor, and credit him with all orders drawn on the dis-
29 trict's funds.

30 4. Keep an accurate account of all expenses incurred by
31 the district, and present all claims to the board for audit
32 and payment.

33 Sec. 11. District funds shall not be expended, other than
34 for salaries and administrative expenses, except upon verified
35 claims submitted to and approved by the board. Warrants drawn

1 on district funds shall be signed by the board chairman and
2 the secretary.

3 Sec. 12. In each even-numbered year the board shall prepare
4 a budget for the biennium beginning July first of the succeed-
5 ing calendar year, setting forth all proposed expenditures by
6 the district during such biennium, and stating the amounts which
7 it is anticipated will be available to the district during such
8 biennium from sources other than state appropriations. The
9 board shall submit its budget to the state soil conservation
10 committee on or before August first of each even-numbered year.

11 Sec. 13. The state soil conservation committee shall re-
12 view the proposed biennial budget of each of the districts,
13 and may revise any such budget. The state soil conservation
14 committee shall prepare a consolidated list of the appropria-
15 tions requested for administration, operation, and maintenance
16 of each district for each year of the ensuing biennium, and
17 of capital appropriations requested, if any, for each district,
18 and shall forward the consolidated list to the state comptroller
19 as a part of the state soil conservation committee's estimates
20 of expenditure requirements submitted pursuant to section eight
21 point twenty-three (8.23) of the Code.

22 Sec. 14. In addition to funds appropriated to the district
23 by the general assembly, the board shall be authorized to re-
24 ceive and expend:

25 1. Federal funds available to the district for such purposes
26 as may be provided by federal laws, rules, and regulations,
27 to the extent consistent with the laws of this state.

28 2. Donations and gifts, which may be accepted by the board
29 and expended in accordance with the terms of the gift.

30 Sec. 15. The districts shall be subject to chapter eight
31 (8) of the Code, but expenditure by a district of funds avail-
32 able to it as provided in section fourteen (14), subsections
33 one (1) and two (2), of this Act shall not be deemed a viola-
34 tion of section eight point thirty-eight (8.38) of the Code.

35 Sec. 16. The board shall prepare, in consultation with the

1 council, a plan for accomplishment of the objectives of this
2 Act within the district. For this purpose the board may re-
3 quest and shall obtain from any state agency or political sub-
4 division information which the agency or subdivision may have
5 already collected which is pertinent to preparation of the plan,
6 and may conduct such hearings as it deems necessary. The plan
7 shall establish an order of priorities for carrying out projects
8 necessary to accomplish the objectives of this Act, shall conform
9 as nearly as practicable to the comprehensive statewide water
10 resources plan established by the council pursuant to section
11 four hundred fifty-five A point seventeen (455A.17) of the Code,
12 and shall reflect the following general policies:

13 1. First consideration shall be given to work needed at
14 or near the source of the streams in the district, and on or
15 along the tributaries thereto, to the greatest extent practi-
16 cable.

17 2. Conservancy district funds shall not be expended for
18 functions or improvements which are:

19 a. The responsibility of other political subdivisions and
20 are within their abilities, reasonable consideration being giv-
21 en to their other duties and obligations.

22 b. Constructed or implemented, or planned for construction
23 or implementation, on one or more tracts of privately owned
24 land and primarily benefit those lands rather than other lands
25 in the conservancy district.

26 Sec. 17. The board shall tentatively adopt the plan by reso-
27 lution and shall present the plan to the council for its ap-
28 proval not later than July 1, 1973. The council shall within
29 ninety days approve the plan as presented, or with such amend-
30 ments as, in its discretion, it deems necessary to bring the
31 district's plan into conformity with the comprehensive state-
32 wide water resources plan established by the council pursuant
33 to section four hundred fifty-five A point seventeen (455A.17)
34 of the Code.

35 Sec. 18. The plan and the order of priorities established

1 thereby shall constitute the working program of the district.
2 The plan shall be reviewed from time to time and shall, with
3 the consent of the council, be changed as deemed necessary as
4 the result of experience gained in construction and maintenance
5 of internal improvements by the district, and in operation of
6 the district, or as the result of changed conditions. The board
7 may initiate changes in the district plan on its own motion
8 or at the direction of the council.

9 Sec. 19. After final approval of the plan, the board shall
10 begin to implement the plan as expeditiously as possible, within
11 the limitations of available appropriations and other financial
12 resources. When implementation of the plan involves construc-
13 tion or improvement of any internal improvement by the district,
14 the board may order the preparation of detailed plans and spec-
15 ifications, and a refined cost estimate. Upon completion of
16 such plans, specifications and cost estimate to their satisfac-
17 tion, the board shall adopt the same, subject to the approval
18 of the council, and shall let the contract or contracts therefor
19 in accordance with section twenty (20) of this Act.

20 Sec. 20. When the estimated total cost of construction,
21 enlargement, alteration or repair of any internal improvement
22 exceeds five thousand dollars, the district shall advertise
23 for bids on the proposed improvement by two publications in
24 at least one newspaper of general circulation in the district,
25 the first of which shall be not less than fifteen days prior
26 to the date set for receiving bids, and shall let the work to
27 the lowest responsible bidder submitting a sealed proposal;
28 provided that if, in the judgment of the board, the bids re-
29 ceived are not acceptable, all bids may be rejected and new
30 bids requested. All bids must be accompanied, in a separate
31 envelope, by a deposit of money or certified check, in an amount
32 to be named in the advertisement for bids, as security that
33 the bidder will enter into a contract in accordance with the
34 terms of his bid. The board shall fix the bid security in an
35 amount equal to at least five percent, but not more than ten

1 percent of the estimated total cost of the work. The checks
2 or deposits of money of the unsuccessful bidders shall be re-
3 turned as soon as the successful bidder is determined, and the
4 check or deposit of money of the successful bidder shall be
5 returned upon execution of the contract documents.

6 Sec. 21. Any other provision of this Act notwithstanding,
7 no district shall let a contract for any internal improvement
8 of any kind unless its engineer shall recommend, and the board
9 shall find, that the proposed internal improvement would be
10 adequately protected against siltation by soil and water con-
11 servation practices existing within the watershed of the in-
12 ternal improvement, or which would be developed as a part of
13 the internal improvement, or that the nature of the internal
14 improvement precludes the probability of damage due to silta-
15 tion.

16 Sec. 22. When the district's plan calls for an internal
17 improvement which cannot be undertaken due to a finding that
18 the internal improvement would not be adequately protected against
19 siltation, the board shall undertake to effect the development
20 of the needed soil and water conservation practices in the water-
21 shed of the proposed internal improvement by:

22 1. Consultation and cooperation with, and appropriate as-
23 sistance to, the commissioners of any soil conservation dis-
24 trict in the state.

25 2. Securing the establishment of, or repair or maintenance
26 within, a subdistrict of a soil conservation district, a soil
27 conservation and flood control district, a drainage district,
28 a levee district, a sanitary district, or other appropriate
29 special district, in the manner prescribed by law.

30 Sec. 23. Soil erosion resulting in or contributing to dam-
31 age by siltation to any internal improvement of a conservancy
32 district, or resulting in or contributing to damage to property
33 not owned by the owner or occupant of the land on which such
34 erosion is occurring, is hereby declared to be a nuisance. The
35 board of the district whose internal improvement is so damaged,

1 the commissioners of the soil conservation district within which
2 such erosion is occurring, or the owner or owners of any prop-
3 erty so damaged, may bring action to enjoin and abate any such
4 nuisance as provided by chapter six hundred fifty-seven (657)
5 of the Code. It shall be an adequate defense to such an action
6 that any defendant, prior to the time the cause of action arose,
7 had established or maintained soil and water conservation
8 practices or erosion control practices approved by the commis-
9 sioners of the soil conservation district in which the erosion
10 complained of occurred, or had taken other reasonable and
11 prudent measures to prevent excessive soil erosion, and that
12 the erosion complained of was an isolated occurrence caused
13 by a single prolonged or unusually heavy rainfall, unusually
14 rapid melting of accumulated snow, severe windstorm, or other
15 similar event beyond the control of the defendant.

16 Sec. 24. The board, the commissioners of a soil conserva-
17 tion district, or an engineer or any other authorized person
18 employed by the board or commissioners, may after thirty days
19 written notice by restricted certified mail addressed to the
20 owner and also to the occupant, enter upon private land for
21 the purpose of making surveys, soundings, drillings, appraisals,
22 and examinations as deemed appropriate or necessary to deter-
23 mine the advisability or practicability of locating an internal
24 improvement on said land or part thereof, or to determine whether
25 soil erosion is occurring thereon which constitutes a nuisance
26 under section twenty-three (23) of this Act or is in violation
27 of the soil conservation district's regulations; provided, no
28 soundings or drillings shall be made within twenty rods of the
29 dwelling house or buildings on said land without the written
30 consent of the owner. Such entry, after notice, shall not be
31 deemed a trespass, and the board or commissioners may be aided
32 by injunction to insure peaceful entry. The board shall pay
33 actual damages caused by such entry, surveys, soundings, drill-
34 ings, appraisals, or examinations. The amount of such damages,
35 if any, shall be determined by agreement or in the manner pro-

1 vided for the award of damages in condemnation of land for con-
2 servancy district purposes.

3 Sec. 25. Chapter four hundred fifty-five (455), Code 1971,
4 is amended by adding the following new section:

5 The governing board of every drainage or levee district
6 organized under the laws of this state shall take notice of
7 the district plan, and shall conform to the duly promulgated
8 rules and regulations, of the conservancy district or districts
9 in which the drainage or levee district is located; provided
10 that this section shall not be construed to grant any authority
11 not otherwise granted by law to the governing boards of drain-
12 age or levee districts.

13 Sec. 26. Chapter four hundred fifty-five A (455A), Code
14 1971, is amended by adding the following new section:

15 COORDINATION WITH CONSERVANCY DISTRICTS. The council and
16 the boards of the several conservancy districts established
17 by this Act shall coordinate their efforts in carrying out the
18 purposes of chapter four hundred fifty-five A (455A) of the
19 Code, and of this Act. In addition to other powers and duties
20 conferred by law upon the council, it shall:

21 1. Offer such advice and assistance as may be appropriate
22 to the boards of the several conservancy districts in the state
23 in discharging their powers and duties.

24 2. Keep the boards of each conservancy district informed
25 of the activities and experience of the other conservancy dis-
26 tricts in the state. When the activities of a conservancy dis-
27 trict are likely to have a significant effect upon any other
28 conservancy district, the council shall inform the boards of
29 the conservancy district undertaking or considering such activ-
30 ities and of the other conservancy district or districts likely
31 to be significantly affected.

32 3. Review, amend, and give final approval to the plan of
33 each of the conservancy districts, and to any subsequent changes
34 therein, in the manner provided by this Act.

35 4. Maintain files of such proceedings, rules and regulations,

1 and orders, of each of the conservancy districts in the state,
2 as the council may request from the districts pursuant to sec-
3 tion six (6), subsection eleven (11) of this Act.

4 5. Inform the board of any conservancy district:

5 a. Of the receipt of each application for a permit to di-
6 vert, store, or withdraw either surface or underground waters
7 at any place within the district, filed with the council pur-
8 suant to section four hundred fifty-five A point nineteen
9 (455A.19), et seq, of the Code.

10 b. Of the receipt of each application for approval of a
11 proposed dam, obstruction, deposit or excavation in or on any
12 floodway or flood plain in the district, filed with the council
13 pursuant to section four hundred fifty-five A point thirty-
14 three (455A.33) of the Code.

15 c. Of any proposed order which would establish encroach-
16 ment limits and zoning regulations on any flood plain in the
17 district, filed with the council pursuant to section four hun-
18 dred fifty-five A point thirty-five (455A.35) of the Code.

19 d. Of the receipt of each application for approval of any
20 proposed flood control structure or works, filed with the coun-
21 cil pursuant to section four hundred fifty-five A point thirty-
22 six (455A.36) of the Code.

23 Sec. 27. Section four hundred sixty-seven A point four
24 (467A.4), subsections one (1) and three (3), Code 1971, are
25 amended as follows:

26 1. There is hereby established, to serve as an agency of
27 the state and to perform the functions conferred upon it in
28 this chapter (together with such other functions as may be here-
29 after assigned to it from time to time by act of the legislature),
30 the department of soil conservation. The department shall be
31 administered in accordance with the policies of the state soil
32 conservation committee, which shall consist of a chairman and
33 ~~six~~ ten members. The following shall serve as members of the
34 committee: The director of the state agricultural extension
35 service, the secretary of agriculture, or a member designated

1 by him his designee, the director of the state conservation
2 commission or his designee, and the director of the Iowa natural
3 resources council or his designee. Five Seven members shall
4 be appointed by the governor and confirmed by the senate. The
5 five Six of the appointive members shall be bona fide farmers
6 living on farms, one of whom shall be a resident of each of the
7 six conservancy districts established by section three (3) of
8 this Act, and no more than one of whom shall be a resident of
9 any one county. The seventh appointive member shall be chosen
10 by the governor from the state at large and shall be a repre-
11 sentative of cities and towns. The league of Iowa municipalities
12 may submit to the governor a list of three or more nominees
13 for the at-large appointment, and if it does so the governor
14 shall make the appointment from such list unless he determines
15 that none of the nominees on the list are qualified for the
16 position. The committee may invite the secretary of agricul-
17 ture of the United States to appoint one person to serve
18 with the above mentioned members, but in an advisory capacity
19 only. The committee shall adopt a seal, which seal shall be
20 judicially noticed, and may perform such acts, hold such public
21 hearings, and promulgate such rules and regulations as may be
22 necessary for the execution of its functions under this chapter.

23 3. The committee shall designate its chairman, and may,
24 from time to time, change such designation. The director of
25 the state agricultural extension service shall hold office so
26 long as he shall retain the office by virtue of which he shall
27 be serving on the committee. The members appointed by the gov-
28 ernor shall serve for a period of six years, except that beginning
29 in the year 1961, of the four committee members subject to
30 appropriate action by the governor and senate in 1961, two shall
31 be appointed for four-year terms beginning July 1, 1961, and
32 two shall be appointed for six-year terms beginning July 1,
33 1961. Appointments shall be made every two years and not more
34 than two members shall be appointed in any one year except to
35 fill vacancies. The member representing the secretary of

1 agriculture shall serve until there is a change in the personnel
2 of the secretary of agriculture. in the year 1971, two members
3 shall be appointed for terms of six years beginning July 1,
4 1971, and two members shall be appointed for terms of four years
5 beginning July 1, 1971. Thereafter, members shall be appointed
6 in each odd-numbered year to succeed members whose terms expire
7 on June 30 of that year. Appointments may be made at such other
8 times and for such other periods as are necessary to fill
9 vacancies on the committee, and any appointment so made while
10 the general assembly is not in session shall be subject to
11 confirmation by the senate at the next session of the general
12 assembly thereafter. Members designated to represent the
13 secretary of agriculture, director of the state conservation
14 commission, or the director of the Iowa natural resources
15 council shall serve at the pleasure of the officer making such
16 designation. A majority of the committee shall constitute a
17 quorum, and the concurrence of a majority in any matter within
18 their duties shall be required for its determination. The chair-
19 man and members of the committee, not otherwise in the employ
20 of the state, shall receive ~~twenty~~ forty dollars per diem as
21 compensation for their services in the discharge of their duties
22 as members of the committee. The committee shall determine
23 the number of days for which any committee member may draw per
24 diem compensation, but the total number of days for which per
25 diem compensation is allowed for the entire committee shall
26 not exceed ~~two~~ three hundred fifty days per year. They shall
27 also be entitled to expenses, including traveling expenses,
28 necessarily incurred in the discharge of their duties as members
29 of such committee. The committee shall provide for the execution
30 of surety bonds for all employees and officers who shall be
31 entrusted with funds or property, shall provide for the keeping
32 of a full and accurate record of all proceedings and of all
33 resolutions, regulations, and orders issued or adopted, and
34 shall provide for an annual audit of the accounts of receipts
35 and disbursements.

1 Sec. 28. Section four hundred sixty-seven A point seven
2 (467A.7), Code 1971, is amended by adding the following new
3 subsection:

4 To take notice of the district plan, and conform to the duly
5 promulgated rules and regulations, of the conservancy district
6 or districts in which the soil conservation district is located;
7 provided that this subsection shall not be construed to grant
8 any authority not otherwise granted by law to the commissioners
9 of soil conservation districts.

10 Sec. 29. Chapter four hundred sixty-seven A (467A), Code
11 1971, is amended by adding the following new section:

12 In addition to the definitions established by section four
13 hundred sixty-seven A point three (467A.3), as used in sections
14 thirty (30) through forty (40) of this Act, unless the context
15 otherwise requires:

16 1. "Soil loss limit" means the maximum amount of soil loss
17 due to erosion by water or wind, expressed in terms of tons per
18 acre per year, which the commissioners of the respective soil
19 conservation districts shall determine is acceptable in order
20 to meet the objectives expressed in section one (1) of this Act.

21 2. "Soil and water conservation practices" means planting
22 of perennial grasses, legumes, shrubs, or trees, or annual or
23 biennial crops, use of strip-cropping, contour plowing, minimum
24 or mulch tillage or other cultural practices, the construction
25 of terraces, and any other practices approved by the state soil
26 conservation committee which serve to prevent erosion of soil
27 by wind or water, in excess of the applicable soil loss limits,
28 from land used for agricultural or horticultural purposes only.

29 3. "Erosion control practices" means:

30 a. The construction or installation, and maintenance, of
31 such structures or devices as are necessary to carry to a suit-
32 able outlet from the site of any building housing four or more
33 residential units, any commercial or industrial development or
34 any publicly or privately owned recreational or service facility
35 of any kind, not served by a central storm sewer system, any

1 water which:

2 (1) would otherwise cause erosion in excess of the appli-
3 cable soil loss limit; and

4 (2) does not carry nor constitute sewage, industrial waste,
5 or other waste as defined by section four hundred fifty-five B
6 point two (455B.2).

7 b. The employment of temporary devices or structures, tem-
8 porary seeding, fibre mats, plastic, straw, or other measures
9 adequate to prevent erosion in excess of the applicable soil
10 loss limits from the site of, or land directly affected by, the
11 construction of any public or private street, road or highway,
12 any residential, commercial, or industrial building or develop-
13 ment, or any publicly or privately owned recreational or service
14 facility of any kind, at all times prior to completion of such
15 construction.

16 c. The establishment and maintenance of vegetation upon the
17 right-of-way of any completed portion of any public street, road,
18 or highway, or the construction or installation thereon of struc-
19 tures or devices, or other measures adequate to prevent erosion
20 from the right-of-way in excess of the applicable soil loss
21 limits.

22 Sec. 30. Chapter four hundred sixty-seven A (467A), Code
23 1971, is amended by adding the following new section:

24 To conserve the fertility, general usefulness, and value
25 of the soil and soil resources of this state, and to prevent
26 the injurious effects of soil erosion, it is hereby made the
27 duty of the owners of real property in this state to establish
28 and maintain soil and water conservation practices or erosion
29 control practices, as required by the regulations of the com-
30 missioners of the respective soil conservation districts.

31 Sec. 31. Chapter four hundred sixty-seven A (467A), Code
32 1971, is amended by adding the following new section:

33 The commissioners of each soil conservation district shall,
34 with approval of the state soil conservation committee, adopt,
35 amend, and repeal such reasonable regulations as are deemed

1 necessary to establish a soil loss limit or limits for the dis-
2 trict and provide for the implementation of the limit or limits,
3 and may subsequently amend or repeal their regulations as they
4 deem necessary. The commissioners may:

5 1. Classify land in the district on the basis of topography,
6 soil characteristics, current use, and other factors affecting
7 propensity to soil erosion.

8 2. Establish different soil loss limits for different classes
9 of land in the district if in their judgment and that of the
10 state soil conservation commission a lower soil loss limit should
11 be applied to some land than can reasonably be applied to other
12 land in the district, it being the intent of the general assembly
13 that no land in the state be assigned a higher soil loss limit
14 than can reasonably be applied to such land.

15 3. Require the owners of real property in the district to
16 employ either soil and water conservation practices or erosion
17 control practices, but may not specify the particular practices
18 to be employed so long as such owners voluntarily comply with
19 the applicable soil loss limit or with an administrative order
20 to bring erosion from land under their control with the appli-
21 cable soil loss limit, and in no case may the commissioners re-
22 quire:

23 a. The employment of erosion control practices on land used
24 in good faith for agricultural or horticultural purposes only.

25 b. The employment of soil and water conservation practices
26 or erosion control practices on that portion of any public street,
27 road or highway completed or under construction within the cor-
28 porate limits of any city or town, which is or will become the
29 travelled or surfaced portion of such street, road, or highway.

30 Sec. 32. Chapter four hundred sixty-seven A (467A), Code
31 1971, is amended by adding the following new section:

32 Regulations which the commissioners propose to adopt, amend,
33 or repeal shall be submitted to the state soil conservation
34 committee, in such form as the committee shall prescribe, for
35 its approval. The committee may approve the regulations as

1 submitted, or with such amendments as it deems necessary. The
2 commissioners shall thereafter publish the proposed regulations,
3 as approved, in a newspaper of general circulation in the dis-
4 trict, together with a notice of a date and time not less than
5 ten nor more than thirty days after such publication when a
6 hearing on the proposed regulations will be held at a specified
7 place.

8 Sec. 33. Chapter four hundred sixty-seven A (467A), Code
9 1971, is amended by adding the following new section:

10 At the hearing, the commissioners or their designees shall
11 explain, in reasonable detail, the reasons why adoption, amend-
12 ment, or repeal of the regulations is deemed necessary or ad-
13 visable. Any landowner, or any occupant of land who would be
14 affected by the regulations, shall be afforded an opportunity
15 to be heard for or against the proposed regulations. At the
16 conclusion of the hearing, the commissioners shall announce
17 and enter of record their decision whether to adopt or modify
18 the proposed regulations. Any modification must be approved
19 by the state soil conservation committee, which may at its dis-
20 cretion order the commissioners to republish the regulations
21 and hold another hearing in the manner prescribed by this Act.

22 Sec. 34. Chapter four hundred sixty-seven A (467A), Code
23 1971, is amended by adding the following new section:

24 The commissioners of any soil conservation district shall
25 inspect or cause to be inspected any land within the district,
26 upon receipt of a complaint, either in writing or by a personal
27 appearance of the complainant, that soil erosion is occurring
28 thereon in excess of the limits established by the district's
29 soil erosion control regulations. If they find that such excess
30 soil erosion is so occurring on the land inspected, they shall
31 issue an administrative order to the landowner or landowners
32 of record, and to the occupant of the land if known to the com-
33 missioners, describing said land and stating as nearly as possible
34 the extent to which soil erosion thereon exceeds the limits
35 established by the district's regulations. The order shall be

1 delivered either by personal service or by restricted certified
2 mail to each of the persons to whom it is directed, and shall:

3 1. In the case of erosion occurring on the site of any con-
4 struction project or similar undertaking involving the removal
5 of all or a major portion of the vegetation or other natural
6 or man-made cover, exposing bare soil directly to water or wind,
7 state a time not more than five days after service or mailing
8 of the notice of the order when work necessary to establish or
9 maintain erosion control practices must be commenced, and a time
10 not more than ten days after service or mailing of the notice
11 of the order when the work is to be satisfactorily completed.

12 2. In all other cases, state a time not more than six months
13 after service or mailing of the notice of the order, by which
14 work needed to establish or maintain the necessary soil and water
15 conservation practices or erosion control measures must be com-
16 menced, and a time not more than one year after the service or
17 mailing of the notice of the order when the work is to be sat-
18 isfactorily completed, unless the requirements of the order are
19 superseded by the provisions of section thirty-five (35) of
20 this Act.

21 Sec. 35. Chapter four hundred sixty-seven A (467A), Code
22 1971, is amended by adding the following new section:

23 No owner or occupant of land in this state shall be required
24 to establish any new soil and water conservation practice un-
25 less public cost-sharing funds in an amount equal to at least
26 seventy-five percent of the cost of establishing such practice
27 have been specifically approved for such land and actually made
28 available to the owner or occupant. Evidence that an applica-
29 tion for public cost-sharing funds, from a source or sources
30 having authority to pay a portion of the cost of work needed
31 to comply with an administrative order issued pursuant to sec-
32 tion thirty-four (34) of this Act, has been submitted to the
33 proper officer or agency shall constitute commencement of such
34 work within the meaning of this Act. Upon receiving evidence
35 of the submission of such application, the commissioners shall

1 forward to the officer or agency to which the application
2 was made a written request to receive notification of the
3 disposition of such application. When notified of the ap-
4 proval of such application, the commissioners shall issue
5 to the same parties who received the original administra-
6 tive order, or their successors in interest, a supplementary
7 order, to be delivered in the same manner as provided by this
8 Act for delivery of original administrative orders. The sup-
9 plementary order shall state a time, not more than six months
10 after approval of the application for public cost-sharing funds,
11 by which the work needed to comply with the original adminis-
12 trative order shall actually be commenced, and a time not more
13 than one year thereafter when such work is to be satisfactorily
14 completed.

15 Sec. 36. Chapter four hundred sixty-seven A (467A), Code
16 1971, is amended by adding the following new section:

17 The commissioners shall petition the district court for a
18 court order requiring immediate compliance with an administra-
19 tive order previously issued by the commissioners as provided
20 in section thirty-four (34) of this Act, if:

21 1. The work necessary to comply with the administrative
22 order is not commenced on or before the date specified in such
23 order, or in any supplementary order subsequently issued as pro-
24 vided in section thirty-five (35) of this Act, unless in the
25 judgment of the commissioners the failure to commence or com-
26 plete the work as required by the administrative order is due
27 to factors beyond the control of the person or persons to whom
28 such order is directed and the person or persons can be relied
29 upon to commence and complete the necessary work at the earliest
30 possible time.

31 2. Such work is not being performed with due diligence, or
32 is not satisfactorily completed by the date specified in the
33 administrative order, or when completed does not reduce soil
34 erosion from such land below the limits established by the soil
35 conservation district's regulations.

1 3. The person or persons to whom the administrative order
2 is directed advise the commissioners that they do not intend
3 to commence or complete such work.

4 Sec. 37. Chapter four hundred sixty-seven A (467A), Code
5 1971, is amended by adding the following new section:

6 In any action brought under section thirty-six (36) of this
7 Act, the burden of proof shall be upon the commissioners to show
8 that soil erosion is in fact occurring in excess of the appli-
9 cable soil loss limits and that the defendant has not established
10 or maintained soil and water conservation practices or erosion
11 control practices in compliance with the soil conservation dis-
12 trict's regulations. With respect to construction, repair, or
13 maintenance of any public street, road, or highway, evidence
14 that soil erosion control standards equivalent to or in excess
15 of those currently imposed by the United States government on
16 the project or like projects involving use of federal funds shall
17 create a presumption of compliance with the applicable soil loss
18 limit. Upon receiving satisfactory proof, the court shall issue
19 an order directing the landowner or landowners to comply with
20 the administrative order previously issued by the commissioners.
21 The court may modify such administrative order if deemed nec-
22 essary. Notice of the court order shall be given either by
23 personal service or by restricted certified mail to each of
24 the persons to whom the order is directed, who may within thirty
25 days from the date of the court order appeal to the supreme
26 court. Any person who fails to comply with a court order issued
27 pursuant to this section within the time specified in such order,
28 unless the order has been stayed pending an appeal, shall be
29 deemed in contempt of court and may be punished accordingly.

30 Sec. 38. Chapter four hundred sixty-seven A (467A), Code
31 1971, is amended by adding the following new section:

32 The commissioners and their authorized agents or employees
33 shall have authority to enter upon any land in the district
34 without the consent of the landowner or person in possession
35 or control of the land, by the procedures and subject to the

1 limitations prescribed in section twenty-four (24) of this Act,
2 when necessary in order to properly discharge their duties un-
3 der this Act.

4 Sec. 39. Chapter four hundred sixty-seven A (467A), Code
5 1971, is amended by adding the following new section:

6 When the board of any conservancy district informs the com-
7 missioners of a soil conservation district that the conservancy
8 district is unable to proceed with construction of a planned
9 internal improvement, because it has been found that the internal
10 improvement would not be adequately protected against siltation
11 due entirely or partially to failure to establish or maintain
12 soil and water conservation practices or erosion control prac-
13 tices within the soil conservation district, the commissioners
14 of the soil conservation district shall determine as far as
15 possible the particular lands where soil erosion which prevents
16 the conservancy district from constructing the internal improve-
17 ment is occurring and proceed in the same manner as when a com-
18 plaint is received under section thirty-four (34) of this Act.
19 If after six months, the commissioners of the soil conservation
20 district fail or refuse to control the soil erosion which prevents
21 the conservancy district from constructing the internal improve-
22 ment, the conservancy district directors may petition the dis-
23 trict court of the county in which such soil conservation dis-
24 trict is located for a court order directing the commissioners
25 to proceed at once to control such erosion. The court shall
26 afford the commissioners or their representative an opportunity
27 to appear and show cause why such order should not be issued.

28 Sec. 40. Chapter four hundred sixty-seven A (467A), Code
29 1971, is amended by adding the following new section:

30 Soil conservation districts are hereby authorized to enter
31 into agreements with the federal government or any agency there-
32 of, as provided by state law, or with the state of Iowa or any
33 agency thereof, any other soil conservation district or con-
34 servancy district, or other political subdivision of this state,
35 for cooperation in preventing, controlling, or attempting to

1 prevent or control, soil erosion. Soil conservation districts
2 may accept, as provided by state law, any money disbursed for
3 soil erosion control purposes by the federal government or any
4 agency thereof, and expend such money for the purposes for which
5 it was received.

6 Sec. 41. Section four hundred sixty-seven B point one
7 (467B.1), Code 1971, is amended as follows:

8 467B.1 AUTHORITY OF BOARD. Whenever any county, soil con-
9 servation district, subdistrict of a soil conservation district,
10 conservancy district, political subdivision of the state, or
11 other local agency shall engage or participate in any project
12 for flood or erosion control, flood prevention, or the conserva-
13 tion, development, utilization, and disposal of water, in co-
14 operation with the federal government, or any department or
15 agency thereof, the counties in which said project shall be
16 carried on shall have the jurisdiction, power, and authority
17 through the board of supervisors to construct, operate and main-
18 tain said project on lands under the control or jurisdiction
19 of the county whenever dedicated to county use, or to furnish
20 financial and other assistance in connection with said projects.
21 Such flood, soil erosion control, and watershed improvement
22 projects shall be presumed to be for the protection of the tax
23 base of the county, for the protection of public roads and lands,
24 and for the protection of the public health, sanitation, safety,
25 and general welfare.

26 Sec. 42. Section four hundred sixty-seven B point two
27 (467B.2), Code 1971, is amended as follows:

28 467B.2 FEDERAL AID. Any county may, in accordance with
29 provisions of this chapter, accept federal funds for aid in
30 any project for flood, or soil erosion control, flood preven-
31 tion, or the conservation, development, utilization, and dis-
32 posal of water, and may co-operate with the federal government
33 or any department or agency thereof, soil conservation districts,
34 subdistricts of a soil conservation district, conservancy
35 district, political subdivision of the state, or other local

1 agency, and the county may assume such proportion of the cost
2 of the project as deemed appropriate, and may assume the main-
3 tenance cost of the same on lands under the control or juris-
4 diction of the county as will not be discharged by federal aid
5 or grant.

6 Sec. 43. Section four hundred sixty-seven B point three
7 (467B.3), Code 1971, is amended as follows:

8 467B.3 CO-OPERATION. The counties and soil conservation
9 districts, subdistricts of soil conservation districts con-
10 cerned, and conservancy districts shall advise and consult
11 with each other, upon the request of ~~either party~~ any of them
12 or of any affected landowners, and shall be authorized to co-
13 operate with each other or with other state subdivisions, or
14 instrumentalities, and affected landowners, as well as with
15 the federal government or any department or agency thereof,
16 to construct, operate, and maintain suitable projects for flood
17 or soil erosion control, flood prevention, or the conservation,
18 development, utilization, and disposal of water on public roads
19 or other public lands or other land granted county use.

20 Sec. 44. Section four hundred sixty-seven B point five
21 (467B.5), Code 1971, is amended as follows:

22 467B.5 MAINTENANCE COST. Where construction of projects
23 has been completed by the soil conservation district, subdis-
24 tricts of soil conservation districts, conservancy districts,
25 political subdivisions of the state, or other local agencies,
26 or the federal government, or any department or agency thereof
27 on private lands under the easement granted to the county,
28 only the cost of maintenance may be assumed by the county.

29 Sec. 45. Section four hundred sixty-seven B point ten
30 (467B.10), Code 1971, is amended as follows:

31 467B.10 ASSUMPTION OF OBLIGATIONS. This chapter contemplates
32 that actual direction of the project, or projects, and the
33 actual work done in connection therewith, will be assumed by
34 the soil conservation district, subdistrict of a soil conserva-
35 tion district, conservancy district, or by the federal govern-

1 ment and that the county or other state subdivisions or in-
2 strumentalities jointly will meet the obligation required for
3 federal co-operation and may make proper commitment for the
4 care and maintenance of the project after its completion for
5 the general welfare of the public and residents of the respec-
6 tive counties.

7 Sec. 46. This Act shall take precedence over any other
8 statute of this state found in conflict herewith.

9 EXPLANATION

10 This bill establishes, prescribes the boundaries of, and
11 provides for administration of six conservancy districts, which
12 together will include the entire territory of the State of Iowa.
13 The districts--which will have no authority to levy taxes or
14 issue bonds--are created to help work against water pollution
15 by coordinating the efforts of individual drainage and soil
16 conservation districts, and by helping to put into effect the
17 comprehensive statewide water resources plan developed by the
18 Natural Resources Council under existing law. In order to
19 more effectively control soil erosion and thereby prevent
20 consequent siltation of Iowa's lakes and streams, the bill
21 also requires local soil conservation district commissioners
22 to promulgate regulations requiring establishment of soil con-
23 servation practices, to inspect private land to determine
24 whether such practices have been established, to direct that
25 such practices be established in conformity with district
26 regulations, and in cases of noncompliance to obtain court
27 orders, if necessary, to require compliance. Affected land-
28 owners and occupants would have the right to appear in court
29 and show cause why they should not be required to comply with
30 the directives of the soil conservation district commissioners.

31
32
33
34
35

1 Amend House File 73, page 40, by striking from line 18
2 the word "but" and inserting in lieu thereof the words "but
3 and the president of the Iowa county engineers association
4 may designate a member of the association to serve in the
5 same manner, but these persons shall have no vote and
6 shall serve".

Filed - *Adopted 4/15*
March 9, 1971

By CAMPBELL of Washington
District 89

1 Amend House File 73, page 30, line 12,
2 by inserting after the word "regulations" the
3 following: ", except those water quality
4 standards under the authority of the Iowa
5 water pollution control commission".

Filed - *Adopted 4/15*
March 23, 1971

By LAWSON of Cerro Gordo
District 17

1 Amend the Committee Amendment of March 5th: H.F.73
2 Sec. 5, Page 42, sub-section 'a' line 24 by
3 inserting after the word terraces. ", or other
4 permanent soil and water practices approved by
5 the state soil conservation committee".

Filed - *Withdrawn 4/14*
March 23, 1971

ENV. PRESERVATION

By CAMPBELL of Washington
District 89

Amend House File 73 as follows:

1. Page 39, by striking from line 9 the words ", et seq"
and inserting in lieu thereof the words "through section
four hundred fifty-five A point thirty-two (455A.32), in-
clusive".
2. Page 39, by striking lines 28 and 29 and inserting
in lieu thereof the following:
"this chapter ~~(together with such other functions as may
be hereafter assigned to it from time to time by act of the
legislature),~~"
3. Page 46, by inserting in line 34 after the word "of"
the words "sections thirty (30) through forty (40) of".
4. Page 47, by inserting in line 7 after the word "by"
the words "sections thirty (30) through forty (40) of".

Filed - *Adopted 4/15*
January 20, 1971

By VARLEY of Adair
District 34

HOUSE FILE 73
REVISED FISCAL NOTE

Date prepared April 6, 1971

Requested by Representative Christensen.

Prepared in regard to H.F. 73, an Act relating to conservation of soil and water resources of the state, and to control of water pollution. Following is the fiscal effect in dollars of the legislative proposal as required by House Rule 48.

The following is the Department of Soil Conservation's revised estimate of the increase in expense required to implement House File 73:

	<u>1971-72</u>	<u>1972-73</u>
Board members' per diem (per diem increased from \$20 to \$30 and an additional 2 board members)	\$ 6,660	6,660
2 additional board members' travel (average of \$1,200 per board member)	2,400	2,400
Salaries:		
1 Engineer II		14,068
1 Engineer III	14,835	15,430
1 Secretary II	6,572	7,069
Travel:		
Engineers at \$15 maximum for 200 days (1 engineer the 1st year, 2 engineers the 2nd year).	3,000	6,000
Maintenance & depreciation for state cars (one car the 1st year, 2 cars the 2nd year).	1,400	2,800
Equipment:		
2 state cars	2,400	2,400
3 desks	360	180
3 chairs	120	75
1 universal level	315	
1 level rod	50	
1 electric typewriter	500	
	<hr/>	<hr/>
Total	<u>\$38,612</u>	<u>57,082</u>

The total estimated expense for the biennium is \$95,694.
SOURCE: Department of Soil Conservation.

Filed
April 7, 1971

By GERRY D. RANKIN
Legislative Fiscal Director

House 6
March 25, 1971

HOUSE FILE 73
FISCAL NOTE

Date prepared March 24, 1971

Requested by Representative Varley.

Prepared in regard to H.F. 73, an Act relating to conservation of soil and water resources of the state, and to control of water pollution. Following is the fiscal effect in dollars of the legislative proposal as required by House Rule 48.

The following is the estimated increase in expense required to implement House File 73:

	<u>1971-72</u>	<u>1972-73</u>
Board members' per diem (per diem increased from \$20 to \$40 and an additional 2 board members)	\$10,360	10,360
2 additional board members' travel (Average of \$1,200 per board member)	2,400	2,400
Salaries:		
1 Engineer II	13,472	14,068
1 Engineer III	14,835	15,430
1 Secretary II	6,572	7,069
Travel:		
2 engineers at \$15.00 maximum for 200 days	6,000	6,000
Maintenance & depreciation for 2 state cars	2,800	2,800
Equipment (first year only):		
2 state cars		
3 desks		
3 chairs		
1 universal level		
1 level rod		
	5,900	
	<u>\$62,339</u>	<u>58,127</u>

Source: Department of Soil Conservation

Filed
March 24, 1971

By GERRY D. RANKIN
Legislative Fiscal Director

1 Amend the committee on environmental preservation
2 amendment to House File 73 by striking lines 40 through
3 43 and inserting in lieu thereof the following:
4 "in an amount equal to at least fifty percent of the
5 cost of any permanent soil and water conservation practice,
6 or an amount set by the state soil conservation committee
7 of any temporary soil and water conservation practice. The
8 state".

Offered from the Floor By VARLEY of Adair
and Deferred *Withdrawn 4/15* District 84
April 14, 1971

1 Amend the Committee on environmental preservation
2 amendments to House File 73 as follows:
3 1. By inserting after amendment No. 9 the
4 following:
5 9a. Page 46, line 24, by inserting after the word
6 "new" the words "permanent or temporary".
7 2. By striking lines 40 through 43 and inserting
8 in lieu thereof the following: "in an amount equal to
9 at least fifty percent of the cost of any permanent
10 soil and water conservation practice, or an amount
11 set by the state soil conservation committee for any
12 temporary soil and water conservation practice. The
13 state".

Filed - *Adopted* ~~Withdrawn~~ *4/15* By VARLEY of Adair
April 14, 1971 District 84

1 Amend House File 73, page 47, by inserting after line
2 14 the following:
3 "In no case shall an owner of property be required to
4 spend more than five percent of actual value as determined
5 in section four hundred forty-one point twenty-one (441.21),
6 of the Code, of all acreage within project in any one year,
7 or twenty percent of his net income for the previous year,
8 whichever is the least. The burden of proof of income
9 shall be on the owner of property."

Filed - *Adopted as amended 4/19* By SCHROEDER of Pottawattamie, District 54
April 16, 1971
NIELSEN of Shelby, District 53
PRIEBE of Kossuth, District 6
WYCKOFF of Benton, District 42
SCOTT of Granklin, District 18
TAYLOR of Dubuque, District 51
TIEDEN of Clayton, District 14
REX of Hamilton, District 31
FISCHER of Grundy, District 35
LOGEMANN of Winnebago, District 7
VARLEY of Adair, District 84

- 1 Amend House File 73 as follows:
- 2 1. Page 52, by adding the following new section:
- 3 "APPROPRIATION. There is appropriated to the state soil
- 4 conservation committee for the fiscal year commencing
- 5 July 1, 1971, the sum of thirty-eight thousand six hundred
- 6 twelve (38,612) dollars, and for the fiscal year commencing
- 7 July 1, 1972, the sum of fifty-seven thousand eighty-two
- 8 (57,082) dollars, or so much thereof as is necessary, for
- 9 the purpose of carrying out the provisions of this Act."
- 10 2. Page 1, amend the title by inserting before the period
- 11 in line 2 the words ", and making an appropriation therefor".
- 12 3. Page 41, line 20, strike the word "forty" and insert in
- 13 lieu thereof the word "thirty".

Filed *1 withdrawn, 2 adopted 4/19*
April 7, 1971

By COMMITTEE ON APPROPRIATIONS
CAMP, Chairman

- 1 Amend the Appropriations Committee amendment filed
- 2 April 7, 1971, to House File 73, by striking from
- 3 lines 3 and 4, the words "state soil conservation
- 4 committee" and inserting in lieu thereof the words
- 5 "Department of Soil Conservation".

Filed - *Withdrawn 4/19*
April 12, 1971

By CAMP of Clinton
District 73

- 1 Amend House File 73 as follows:
- 2 1. Page 39, line 33, by striking the words
- 3 "~~six ten~~" and inserting in lieu thereof the
- 4 word "six".
- 5 2. Page 39, line 33, by striking the word "shall"
- 6 and inserting in lieu thereof the word "may".
- 7 3. Page 41, line 15, by striking the word
- 8 "shall" and inserting in lieu thereof the
- 9 word "may".

Filed - *Last 4/15*
April 13, 1971

By LOGEMANN of Worth
District 7

- 1 Amend House File 73 by adding the following new
- 2 section:
- 3 "There is hereby appropriated from the general
- 4 fund the amount of six million seven hundred thousand
- 5 dollars to be used as matching funds for soil conser-
- 6 vation practices, under the guidelines of this act."

Filed - *Last 4/15*
April 13, 1971

By BLOUIN of Dubuque
District 49

HOUSE FILE 73

- 1 Amend the Schroeder et al. amendment, filed April
- 2 16, 1971, as follows:
- 3 1. Line 3, after the word "of" insert the word
- 4 "real".
- 5 2. Line 4, after the word "of" insert the word
- 6 "its".

Filed from the Floor and Adopted
April 19, 1971

By MOFFITT of Appanoose
District 69

- 1 Amend House File 73 as follows:
- 2 1. Page 37, line 6, by inserting after the word "arose"
- 3 the words "had submitted application for public cost-
- 4 sharing funds pursuant to section thirty-five (35) of this
- 5 Act, or ".
- 6 2. Page 39, line 33, by inserting after the word "as"
- 7 the word "ex officio".
- 8 3. Page 40, line 3, by inserting after the word "Seven"
- 9 the word "voting".
- 10 4. Page 40, lines 5 and 6, by striking the words "bona
- 11 fide farmers living on farms" and inserting in lieu thereof
- 12 the words "bona-fide-farmers-living-on-farms persons engaged
- 13 in actual farming operations".
- 14 5. Page 42, by striking lines 21 through 28, inclusive,
- 15 and inserting in lieu thereof the following:
- 16 "2. 'Soil and water conservation practices' means any
- 17 of the practices designated in or pursuant to this subsec-
- 18 tion which serve to prevent erosion of soil by wind or
- 19 water, in excess of applicable soil loss limits, from land
- 20 used for agricultural or horticultural purposes only.
- 21 a. 'Permanent soil and water conservation practices'
- 22 means planting of perennial grasses, legumes, shrubs, or
- 23 trees, the establishment of grassed waterways, and the con-
- 24 struction of terraces.
- 25 b. 'Temporary soil and water conservation practices'
- 26 means planting of annual or biennial crops, use of strip-
- 27 cropping, contour planting, minimum or mulch tillage, and
- 28 any other cultural practices approved by the state soil
- 29 conservation committee."
- 30 6. Page 44, line 10, by striking the word "commission"
- 31 and inserting in lieu thereof the word "committee".
- 32 7. Page 44, line 13, by striking the word "higher".
- 33 8. Page 44, line 14, by striking the words "than can"
- 34 and inserting in lieu thereof the words "that cannot".
- 35 9. Page 46, by striking from lines 25 and 26 the words
- 36 "in an amount equal to at least seventy-five percent of
- 37 the cost of establishing such practice".
- 38 10. Page 46, line 28, by inserting after the word
- 39 "occupant" the following:
- 40 "in an amount equal to at least seventy-five percent of
- 41 the cost of any permanent soil and water conservation prac-
- 42 tice, or at least twenty-five percent of the cost of any
- 43 temporary soil and water conservation practice. The state
- 44 soil conservation commission shall review these requirements
- 45 at least once each year, and may authorize soil conservation
- 46 district commissioners to make the mandatory establishment
- 47 of any specified soil and water conservation practice in any
- 48 particular case conditional on a higher proportion of public
- 49 cost-sharing than is required by this section. When the
- 50 commissioners have been so authorized, they shall, in deter-
- 51 mining the amount of cost-sharing for establishment of a
- 52 specified soil and water conservation practice to comply
- 53 with an administrative order issued pursuant to section
- 54 thirty-four (34) of this Act, consider the extent to which
- 55 the practice will contribute benefits to the public in rela-
- 56 tion to the benefits that will accrue to the individual
- 57 owner or occupant of the land on which the practice is to
- 58 be established."

Filed - *Adopted as amended 4/15*
March 5, 1971

By COMMITTEE on ENVIRONMENTAL
PRESERVATION
KEHE, Chairman

1 Amend teh Committee on Environmental Preservation
2 amendment to House File 73 as follows:
3 1. By striking lines 14 through 29, inclusive, and
4 renumbering the succeeding amendments accordingly.
5 2. By striking lines 35 through 58, inclusive, and
6 inserting in lieu thereof the following:
7 3. Page 46, by striking from line 25 all after the
8 word 'funds', and striking lines 26 and 27 and all of line
9 28 before the period in that line, and inserting in lieu
10 thereof the following:
11 "are available for such practice in an amount estab-
12 lished by the state soil conservation committee. In
13 determining the amount of cost sharing for each approved
14 type of practice, the committee shall consider the extent
15 to which the practice contributes benefits to the public
16 in relation to the benefits that will accrue to the
17 individual owner or occupant.
18 The committee shall review the minimums established
19 for cost sharing once a year and may change them to conform
20 to changes in cost benefits or damages'."

Filed - *Last* 4/13
March 24, 1971

By COCHRAN of Webster
District 29
VARLEY of Adair
District 84

1 Amend the Committee on Environmental Preservation
2 amendment to House File 73, filed March 5, 1971, line
3 24 by inserting after the word "terraces" the
4 following: ", or other permanent soil and water
5 practices approved by the state soil conservation
6 committee".

Filed - *Adopted* 4/14
March 24, 1971

By CAMPBELL of Washington
District 89

1 Amend House File 73 as follows:
2 1. Page 34, lines 27 and 28, by striking the words
3 "for its approval".
4 2. Page 39, line 35, by inserting after the word
5 "service" the words "or his designee".
6 3. Page 45, line 26, by inserting after the first
7 word "a" the words "written and signed".
8 4. Page 45, lines 26 and 27, by striking the words
9 ", either in writing or by a personal appearance
10 of the complainant,".

Filed - *Adopted* 4/15
March 24, 1971

ENV. PRESERVATION

By CAMPBELL of Washington
District 89

April 21, 1971

HOUSE FILE 73
By VARLEY, LAWSON, BLOUIN,
KENNEDY, COCHRAN, MILLER,
RODGERS, REX, McCORMICK
and WINKELMAN
(Lavery, Erskine, Curran,
Smith, Potgeter and Schaben)
(AS AMENDED AND PASSED BY THE HOUSE)

Passed House, Date 5-14-71 Passed Senate, Date 4-30-71

Vote: Ayes 81 Nays 1 Vote: Ayes 41 Nays 5

Approved 5-28-71

*Passed House as further amended
by Senate 5-26-71
ayw 37, nay 2*

A BILL FOR

- 1 An Act relating to conservation of soil and water resources of
- 2 the state, and to control of water pollution.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. It is hereby declared to be the policy of the
2 state of Iowa and the objectives of this Act to preserve and
3 protect the public interest in the soil and water resources
4 of this state for future generations, and for this purpose to
5 encourage, promote, facilitate, and where such public interest
6 requires, to mandate the conservation and proper control and
7 use of the soil and water resources of this state, by measures
8 including but not limited to the control of floods, the control
9 of erosion by water or by wind, the preservation of the quan-
10 tity and quality of water for its optimum use for agricultural,
11 irrigation, recreational, industrial, and domestic purposes,
12 all of which shall be presumed conducive to the public health,
13 convenience and welfare, both present and prospective.

14 Sec. 2. As used in this Act, unless the context otherwise
15 requires:

16 1. The terms "district" or "conservancy district" mean one
17 of the six conservancy districts established by section three
18 (3) of this Act.

19 2. "Board" means the body designated by section four (4)
20 of this Act to administer each of the districts.

21 3. "Council" means the Iowa natural resources council.

22 4. "Internal improvement" includes, but it is not limited
23 to, dams or other water impoundment structures, levees, ditches,
24 or other artificial watercourses, tile lines, or any other phys-
25 ical structure constructed or improved by a conservancy district
26 in furtherance of the objectives of this Act.

27 Sec. 3. In the furtherance of the policy set forth in section
28 one (1) of this Act, the entire area of the state of Iowa shall
29 be divided into six conservancy districts, and the same are
30 hereby established as political subdivisions of the state of
31 Iowa, as follows:

32 1. The northeast Iowa conservancy district shall include
33 all of Allamakee, Winneshiek, Howard, Fayette, Clayton, Dela-
34 ware, Dubuque, Jackson, and Clinton counties, and the desig-
35 nated portions of each of the following counties:

1	a. In Mitchell county:		
2	Twp. N.	Range West	Sections
3	100	15	7 to 18 inclusive, 20 to 29 inclusive,
4			32 to 36 inclusive.
5		16	12.
6	99	15	1 to 4 inclusive, 9 to 15 inclusive,
7			22 to 26 inclusive, 35, 36.
8	98	15	1, 2, 11 to 14 inclusive, 23 to 26
9			inclusive, 36.
10	97	15	1, 12, 13.
11	b. In Floyd county:		
12	Twp. N.	Range West	Sections
13	97	15	24, 25, 36.
14	c. In Chickasaw county:		
15	Twp. N.	Range West	Sections
16	97	11, 12, 13, 14	All.
17	96	11, 12, 13	All.
18		14	1 to 6 inclusive, 8 to 17 inclusive,
19			21 to 28 inclusive, 34, 35, 36.
20	95	11, 12, 13	All.
21		14	1, 2, 3, 11 to 14 inclusive, 23, 24.
22	94	11, 12	All.
23		13	1 to 5 inclusive, 8 to 16 inclusive,
24			21 to 28 inclusive, 33 to 36 inclusive.
25	d. In Bremer county:		
26	Twp. N.	Range West	Sections
27	93	11, 12	All.
28		13	1 to 4 inclusive, 9 to 16 inclusive,
29			21 to 27 inclusive, 34 to 36 inclusive.
30	92	11, 12	All.
31		13	1, 2, 11 to 13 inclusive.
32	91	11	All.
33		12	1 to 5 inclusive, 8 to 17 inclusive,
34			20 to 29 inclusive, 31 to 36 inclusive.
35	e. In Black Hawk county:		

H. F. 73

—4—

	Twp. N.	Range West	Sections
1			
2	90	11	1 to 30 inclusive, 32 to 36 inclusive.
3		12	1 to 5 inclusive, 8 to 17 inclusive,
4			20, 21, 23, 24, 25.
5	89	11	1 to 4 inclusive, 11 to 15 inclusive,
6			22, 23, 27.

7 f. In Buchanan county:

	Twp. N.	Range West	Sections
8			
9	90	7, 8, 9, 10	All.
10	89	7, 8, 9	All.
11		10	1 to 18 inclusive, 20 to 28 inclusive.
12	88	7, 8	All.
13		9	1 to 5 inclusive, 8 to 15 inclusive,
14			23, 24, 25.
15	87	7	All.
16		8	1 to 30 inclusive, 34 to 36 inclusive.
17		9	12, 13, 24, 25.

18 All territory within the corporate limits of the town of Rowley,
19 as such limits existed on January 1, 1969, shall be within the
20 northeast Iowa conservancy district, including the portion of
21 such town not within any of the sections of land previously
22 listed in this paragraph.

23 g. In Linn county:

	Twp. N.	Range West	Sections
24			
25	86	5, 6	All.
26		7	1 to 17 inclusive, 22 to 26 inclusive,
27			36.
28		8	1, 12.
29	85	5	1 to 30 inclusive, 32 to 36 inclusive.
30		6	1 to 4 inclusive, 8 to 16 inclusive,
31			23, 24.
32		7	1.
33	84	5	1 to 4 inclusive, 10 to 14 inclusive,
34			24.

35 h. In Jones county:

1	Twp. N.	Range West	Sections
2	86	1, 2, 3, 4	All.
3	85	1, 2, 3, 4	All.
4	84	1, 2, 3	All.
5		4	1 to 30 inclusive, 32 to 36 inclusive.
6	83	1, 2, 3	All.
7		4	1 to 5 inclusive, 7 to 30 inclusive,
8			32 to 36 inclusive.
9	i. In Cedar county:		
10	Twp. N.	Range West	Sections
11	82	1	All.
12		2	1 to 17 inclusive, 20 to 29 inclusive,
13			35, 36.
14		3	1 to 11 inclusive, 17, 18.
15		4	1, 2, 3, 10 to 13 inclusive.
16	81	1	1 to 30 inclusive, 32 to 36 inclusive.
17		2	1, 2, 11 to 14 inclusive, 23, 24, 25.
18	80	1	1, 2, 3, 11, 12, 13, 24 to 27 inclusive,
19			34, 35, 36.
20	79	1	1, 12, 13.
21	All territory within the corporate limits of the town of		
22	Mechanicsville, as such limits existed on January 1, 1969,		
23	shall be within the northeast Iowa conservancy district, in-		
24	cluding the portion of such town not within any of the sections		
25	of land previously listed in this paragraph.		
26	j. In Scott county:		
27	Twp. N.	Range East	Sections
28	80	1, 2, 3, 4, 5	All.
29	79	1	1 to 18 inclusive, 23, 24.
30		2	1 to 30 inclusive, 33 to 36 inclusive.
31		3, 4, 5	All.
32	78	2	1, 2, 10 to 17 inclusive, 20 to 36
33			inclusive.
34		3, 4, 5	All.
35	77	2, 3	All.

1 k. In Muscatine county:

2	Twp. N.	Range East	Sections
3	78	1	19, 28 to 36 inclusive.
4	77	1	All.
5	Twp. N.	Range West	Sections
6	78	1	13, 22 to 27 inclusive, 34, 35, 36.
7	77	1	All.
8		2	1, 12 to 15 inclusive, 21 to 29 in-
9			clusive, 31 to 36 inclusive.
10		3	36.
11	76	2	All.
12		3	1, 11 to 15 inclusive, 22 to 27 in-
13			clusive, 34, 35, 36.

14 l. In Louisa county:

15	Twp. N.	Range West	Sections
16	75	2	All.
17		3	1, 2, 3, 10 to 15 inclusive, 23 to
18			26 inclusive, 35, 36.
19	74	2	5 to 9 inclusive, 16, 17, 20, 21,
20			22, 26, 27, 28, 33, 34, 35.
21		3	1.
22	73	2	2, 3.

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

1	a. In Winnebago county:		
2	Twp. N.	Range West	Sections
3	100	23	All.
4		24	11 to 16 inclusive, 20 to 29 inclusive,
5			33 to 36 inclusive.
6	99	23	All.
7		24	1 to 5 inclusive, 7 to 36 inclusive.
8		25	12, 13, 23 to 26 inclusive, 34, 35,
9			36.
10	98	23, 24	All.
11		25	1, 2, 3, 11 to 14 inclusive, 24, 25,
12			26, 34, 35, 36.
13	b. In Hancock county:		
14	Twp. N.	Range West	Sections
15	97	23, 24	All.
16		25	1, 2, 3, 9 to 16 inclusive, 19 to 36
17			inclusive.
18		26	24, 25, 36.
19	96	23, 24	All.
20		25	1 to 18 inclusive, 20 to 28 inclusive,
21			34, 35, 36.
22		26	1, 12.
23	95	23, 24	All.
24		25	1, 2, 3, 11 to 14 inclusive, 24, 25,
25			36.
26	94	23	All.
27		24	1 to 30 inclusive, 32 to 36 inclusive.
28		25	1.
29	c. In Wright county:		
30	Twp. N.	Range West	Sections
31	93	23	All.
32		24	1 to 5 inclusive, 9 to 16 inclusive,
33			21 to 27 inclusive, 33 to 36 inclusive.
34	92	23	All.
35		24	1 to 4 inclusive, 10 to 15 inclusive,

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1			21 to 28 inclusive, 34, 35, 36.
2	91	23	All.
3		24	1, 2, 11 to 15 inclusive, 22 to 26 in-
4			clusive, 36.
5	90	23	All.
6		24	1, 12, 13, 23 to 26 inclusive, 35, 36.

7 d. In Hamilton county:

8	Twp. N.	Range West	Sections
9	89	23	1 to 18 inclusive, 22 to 27 inclusive,
10			34, 35, 36.
11		24	1, 2, 11 to 14 inclusive, 23 to 26
12			inclusive.
13	88	23	1 to 5 inclusive, 8 to 17 inclusive,
14			20 to 29 inclusive, 32 to 36 inclusive.
15	87	23	1 to 4 inclusive, 10 to 14 inclusive,
16			23 to 26 inclusive.

17 e. In Hardin county:

18	Twp. N.	Range West	Sections
19	89	19, 20, 21, 22	All.
20	88	19, 20, 21, 22	All.
21	87	19, 20, 21, 22	All.
22	86	19, 20, 21	All.
23		22	1 to 16 inclusive, 22 to 27 inclusive,
24			34, 35, 36.

25 f. In Story county:

26	Twp. N.	Range West	Sections
27	85	21	1 to 30 inclusive, 33 to 36 inclusive.
28		22	1, 2, 3, 10 to 15 inclusive, 24, 25.
29	84	21	1 to 4 inclusive, 9 to 14 inclusive,
30			23 to 26 inclusive, 35, 36.
31	83	21	1, 2, 11.

32 All territory within the corporate limits of the town of
 33 McCallsburg, as such limits existed on January 1, 1969, shall
 34 be within the Iowa-Cedar river conservancy district, including
 35 the portion of such town not within any of the sections of land

1	listed in this paragraph.		
2	g. In Marshall county:		
3	Twp. N.	Range West	Sections
4	85	17, 18, 19, 20	All.
5	84	17, 18, 19, 20	All.
6	83	17, 18	All.
7		19	1 to 30 inclusive, 33 to 36 inclusive.
8		20	1 to 6 inclusive, 9 to 16 inclusive,
9			23, 24.
10	82	17	All.
11		18	1 to 18 inclusive, 20 to 27 inclusive.
12		19	1, 2, 3, 12.
13	h. In Jasper county:		
14	Twp. N.	Range West	Sections
15	81	17	1, 2, 3, 10 to 14 inclusive, 24.
16	i. In Poweshiek county:		
17	Twp. N.	Range West	Sections
18	81	13, 14, 15	All.
19		16	1 to 30 inclusive, 33 to 36 inclusive.
20	80	13, 14, 15	All.
21		16	1, 2, 3, 10 to 15 inclusive, 21 to 28
22			inclusive, 33 to 36 inclusive.
23	79	13, 14	All.
24		15	1 to 17 inclusive, 22 to 27 inclusive.
25		16	1, 2, 3, 12.
26	78	13	All.
27		14	1 to 17 inclusive, 20 to 29 inclusive,
28			33 to 36 inclusive.
29	j. In Mahaska county:		
30	Twp. N.	Range West	Sections
31	77	14	1, 2.
32	k. In Keokuk county:		
33	Twp. N.	Range West	Sections
34	77	10	1 to 30 inclusive, 36.
35		11	1 to 25 inclusive, 30.

- 1 12 1 to 25 inclusive.
 2 13 1 to 6 inclusive, 8 to 15 inclusive.
 3 All territory within the corporate limits of the town of Keswick,
 4 as such limits existed on January 1, 1969, shall be within the
 5 Iowa-Cedar river conservancy district, including the portion of
 6 such town not within any of the sections of land listed in this
 7 paragraph.

8 1. In Washington county:

9 Twp. N.	Range West	Sections
10 77	6, 7, 8, 9	All.
11 76	6, 7	All.
12	8	1 to 5 inclusive, 11 to 14 inclusive, 22 to 26 inclusive.
13		
14 75	6	All.
15	7	1 to 6 inclusive, 8 to 16 inclusive, 21 to 27 inclusive, 36.
16		
17 74	6	1 to 5 inclusive, 11, 12, 13.

18 m. In Louisa county:

19 Twp. N.	Range West	Sections
20 76	5	All.
21 75	3	4 to 9 inclusive, 16 to 22 inclusive, 27 to 34 inclusive.
22		
23	4, 5	All.
24 74	1	All.
25	2	18, 19, 29 to 32 inclusive, 36.
26	3	2 to 36 inclusive.
27	4	1 to 30 inclusive, 32 to 36 inclusive.
28	5	1 to 29 inclusive, 34.
29 73	1	All.
30	2	1, 4 to 36 inclusive.
31	3	All.
32	4	1 to 5 inclusive, 9 to 16 inclusive, 23 to 26 inclusive, 35, 36.
33		

- 34 All territory within the corporate limits of the town of Grand-
 35 view, as such limits existed on January 1, 1969, shall be within

1 the Iowa-Cedar river conservancy district, including the portion
 2 of the town not within any of the sections of land listed in
 3 this paragraph.

4 n. In Des Moines county:

5 Twp. N.	Range West	Sections
6 72	1, 2, 3	All.
7	4	1, 2, 11 to 15 inclusive, 22 to 27 in-
8		clusive, 33 to 36 inclusive.
9 71	1, 2, 3	All.
10	4	1 to 5 inclusive, 7 to 30 inclusive,
11		32 to 36 inclusive.
12 70	1, 2	All.
13	3	1 to 30 inclusive, 33 to 36 inclusive.
14	4	1 to 4 inclusive, 10 to 14 inclusive,
15		23, 24, 25.
16 69	2	All.
17	3	1 to 4 inclusive, 9 to 15 inclusive,
18		23, 24, 25.
19 68	2	5, 6, 8.

20 All territory within the corporate limits of the town of Middle-
 21 town, as such limits existed on January 1, 1969, shall be within
 22 the Iowa-Cedar river conservancy district, including the portion
 23 of the town not within any of the sections of land listed in
 24 this paragraph.

25 o. In Henry county:

26 Twp. N.	Range West	Sections
27 71	5	12, 13, 23, 24, 25.

28 3. The Skunk river conservancy district shall include those
 29 portions of Hardin and Marshall counties not included in the
 30 Iowa-Cedar river conservancy district by subsection two (2)
 31 of this section, that portion of Louisa county not included
 32 in the northeast Iowa conservancy district by subsection one
 33 (1) of this section nor in the Iowa-Cedar river conservancy
 34 district by subsection two (2) of this section, and the desig-
 35 nated portions of each of the following counties:

1 a. In Hamilton county:

2	Twp. N.	Range West	Sections
3	89	23	19, 20, 21, 28 to 33 inclusive.
4		24	15, 22, 27, 28, 33, 34, 35, 36.
5	88	23	6, 7, 18, 19, 30, 31.
6		24	All.
7		25	1, 12, 13, 24, 25, 26, 34, 35, 36.
8	87	23	5 to 9 inclusive, 15 to 22 inclusive,
9			27 to 36 inclusive.
10		24	All.
11		25	1, 2, 3, 10 to 16 inclusive, 21 to 36
12			inclusive.
13		26	25, 26, 27, 33 to 36 inclusive.
14	86	23, 24, 25	All.
15		26	1 to 5 inclusive, 7 to 36 inclusive.

16 All territory within the corporate limits of the towns of Blairs-
 17 burg and Kamrar, and of that portion of the town of Stratford
 18 which is located in Hamilton county, as such limits existed on
 19 January 1, 1969, shall be within the Skunk river conservancy
 20 district, including the portions of the towns of Blairsburg
 21 and Kamrar and that portion of the town of Stratford which is
 22 within Hamilton county which are not within any of the sections
 23 of land listed in this paragraph.

24 b. In Webster county:

25	Twp. N.	Range West	Sections
26	86	27	24, 25, 36

27 All territory within the corporate limits of that portion
 28 of the town of Stratford which is located in Webster county,
 29 as such limits existed on January 1, 1969, shall be within
 30 the Skunk river conservancy district, including that portion
 31 of the town which is within Webster county but is not within
 32 any of the sections of land listed in this paragraph.

33 c. In Boone county:

34	Twp. N.	Range West	Sections
35	85	25	All.

1		26	1 to 6 inclusive, 8 to 16 inclusive,
2			21 to 27 inclusive, 33 to 36 inclusive.
3	84	25	All.
4		26	1, 2, 11 to 14 inclusive, 24.
5	83	25	1 to 5 inclusive, 9 to 16 inclusive,
6			23, 24, 25, 36.
7	82	25	12, 13.

8 d. In Story county:

9	Twp. N.	Range West	Sections
10	85	21	31, 32.
11		22	4 to 9 inclusive, 16 to 23 inclusive,
12			26 to 36 inclusive.
13		23, 14	All.
14	84	21	5 to 8 inclusive, 15 to 22 inclusive,
15			27 to 34 inclusive.
16		22, 23, 24	All.
17	83	21	3 to 10 inclusive, 12 to 36 inclusive.
18		22, 23, 24	All.
19	82	21, 22, 23	All.
20		24	1 to 18 inclusive, 20 to 27 inclusive,
21			36.

22 e. In Polk county:

23	Twp. N.	Range West	Sections
24	81	22	All.
25		23	1 to 18 inclusive, 20 to 28 inclusive,
26			34, 35, 36.
27		24	1, 12.
28	80	22	1 to 29 inclusive, 32 to 36 inclusive.
29		23	1, 2, 11, 12.
30	79	22	1.

31 All territory within the corporate limits of the town of Elk-
 32 hart, as such limits existed on January 1, 1969, shall be
 33 within the Skunk river conservancy district, including the
 34 portion of the town not within any of the sections of land
 35 listed in this paragraph.

1 f. In Jasper county:

2	Twp. N.	Range West	Sections
3	81	17	4 to 9 inclusive, 15 to 23 inclusive,
4			25 to 36 inclusive.
5		18, 19, 20, 21	All.
6	80	17, 18, 19, 20,	
7		21	All.
8	79	17, 18, 19, 20	All.
9		21	1 to 18 inclusive, 21 to 26 inclusive,
10			35, 36.
11	78	17, 18	All.
12		19	1 to 30 inclusive, 32 to 36 inclusive.
13		20	1 to 5 inclusive, 10 to 14 inclusive,
14			24, 25.

15 All territory within the corporate limits of the towns of
 16 Monroe and Prairie City, as such limits existed on January 1,
 17 1969, shall be within the Skunk river conservancy district,
 18 including the portions of such towns not within any of the
 19 sections of land listed in this paragraph.

20 g. That portion of Poweshiek county not included in the
 21 Iowa-Cedar river conservancy district and also all territory
 22 within the corporate limits of the city of Grinnell, the town
 23 of Montezuma, and that portion of the town of Barnes City
 24 which is located within Poweshiek county, as such limits
 25 existed on January 1, 1969, including those portions of the
 26 city of Grinnell and the town of Montezuma, and that portion
 27 of the town of Barnes City which is located within Poweshiek
 28 county, within any of the sections listed in paragraph i of
 29 subsection two (2) of this section.

30 h. In Marion county:

31	Twp. N.	Range West	Sections
32	77	18	All.
33		19	1 to 5 inclusive, 9 to 15 inclusive,
34			23, 24, 25.
35	76	18	2 to 5 inclusive, 10, 11.

1 All territory within the corporate limits of the city of Pella,
 2 as such limits existed on January 1, 1969, shall be within the
 3 Skunk river conservancy district, including the portion of the
 4 city not within any of the sections of land previously listed
 5 in this paragraph.

6 i. In Mahaska county:

7 Twp. N.	Range West	Sections
8 77	14	3 to 36 inclusive.
9	15, 16, 17	All.
10 76	14, 15, 16	All.
11	17	1 to 5 inclusive, 9 to 16 inclusive, 12 23, 24, 25.
13 75	14	All.
14	15	1 to 28 inclusive, 34, 35, 36.
15	16	1, 2, 3, 11, 12, 13.
16 74	14	All.
17	15	1, 2, 11 to 15 inclusive, 22 to 26 in- 18 clusive.

19 All territory within the corporate limits of the city of
 20 Oskaloosa and the town of University Park, and that portion of
 21 the town of Barnes City which is located in Mahaska county, as
 22 such limits existed on January 1, 1969, including the portions
 23 of the city of Oskaloosa and the town of University Park, and
 24 that portion of the town of Barnes City located in Mahaska
 25 county, not within any of the sections of land listed in this
 26 paragraph.

27 j. That portion of Keokuk county not included in the Iowa-
 28 Cedar river conservancy district and also all territory within
 29 the corporate limits of the towns of Gibson, South English,
 30 and Webster, as such limits existed on January 1, 1969, includ-
 31 ing the portions of such towns within any of the sections of
 32 land listed in paragraph 1 of subsection two (2) of this sec-
 33 tion.

34 k. That portion of Washington county not included in the
 35 Iowa-Cedar river conservancy district and also all territory

1 within the corporate limits of the city of Washington and the
 2 town of Crawfordsville, as such limits existed on January 1,
 3 1969, including the portions of such city and such town within
 4 any of the sections of land listed in paragraph m of subsec-
 5 tion two (2) of this section.

6 l. In Wapello county:

7 Twp. N.	Range West	Sections
8 73	12, 13	All.
9	14	1 to 5 inclusive, 9 to 15 inclusive, 10 23 to 26 inclusive, 36.
11 72	12	All.
12	13	1 to 6 inclusive, 10 to 14 inclusive, 13 24, 25.
14	14	1.
15 71	12	1 to 5 inclusive, 9 to 12 inclusive, 16 14, 15.

17 m. In Jefferson county:

18 Twp. N.	Range West	Sections
19 73	8, 9, 10, 11	All.
20 72	8, 9, 10, 11	All.
21 71	8, 9	All.
22	10	1 to 17 inclusive, 22 to 27 inclusive, 23 35, 36.
24	11	1 to 12 inclusive, 16, 17.

25 All territory within the corporate limits of the town of
 26 Libertyville, as such limits existed on January 1, 1969, shall
 27 be within the Skunk river conservancy district, including the
 28 portion of such town not within any of the sections of land
 29 listed in this paragraph.

30 n. That portion of Henry county not included in the Iowa-
 31 Cedar river conservancy district and also all territory within
 32 the corporate limits of the town of New London, as such limits
 33 existed on January 1, 1969, including the portion of such town
 34 within any of the sections of land listed in paragraph p of
 35 subsection two (2) of this section.

1 o. That portion of Des Moines county not included in the
 2 Iowa-Cedar river conservancy district and also all territory
 3 within the corporate limits of the town of Danville, as such
 4 limits existed on January 1, 1969, including the portion of
 5 such town within any of the sections of land listed in para-
 6 graph o of subsection two (2) of this section.

7 p. In Van Buren county:

8 Twp. N.	Range West	Sections
9 70	8	All.
10	9	1 to 12 inclusive, 16, 36.
11 69	8	1 to 5 inclusive, 11, 12, 13.

12 All territory within the corporate limits of the town of
 13 Birmingham, as such limits existed on January 1, 1969, shall
 14 be within the Skunk river conservancy district, including the
 15 portion of such town not within any of the sections of land
 16 listed in this paragraph.

17 q. In Lee county:

18 Twp. N.	Range West	Sections
19 69	3, 4, 5, 6	All.
20	7	1 to 25 inclusive, 36.
21 68	2, 3, 4, 5	All.
22	6	1 to 6 inclusive, 8 to 17 inclusive,
23		20 to 28 inclusive, 33 to 36 inclusive.
24 67	4, 5	All.
25	6	1, 2, 3, 10 to 15 inclusive, 23 to 26
26		inclusive, 36.
27 66	4	All.
28	5	3 to 6 inclusive, 8 to 16 inclusive,
29		21 to 28 inclusive, 33 to 36 inclusive.
30 65	4	All.
31	5	1 to 4 inclusive, 10 to 15 inclusive,
32		22 to 27 inclusive, 34, 35, 36.

33 All territory within the corporate limits of the city of Keokuk,
 34 as such limits existed on January 1, 1969, shall be within the
 35 Skunk river conservancy district, including the portion of such

1 city not within any of the sections of land listed in this para-
2 graph.

3 4. The Des Moines river conservancy district shall include
4 all of Kossuth, Humboldt, Pocahontas, Calhoun, Greene, Dallas,
5 and Warren counties, those portions of Wright, Webster, Hamil-
6 ton, Boone, Story, Jasper, Marion, Mahaska, Jefferson, and
7 Henry counties not included in either the Iowa-Cedar river
8 conservancy district or the Skunk river conservancy district,
9 or both, by subsections two (2) and three (3) of this section, and
10 the designated portions of each of the following counties:

11 a. In Dickinson county:

12 Twp. N.	Range West	Sections
13 100	35	7 to 17 inclusive, 20 to 28 inclusive, 14 33 to 36 inclusive.
15 99	35	1, 12, 13, 24.

16 All territory within the corporate limits of the town of
17 Superior, as such limits existed on January 1, 1969, shall
18 be within the Des Moines river conservancy district, includ-
19 ing the portion of such town not within any of the sections
20 of land listed in this paragraph.

21 b. In Emmet county:

22 Twp. N.	Range West	Sections
23 100	31, 32, 33, 34	All.
24 99	31, 32, 33	All.
25	34	1 to 30 inclusive, 32 to 36 inclusive.
26 98	31, 32, 33	All.
27	34	1 to 4 inclusive, 9 to 16 inclusive, 28 22 to 27 inclusive, 34, 35, 36.

29 c. That portion of Winnebago county not included in the
30 Iowa-Cedar river conservancy district and also all territory
31 within the corporate limits of the town of Thompson, as such
32 limits existed on January 1, 1969, including the portion of
33 such town within any of the sections of land listed in para-
34 graph a of subsection two (2) of this section.

35 d. That portion of Hancock county not included in the Iowa-

1 Cedar river conservancy district and also all territory within
 2 the corporate limits of the town of Britt, as such limits
 3 existed on January 1, 1969, including the portion of such town
 4 within any of the sections of land listed in paragraph b of
 5 subsection two (2) of this section.

6 e. In Palo Alto county:

7	Twp. N.	Range West	Sections
8	97	31, 32, 33	All.
9		34	1, 2, 3, 10 to 15 inclusive, 23 to 27
10			inclusive, 35, 36.
11	96	31, 32, 33	All.
12		34	1, 2, 10 to 15 inclusive, 22 to 28
13			inclusive, 33 to 36 inclusive.
14	95	31, 32, 33	All.
15		34	1 to 5 inclusive, 8 to 36 inclusive.
16	94	31, 32, 33, 34	All.

17 f. In Clay county:

18	Twp. N.	Range West	Sections
19	95	35	13, 24, 25, 34, 35, 36.
20	94	35	1, 2, 3, 10 to 15 inclusive, 22 to 28
21			inclusive, 33 to 36 inclusive.

22 g. In Buena Vista county:

23	Twp. N.	Range West	Sections
24	93	35	1 to 5 inclusive, 7 to 36 inclusive.
25		36	13 to 16 inclusive, 19 to 36 inclusive.
26		37	24 to 27 inclusive, 34, 35, 36.
27	92	35, 36	All.
28		37	1 to 4 inclusive, 9 to 16 inclusive,
29			22 to 29 inclusive, 32 to 36 inclusive.
30	91	35, 36	All.
31		37	1, 2, 3, 9 to 16 inclusive, 21 to 36
32			inclusive.
33		38	11, 13, 14, 23, 24, 25, 26, 36.
34	90	35	All.
35		36	1 to 30 inclusive, 32 to 36 inclusive.

1 37 1 to 18 inclusive, 22, 23, 24.

2 38 1.

3 All territory within the corporate limits of the town of Alta,
4 as such limits existed on January 1, 1969, shall be within the
5 Des Moines river conservancy district, including the portion of
6 such town not within any of the sections of land listed in this
7 paragraph.

8 h. In Sac county :

9 Twp. N.	Range West	Sections
10 89	35	All.
11	36	1 to 17 inclusive, 20 to 29 inclusive, 12 32 to 36 inclusive.
13 88	35, 36	All.
14	37	1, 2, 11 to 14 inclusive, 24, 25, 36.
15 87	35	All.
16	36	1 to 30 inclusive, 32 to 36 inclusive.
17	37	1, 12.
18 86	35	All.
19	36	1 to 5 inclusive, 8 to 17 inclusive, 20 21 to 28 inclusive, 34, 35, 36.

21 All territory within the corporate limits of the town of Lake
22 View, as such limits existed on January 1, 1969, shall be
23 within the Des Moines river conservancy district, including
24 the portions of such town not within any of the sections of
25 land listed in this paragraph.

26 i. In Carroll county :

27 Twp. N.	Range West	Sections
28 85	33, 34, 35	All.
29	36	1, 11 to 15 inclusive, 21 to 28 inclusive, 30 34, 35, 36.
31 84	33, 34, 35	All.
32	36	1, 2, 3, 10 to 15 inclusive, 22 to 28 33 inclusive, 33 to 36 inclusive.
34 83	33, 34, 35	All.
35	36	1, 2, 11 to 14 inclusive, 24.

1	82	33	All.
2		34	1 to 30 inclusive, 32 to 36 inclusive.
3		35	1 to 5 inclusive, 8 to 14 inclusive, 24.

4 j. In Audubon county:

5	Twp. N.	Range West	Sections
6	81	34	1 to 4 inclusive, 9 to 16 inclusive,
7			22 to 26 inclusive, 36.

8 k. In Guthrie county:

9	Twp. N.	Range West	Sections
10	81	30, 21, 32, 33	All.
11	80	30, 31, 32	All.
12		33	1 to 18 inclusive, 20 to 29 inclusive,
13			33 to 36 inclusive.
14	79	30, 31, 32	All.
15		33	1, 2, 3, 10 to 15 inclusive, 23, 24,
16			25, 35, 36.
17	78	30, 31, 32	All.
18		33	1 to 6 inclusive, 8 to 16 inclusive,
19			21 to 28 inclusive, 34, 35, 36.

20 l. That portion of Polk county not included in the Skunk
 21 river conservancy district and also all territory within the
 22 corporate limits of the towns of Bondurant and Mitchellville,
 23 as such limits existed on January 1, 1969, including the
 24 portions of such towns within any of the sections of land
 25 listed in paragraph e of subsection three (3) of this section.

26 m. In Adair county:

27	Twp. N.	Range West	Sections
28	77	30, 31	All.
29		32	1 to 27 inclusive, 34, 35, 36.
30		33	1, 2, 11, 12, 13, 24.
31	76	30	1 to 30 inclusive, 32 to 36 inclusive.
32		31	1 to 24 inclusive.
33		32	1, 2, 11, 12, 13, 24.
34	75	30	1 to 4 inclusive, 9 to 15 inclusive,
35			23 to 26 inclusive.

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1	n. In Madison county:		
2	Twp. N.	Range West	Sections
3	77	26, 27, 28, 29	All.
4	76	26, 27, 28, 29	All.
5	75	26, 27, 28	All.
6		29	1 to 29 inclusive, 33 to 36 inclusive.
7	74	26, 27	All.
8		28	1 to 29 inclusive, 32 to 36 inclusive.
9		29	1 to 4 inclusive, 10 to 15 inclusive,
10			23, 24.
11	o. In Union county:		
12	Twp. N.	Range West	Sections
13	73	28	1 to 4 inclusive, 10 to 13 inclusive.
14	p. In Clarke county:		
15	Twp. N.	Range West	Sections
16	73	24, 25, 26	All.
17		27	1 to 18 inclusive, 20 to 29 inclusive,
18			33 to 36 inclusive.
19	72	24, 25	All.
20		26	1 to 18 inclusive, 20 to 29 inclusive,
21			32 to 36 inclusive.
22		27	1, 2, 3, 10.
23	71	24	1 to 12 inclusive, 14 to 20 inclusive.
24		25	1 to 24 inclusive, 28, 29, 30.
25		26	1, 12, 13, 24, 25.
26	q. In Lucas county:		
27	Twp. N.	Range West	Sections
28	73	20, 21, 22, 23	All.
29	72	20	All.
30		21	1 to 29 inclusive, 33 to 36 inclusive.
31		22	1 to 12 inclusive, 15 to 22 inclusive,
32			27 to 33 inclusive.
33		23	All.
34	71	20	1, 2, 3, 12.
35		21	1, 2, 3.

1 22 6.
 2 23 1 to 7 inclusive.

3 All territory within the corporate limits of the city of
 4 Chariton, as such limits existed on January 1, 1969, shall be
 5 within the Des Moines river conservancy district, including
 6 the portion of the city not within any of the sections of land
 7 listed in this paragraph.

8 r. In Monroe county:

9 Twp. N.	Range West	Sections
10 73	16, 17, 18, 19	All.
11 72	16, 17, 18, 19	All.
12 71	16, 17, 18	All.
13	19	1 to 25 inclusive, 28, 30.

14 s. That portion of Wapello county not included in the
 15 Skunk river conservancy district and also all territory within
 16 the corporate limits of the towns of Agency and Kirksville and
 17 the city of Ottumwa, as such limits existed on January 1, 1969,
 18 including the portions of such towns and city within any of
 19 the sections of land listed in paragraph 1 of subsection three
 20 (3) of this section.

21 t. In Appanoose county:

22 Twp. N.	Range West	Sections
23 70	16	All.
24	17	1 to 5 inclusive, 9 to 15 inclusive, 22 to 27 inclusive, 35, 36.
26 69	16	6, 7.
27	17	1, 2.

28 All territory within the corporate limits of the towns of
 29 Moravia and Unionville, as such limits existed on January 1,
 30 1969, shall be within the Des Moines river conservancy dis-
 31 trict, including the portion of such towns not within any of
 32 the sections of land listed in this paragraph.

33 u. In Davis county:

34 Twp. N.	Range West	Sections
35 70	12, 13, 14, 15	All.

1	69	12	1 to 24 inclusive, 28, 29, 30.
2		13	1 to 17 inclusive, 23, 24, 25.
3		14	1 to 6 inclusive, 12.
4		15	2 to 6 inclusive, 8, 9.
5	v. In Van Buren county:		
6	Twp. N.	Range West	Sections
7	70	9	13, 14, 15, 17 to 35 inclusive.
8		10, 11	All.
9	69	8	6 to 10 inclusive, 14 to 36 inclusive.
10		9, 10	All.
11		11	1 to 30 inclusive, 32 to 36 inclusive.
12	68	8, 9	All.
13		10	1 to 18 inclusive, 20 to 27 inclusive,
14			36.
15		11	1 to 4 inclusive, 11, 12, 13.
16	67	8	All.
17		9	1 to 6 inclusive, 9 to 16 inclusive.

18 All territory within the corporate limits of the town of Stock-
 19 port, as such limits existed on January 1, 1969, shall be
 20 within the Des Moines river conservancy district, including
 21 the portion of the city not within any of the sections of land
 22 listed in this paragraph.

23 w. That portion of Lee county not included in the Skunk
 24 river conservancy district and also all territory within the
 25 corporate limits of the town of Donnellson, as such limits
 26 existed on January 1, 1969, including the portion of such
 27 town within any of the sections of land listed in paragraph
 28 q of subsection three (3) of this section.

29 5. The southern Iowa conservancy district shall include
 30 all of Wayne, Decatur, Ringgold, Adams, Taylor, Cass,
 31 Montgomery, and Page counties, those portions of Audubon and
 32 Monroe counties not included in the Des Moines river conser-
 33 vancy district, and the designated portions of each of the
 34 following counties:

35 a. That portion of Van Buren county not included in either

1 the Skunk river conservancy district or the Des Moines river
2 conservancy district and also all territory within the cor-
3 porate limits of the town of Mount Sterling, as such limits
4 existed on January 1, 1969, including the portion of such
5 town within any of the sections of land listed in paragraph
6 v of subsection four (4) of this section.

7 b. That portion of Davis county not included in the Des
8 Moines river conservancy district and also all territory
9 within the corporate limits of the town of Drakesville, as
10 such limits existed on January 1, 1969, including the portion
11 of such town within any of the sections of land listed in
12 paragraph u of subsection four (4) of this section.

13 c. That portion of Appanoose county not included in the
14 Des Moines river conservancy district and also all territory
15 within the corporate limits of the town of Udell, as such
16 limits existed on January 1, 1969, including the portion of
17 such town within any of the sections of land listed in para-
18 graph t of subsection four (4) of this section.

19 d. That portion of Lucas county not included in the Des
20 Moines river conservancy district and also all territory
21 within the corporate limits of the town of Russell, as such
22 limits existed on January 1, 1969, including the portion of
23 such town within any of the sections of land listed in para-
24 graph q of subsection four (4) of this section.

25 e. That portion of Clarke county not included in the Des
26 Moines river conservancy district and also all territory
27 within the corporate limits of the town of Murray, as such
28 limits existed on January 1, 1969, including the portion
29 of such town within any of the sections of land listed in
30 paragraph p of subsection four (4) of this section.

31 f. That portion of Union county not included in the Des
32 Moines river conservancy district and also all territory
33 within the corporate limits of the town of Lorimor, as such
34 limits existed on January 1, 1969, including the portion of
35 such town within any of the sections of land listed in para-

1 graph o of subsection four (4) of this section.

2 g. That portion of Madison county not included in the Des
3 Moines river conservancy district and also all territory
4 within the corporate limits of the town of Macksburg, as such
5 limits existed on January 1, 1969, including the portion of
6 such town within any of the sections of land listed in para-
7 graph n of subsection four (4) of this section.

8 h. That portion of Adair county not included in the Des
9 Moines river conservancy district and also all territory
10 within the corporate limits of that portion of the town of
11 Adair which is located in Adair county, as such limits existed
12 on January 1, 1969, including that portion of the town of Adair
13 which is located in Adair county within any of the sections of
14 land listed in paragraph m of subsection four (4) of this sec-
15 tion.

16 i. That portion of Guthrie county not included in the Des
17 Moines river conservancy district and also all territory
18 within the corporate limits of that portion of the town of
19 Adair which is located in Guthrie county, as such limits
20 existed on January 1, 1969, including that portion of the
21 town of Adair which is located in Guthrie county within any
22 of the sections of land listed in paragraph k of subsection
23 four (4) of this section.

24 j. In Carroll county:

25 Twp. N.	Range West	Sections
26 83	36	3, 4, 5, 7 to 10 inclusive, 15 to 23 27 inclusive, 25 to 36 inclusive.
28 82	34	31.
29	35	6, 7, 15 to 23 inclusive, 25 to 26 30 inclusive.
31	36	All.

32 All territory within the corporate limits of the town of
33 Templeton, as such limits existed on January 1, 1969, shall
34 be within the southern Iowa conservancy district, including
35 the portion of the town not within any of the sections of land

1 previously listed in this paragraph.

2 k. In Crawford county:

3 Twp. N.	Range West	Sections
4 83	37	11 to 36 inclusive.
7	38	23 to 26 inclusive, 34, 35, 36.
6 82	37	All.
7	38	1 to 5 inclusive, 9 to 36 inclusive.
8	39	13, 23 to 28 inclusive, 33 to 36 in-
9		clusive.

10 l. In Shelby county:

12 81	37, 38	All.
13	39	1, 2, 3, 10 to 15 inclusive,
14		22 to 27 inclusive, 34, 35, 36.
15 80	37, 38	All.
16	39	1, 2, 3, 10 to 16 inclusive, 21 to
17		28 inclusive, 34, 35, 36.
18 79	37, 38	All.
19	39	1, 2, 3, 10 to 16 inclusive, 21 to
20		29 inclusive, 32 to 36 inclusive.
21 78	37, 38, 39	All.
22	40	1, 2, 3, 10 to 15 inclusive, 21 to
23		28 inclusive, 32 to 36 inclusive.

24 All territory within the corporate limits of the towns of
 25 Shelby, Tennant, and Westphalia, as such limits existed on
 26 January 1, 1969, shall be within the southern Iowa conservancy
 27 district, including the portions of such towns not within any
 28 of the sections of land listed in this paragraph.

29 m. In Pottawattamie county:

30 Twp. N.	Range West	Sections
31 77	38, 39, 40	All.
32	41	25, 36.
33 76	38, 39, 40	All.
34	41	1, 11 to 15 inclusive, 21 to 29
35		inclusive, 32 to 36 inclusive.

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1	75	38, 39, 40, 41	All.
2		42	13, 24, 25, 26, 35, 36.
3	74	38, 39, 40, 41	All.
4		42	1, 2, 11 to 14 inclusive, 23, 24,
5			25, 35, 36.

6 n. In Mills county:

7	Twp. N.	Range West	Sections
8	73	40, 41	All.
9		42	1, 2, 11 to 15 inclusive, 22 to 27
10			inclusive, 34, 35, 36.
11	72	40, 41	All.
12		42	1, 2, 3, 10 to 15 inclusive, 22 to
13			27 inclusive, 34, 35, 36.
14	71	40, 41	All.
15		42	1, 2, 3, 10 to 15 inclusive, 22 to
16			27 inclusive, 34, 35, 36.

17 o. In Fremont county:

18	Twp. N.	Range West	Sections
19	70	40, 41	All.
20		42	1, 2, 3, 10 to 14 inclusive, 23 to
21			27 inclusive, 34, 35, 36.
22	69	40, 41	All.
23		42	1 to 4 inclusive, 9 to 16 inclusive,
24			19 to 36 inclusive.
25		43	25, 36.
26	68	40, 41, 42	All.
27		43	9 to 16 inclusive, 21 to 27 inclusive,
28			35, 36.
29	67	40, 41, 42	All.
30		43	1, 2, 12, 13, 24, 25, 26, 35, 36.

31 6. The western Iowa conservancy district shall include all
32 of Lyon, Osceola, Sioux, O'Brien, Plymouth, Cherokee, Woodbury,
33 Ida, Monona, and Harrison counties, those portions of Dickinson,
34 Emmet, Palo Alto, Clay, and Buena Vista counties not included in
35 the Des Moines river conservancy district, those portions of

1 Crawford, Shelby, and Pottawattamie counties not included in
2 the southern Iowa conservancy district, and the designated
3 portions of each of the following counties:

4 a. That portion of Sac county not included in the Des
5 Moines river conservancy district and also all territory
6 within the corporate limits of the town of Wall Lake, as such
7 limits existing on January 1, 1969, including the portion of
8 such town within any of the sections of land listed in para-
9 graph h of subsection four (4) of this section.

10 b. That portion of Carroll county not included in either
11 the Des Moines river conservancy district or the southern Iowa
12 conservancy district and also all territory within the cor-
13 porate limits of the town of Arcadia, as such limits existed
14 on January 1, 1969, including the portion of such town
15 within any of the sections of land listed in paragraph i of
16 subsection four (4) of this section.

17 c. That portion of Mills county not included in the
18 southern Iowa conservancy district and also all territory
19 within the corporate limits of that portion of the town of
20 Tabor which is located in Mills county, as such limits
21 existed on January 1, 1969, including that portion of the
22 town of Tabor which is located in Mills county within any
23 of the sections of land listed in paragraph n of subsection
24 five (5) of this section.

25 d. That portion of Fremont county not included in the
26 southern Iowa conservancy district and also all territory
27 within the corporate limits of that portion of the town of
28 Tabor which is located in Fremont county, as such limits
29 existed on January 1, 1969, including that portion of the
30 town of Tabor which is located in Fremont county within any
31 of the sections of land listed in paragraph o of subsection
32 five (5) of this section.

33 Sec. 4. The governing body of each district shall be the
34 state soil conservation committee established by section four
35 hundred sixty-seven A point four (467A.4) of the Code.

1 Sec. 5. When officially conducting the business of any con-
2 servancy district, the state soil conservation commission shall
3 formally convene as the board of that district and shall keep
4 minutes as such. The chairman of the state soil conservation
5 committee shall be the chairman of the board of each conservancy
6 district.

7 Sec. 6. The board of each district shall:

8 1. Exercise such supervision over the water resources of
9 the district, including water in any basin, watercourse, or
10 other body of water in the district, and have authority to pro-
11 mulgate and repeal, with approval of the council, and enforce
12 such rules and regulations, **except those water quality**
13 **standards under the authority of the Iowa water pollution**
14 **control commission**, as necessary to achieve the objec-
15 tives of this Act as set forth in section one (1) hereof.

16 2. Have authority to employ, appoint, or retain attorneys,
17 engineers, other professional and technical employees, and such
18 other personnel as are deemed necessary, and approve bonds of
19 district employees.

20 3. Prepare, adopt, and implement a plan, and review and
21 revise the same, in the manner prescribed by this Act.

22 4. Encourage, foster, and promote establishment, enlargement,
23 or consolidation of drainage, levee, soil conservation, flood
24 control, and sanitation districts where desirable, provided
25 that this subsection shall not be construed to vest the board
26 with authority to directly establish, enlarge, or consolidate
27 any such districts by any procedure not otherwise prescribed
28 by law.

29 5. Review the plans and coordinate the programs and activities
30 between counties, cities, towns, and any of the entities listed
31 in subsection four (4) of this section, and otherwise advise
32 and assist the governing bodies of such entities in any appro-
33 priate manner, in all cases which relate to any matter within
34 the jurisdiction of the district, provided that the board shall
35 have only advisory and consultative powers with respect to any

36 such entities except as otherwise specifically provided in this
37 Act.

- 1 6. Have authority to enter into binding agreements, with
2 respect to any matter within the jurisdiction of the district,
3 with:
- 4 a. Any person, firm, corporation or association, the state
5 of Iowa, or any of its political subdivisions.
- 6 b. The federal government, or any of the agencies thereof.
- 7 c. Other states or agencies or subdivisions thereof compa-
8 rable in purpose to the district, provided all such agreements
9 are entered into jointly with the council.
- 10 7. Have authority to expend funds outside the state of Iowa,
11 or in adjoining conservancy districts, pursuant to agreements
12 made under subsection six (6) of this section, where necessary
13 in order to more effectively or efficiently achieve the objec-
14 tives of this Act, and to receive funds from other states for
15 expenditure in Iowa, or from other conservancy districts for
16 expenditure in the district receiving such funds.
- 17 8. Have authority to acquire by gift, lease, purchase, grant,
18 or inheritance any property, real or personal, in fee or a lesser
19 interest, needed to achieve the objectives of this Act, and
20 to sell and convey property owned but no longer needed by the
21 district. The board shall also have authority to acquire by
22 condemnation proceedings any real property, in fee or a lesser
23 interest, needed to achieve the objectives of this Act, but
24 no condemnation proceedings shall be instituted by the board
25 less than fifteen days after a letter has been sent by restricted
26 certified mail to the owner or owners of the property sought,
27 setting forth in detail the reasons why the property is needed
28 and the board's best offer for the property.
- 29 9. Construct, operate, maintain, repair, enlarge, and make
30 such internal improvements as are necessary to implement the
31 district's overall plan.
- 32 10. Have authority to sue and be sued in the name of the
33 district, and bring action to abate soil erosion nuisances in
34 the manner prescribed by section twenty-three (23) of this Act.
- 35 11. Maintain at its office a record of all the district's

1 proceedings, rules and regulations, and orders, and furnish
2 copies thereof to the council upon request.

3 Sec. 7. The state soil conservation committee, in its re-
4 spective capacities as the board of each of the several con-
5 servancy districts, shall appoint a secretary and a treasurer
6 for each district.

7 Sec. 8. The state soil conservation committee may at its
8 discretion appoint the same individual as secretary for two
9 or more conservancy districts, or as the treasurer for two or
10 more conservancy districts. No person shall simultaneously
11 serve as both a conservancy board secretary and a conservancy
12 board treasurer, either for the same district or for different
13 districts.

14 Sec. 9. Any person appointed by the state soil conservation
15 committee as secretary or treasurer of one or more conservancy
16 districts, who is not otherwise employed by the state or any
17 of its political subdivisions, shall receive such compensation
18 as the committee shall determine.

19 Sec. 10. The secretary of each conservancy district shall:

20 1. Keep a complete record of the proceedings at each meet-
21 ing of the board.

22 2. File and preserve copies of all rules and regulations
23 promulgated and all orders adopted by the board, and of all
24 correspondence and other papers transmitted to him pertaining
25 to the business of the district.

26 3. Keep an accurate account of the district's funds with
27 the treasurer, charge him with all warrants and drafts drawn
28 in his favor, and credit him with all orders drawn on the dis-
29 trict's funds.

30 4. Keep an accurate account of all expenses incurred by
31 the district, and present all claims to the board for audit
32 and payment.

33 Sec. 11. District funds shall not be expended, other than
34 for salaries and administrative expenses, except upon verified
35 claims submitted to and approved by the board. Warrants drawn

1 on district funds shall be signed by the board chairman and
2 the secretary.

3 Sec. 12. In each even-numbered year the board shall prepare
4 a budget for the biennium beginning July first of the succeed-
5 ing calendar year, setting forth all proposed expenditures by
6 the district during such biennium, and stating the amounts which
7 it is anticipated will be available to the district during such
8 biennium from sources other than state appropriations. The
9 board shall submit its budget to the state soil conservation
10 committee on or before August first of each even-numbered year.

11 Sec. 13. The state soil conservation committee shall re-
12 view the proposed biennial budget of each of the districts,
13 and may revise any such budget. The state soil conservation
14 committee shall prepare a consolidated list of the appropria-
15 tions requested for administration, operation, and maintenance
16 of each district for each year of the ensuing biennium, and
17 of capital appropriations requested, if any, for each district,
18 and shall forward the consolidated list to the state comptroller
19 as a part of the state soil conservation committee's estimates
20 of expenditure requirements submitted pursuant to section eight
21 point twenty-three (8.23) of the Code.

22 Sec. 14. In addition to funds appropriated to the district
23 by the general assembly, the board shall be authorized to re-
24 ceive and expend:

25 1. Federal funds available to the district for such purposes
26 as may be provided by federal laws, rules, and regulations,
27 to the extent consistent with the laws of this state.

28 2. Donations and gifts, which may be accepted by the board
29 and expended in accordance with the terms of the gift.

30 Sec. 15. The districts shall be subject to chapter eight
31 (8) of the Code, but expenditure by a district of funds avail-
32 able to it as provided in section fourteen (14), subsections
33 one (1) and two (2), of this Act shall not be deemed a viola-
34 tion of section eight point thirty-eight (8.38) of the Code.

35 Sec. 16. The board shall prepare, in consultation with the

1 council, a plan for accomplishment of the objectives of this
2 Act within the district. For this purpose the board may re-
3 quest and shall obtain from any state agency or political sub-
4 division information which the agency or subdivision may have
5 already collected which is pertinent to preparation of the plan,
6 and may conduct such hearings as it deems necessary. The plan
7 shall establish an order of priorities for carrying out projects
8 necessary to accomplish the objectives of this Act, shall conform
9 as nearly as practicable to the comprehensive statewide water
10 resources plan established by the council pursuant to section
11 four hundred fifty-five A point seventeen (455A.17) of the Code,
12 and shall reflect the following general policies:

13 1. First consideration shall be given to work needed at
14 or near the source of the streams in the district, and on or
15 along the tributaries thereto, to the greatest extent practi-
16 cable.

17 2. Conservancy district funds shall not be expended for
18 functions or improvements which are:

19 a. The responsibility of other political subdivisions and
20 are within their abilities, reasonable consideration being giv-
21 en to their other duties and obligations.

22 b. Constructed or implemented, or planned for construction
23 or implementation, on one or more tracts of privately owned
24 land and primarily benefit those lands rather than other lands
25 in the conservancy district.

26 Sec. 17. The board shall tentatively adopt the plan by reso-
27 lution and shall present the plan to the council

28 not later than July 1, 1973. The council shall within
29 ninety days approve the plan as presented or with such amend-
30 ments as, in its discretion, it deems necessary to bring the
31 district's plan into conformity with the comprehensive state-
32 wide water resources plan established by the council pursuant
33 to section four hundred fifty-five A point seventeen (445A.17)
34 of the Code.

35 Sec. 18. The plan and the order of priorities established

1 thereby shall constitute the working program of the district.
2 The plan shall be reviewed from time to time and shall, with
3 the consent of the council, be changed as deemed necessary as
4 the result of experience gained in the construction and maintenance
5 of internal improvements by the district, and in operation of
6 the district, or as the result of changed conditions. The board
7 may initiate changes in the district plan on its own motion
8 or at the direction of the council.

9 Sec. 19. After final approval of the plan, the board shall
10 begin to implement the plan as expeditiously as possible, within
11 the limitations of available appropriations and other financial
12 resources. When implementation of the plan involves construc-
13 tion or improvement of any internal improvement by the district,
14 the board may order the preparation of detailed plans and spec-
15 ifications, and a refined cost estimate. Upon completion of
16 such plans, specifications and cost estimate to their satisfac-
17 tion, the board shall adopt the same, subject to the approval
18 of the council, and shall let the contract or contracts therefor
19 in accordance with section twenty (20) of this Act.

20 Sec. 20. When the estimated total cost of construction,
21 enlargement, alteration or repair of any internal improvement
22 exceeds five thousand dollars, the district shall advertise
23 for bids on the proposed improvement by two publications in
24 at least one newspaper of general circulation in the district,
25 the first of which shall be not less than fifteen days prior
26 to the date set for receiving bids, and shall let the work to
27 the lowest responsible bidder submitting a sealed proposal;
28 provided that if, in the judgment of the board, the bids re-
29 ceived are not acceptable, all bids may be rejected and new
30 bids requested. All bids must be accompanied, in a separate
31 envelope, by a deposit of money or certified check, in an amount
32 to be named in the advertisement for bids, as security that
33 the bidder will enter into a contract in accordance with the
34 terms of his bid. The board shall fix the bid security in an
35 amount equal to at least five percent, but not more than ten

1 percent of the estimated total cost of the work. The checks
2 or deposits of money of the unsuccessful bidders shall be re-
3 turned as soon as the successful bidder is determined, and the
4 check or deposit of money of the successful bidder shall be
5 returned upon execution of the contract documents.

6 Sec. 21. Any other provision of this Act notwithstanding,
7 no district shall let a contract for any internal improvement
8 of any kind unless its engineer shall recommend, and the board
9 shall find, that the proposed internal improvement would be
10 adequately protected against siltation by soil and water con-
11 servation practices existing within the watershed of the in-
12 ternal improvement, or which would be developed as a part of
13 the internal improvement, or that the nature of the internal
14 improvement precludes the probability of damage due to silta-
15 tion.

16 Sec. 22. When the district's plan calls for an internal
17 improvement which cannot be undertaken due to a finding that
18 the internal improvement would not be adequately protected against
19 siltation, the board shall undertake to effect the development
20 of the needed soil and water conservation practices in the water-
21 shed of the proposed internal improvement by:

22 1. Consultation and cooperation with, and appropriate as-
23 sistance to, the commissioners of any soil conservation dis-
24 trict in the state.

25 2. Securing the establishment of, or repair or maintenance
26 within, a subdistrict of a soil conservation district, a soil
27 conservation and flood control district, a drainage district,
28 a levee district, a sanitary district, or other appropriate
29 special district, in the manner prescribed by law.

30 Sec. 23. Soil erosion resulting in or contributing to dam-
31 age by siltation to any internal improvement of a conservancy
32 district, or resulting in or contributing to damage to property
33 not owned by the owner or occupant of the land on which such
34 erosion is occurring, is hereby declared to be a nuisance. The
35 board of the district whose internal improvement is so damaged,

1 the commissioners of the soil conservation district within which
2 such erosion is occurring, or the owner or owners of any prop-
3 erty so damaged, may bring action to enjoin and abate any such
4 nuisance as provided by chapter six hundred fifty-seven (657)
5 of the Code. It shall be an adequate defense to such an action
6 that any defendant, prior to the time the cause of action arose,
7 **had submitted application for public cost-sharing funds**
8 **pursuant to section thirty-five (35) of this Act, or**
9 had established or maintained soil and water conservation
10 practices or erosion control practices approved by the commis-
11 sioners of the soil conservation district in which the erosion
12 complained of occurred, or had taken other reasonable and
13 prudent measures to prevent excessive soil erosion, and that
14 the erosion complained of was an isolated occurrence caused
15 by a single prolonged or unusually heavy rainfall, unusually
16 rapid melting of accumulated snow, severe windstorm, or other
17 similar event beyond the control of the defendant.

18 Sec. 24. The board, the commissioners of a soil conserva-
19 tion district, or an engineer or any other authorized person
20 employed by the board or commissioners, may after thirty days
21 written notice by restricted certified mail addressed to the
22 owner and also to the occupant, enter upon private land for
23 the purpose of making surveys, soundings, drillings, appraisals,
24 and examinations as deemed appropriate or necessary to deter-
25 mine the advisability or practicability of locating an internal
26 improvement on said land or part thereof, or to determine whether
27 soil erosion is occurring thereon which constitutes a nuisance
28 under section twenty-three (23) of this Act or is in violation
29 of the soil conservation district's regulations; provided, no
30 soundings or drillings shall be made within twenty rods of the
31 dwelling house or buildings on said land without the written
32 consent of the owner. Such entry, after notice, shall not be
33 deemed a trespass, and the board or commissioners may be aided
34 by injunction to insure peaceful entry. The board shall pay
35 actual damages caused by such entry, surveys, soundings, drill-

36 ings, appraisals, or examinations. The amount of such damages,
37 if any, shall be determined by agreement or in the manner pro-

1 vided for the award of damages in condemnation of land for con-
2 servancy district purposes.

3 Sec. 25. Chapter four hundred fifty-five (455), Code 1971,
4 is amended by adding the following new section:

5 The governing board of every drainage or levee district
6 organized under the laws of this state shall take notice of
7 the district plan, and shall conform to the duly promulgated
8 rules and regulations, of the conservancy district or districts
9 in which the drainage or levee district is located; provided
10 that this section shall not be construed to grant any authority
11 not otherwise granted by law to the governing boards of drain-
12 age or levee districts.

13 Sec. 26. Chapter four hundred fifty-five A (455A), Code
14 1971, is amended by adding the following new section:

15 COORDINATION WITH CONSERVANCY DISTRICTS. The
council and

16 the boards of the several conservancy districts established
17 by this Act shall coordinate their efforts in carrying out the
18 purposes of chapter four hundred fifty-five A (455A) of the
19 Code, and of this Act. In addition to other powers and duties
20 conferred by law upon the council, it shall:

21 1. Offer such advice and assistance as may be appropriate
22 to the boards of the several conservancy districts in the state
23 in discharging their powers and duties.

24 2. Keep the boards of each conservancy district informed
25 of the activities and experience of the other conservancy dis-
26 tricts in the state. When the activities of a conservancy dis-
27 trict are likely to have a significant effect upon any other
28 conservancy district, the council shall inform the boards of
29 the conservancy district undertaking or considering such activ-
30 ities and of the other conservancy district or districts likely
31 to be significantly affected.

32 3. Review, amend, and give final approval to the plan of
33 each of the conservancy districts, and to any subsequent changes
34 therein, in the manner provided by this Act.

35 4. Maintain files of such proceedings, rules and regulations,

1 and orders, of each of the conservancy districts in the state,
2 as the council may request from the districts pursuant to sec-
3 tion six (6), subsection eleven (11) of this Act.

4 5. Inform the board of any conservancy district:

5 a. Of the receipt of each application for a permit to di-
6 vert, store, or withdraw either surface or underground waters
7 at any place within the district, filed with the council pur-
8 suant to section four hundred fifty-five A point nineteen
9 (455A.19) **through section four hundred fifty-five A**
10 **point thirty-two (455A.32), inclusive,**
11 of the Code.

12 b. Of the receipt of each application for approval of a
13 proposed dam, obstruction, deposit or excavation in or on any
14 floodway or flood plain in the district, filed with the council
15 pursuant to section four hundred fifty-five A point thirty-
16 three (455A.33) of the Code.

17 c. Of any proposed order which would establish encroach-
18 ment limits and zoning regulations on any flood plain in the
19 district, filed with the council pursuant to section four hun-
20 dred fifty-five A point thirty-five (455A.35) of the Code.

21 d. Of the receipt of each application for approval of any
22 proposed flood control structure or works, filed with the coun-
23 cil pursuant to section four hundred fifty-five A point thirty-
24 six (455A.36) of the Code.

25 Sec. 27. Section four hundred sixty-seven A point four
26 (467A.4), subsections one (1) and three (3), Code 1971, are
27 amended as follows:

28 1. There is hereby established, to serve as an agency of
29 the state and to perform the functions conferred upon it in
30 **this chapter [(together with such other functions as may**
31 **be hereafter assigned to it from time to time by act of**
32 **the legislature)],**

33 the department of soil conservation. The department shall be
34 administered in accordance with the policies of the state soil
35 conservation committee, which shall consist of a chairman and

36 |six| *ten* members. The following shall serve as *ex officio*
37 members of the
38 committee: The director of the state agricultural extension
39 service or his designee,
40 the secretary of agriculture, or a |member designated

1 by him] *his designee, the director of the state conservation*
2 *commission or his designee, and the director of the Iowa natural*
3 *resources council or his designee. [Five] **Seven voting members shall***
4 *be appointed by the governor and confirmed by the senate. [The*
5 *five] **Six of the appointive members shall be [bona-fide***
6 *farmers living on farms] **persons engaged in actual farming***
7 *operations, one of whom shall be a resident of each of the*
8 *six conservancy districts established by section three (3) of*
9 *this Act, and no more than one of whom shall be a resident of*
10 *any one county. The seventh appointive member shall be chosen*
11 *by the governor from the state at large and shall be a repre-*
12 *sentative of cities and towns. The league of Iowa municipalities*
13 *may submit to the governor a list of three or more nominees*
14 *for the at-large appointment, and if it does so the governor*
15 *shall make the appointment from such list unless he determines*
16 *that none of the nominees on the list are qualified for the*
17 *position. The committee may invite the secretary of agricul-*
18 *ture of the United States to appoint one person to serve*
19 *with the above mentioned members, [but] **and the president***
20 *of the Iowa county engineers association may designate a*
21 *member of the association to serve in the same manner,*
22 ***but these persons shall have no vote and shall serve***
23 *in an advisory capacity*
24 *only. The committee shall adopt a seal, which seal shall be*
25 *judicially noticed, and may perform such acts, hold such public*
26 *hearings, and promulgate such rules and regulations as may be*
27 *necessary for the execution of its functions under this chapter.*
28 3. The committee shall designate its chairman, and may,
29 from time to time, change such designation. The director of
30 the state agricultural extension service shall hold office so
31 long as he shall retain the office by virtue of which he shall
32 be serving on the committee. The members appointed by the gov-
33 ernor shall serve for a period of six years, except that [beginning
34 in the year 1961, of the four committee members subject to
35 appropriate action by the governor and senate in 1961, two shall

36 be appointed for four-year terms beginning July 1, 1961, and
37 two shall be appointed for six-year terms beginning July 1,
38 1961. Appointments shall be made every two years and not more
39 than two members shall be appointed in any one year except to
40 fill vacancies. The member representing the secretary of

1 agriculture shall serve until there is a change in the personnel
2 of the secretary of agriculture. | *in the year 1971, two members*
3 *shall be appointed for terms of six years beginning July 1,*
4 *1971, and two members shall be appointed for terms of four years*
5 *beginning July 1, 1971. Thereafter, members shall be appointed*
6 *in each odd-numbered year to succeed members whose terms expire*
7 *on June 30 of that year. Appointments may be made at such other*
8 *times and for such other periods as are necessary to fill*
9 *vacancies on the committee, and any appointment so made while*
10 *the general assembly is not in session shall be subject to*
11 *confirmation by the senate at the next session of the general*
12 *assembly thereafter. Members designated to represent the*
13 *secretary of agriculture, director of the state conservation*
14 *commission, or the director of the Iowa natural resources*
15 *council shall serve at the pleasure of the officer making such*
16 *designation. A majority of the committee shall constitute a*
17 *quorum, and the concurrence of a majority in any matter within*
18 *their duties shall be required for its determination. The chair-*
19 *man and members of the committee, not otherwise in the employ*
20 *of the state, shall receive |twenty| **thirty** dollars per diem as*
21 *compensation for their services in the discharge of their duties*
22 *as members of the committee. The committee shall determine*
23 *the number of days for which any committee member may draw per*
24 *diem compensation, but the total number of days for which per*
25 *diem compensation is allowed for the entire committee shall*
26 *not exceed |two| **three** hundred fifty days per year. They shall*
27 *also be entitled to expenses, including traveling expenses,*
28 *necessarily incurred in the discharge of their duties as members*
29 *of such committee. The committee shall provide for the execution*
30 *of surety bonds for all employees and officers who shall be*
31 *entrusted with funds or property, shall provide for the keeping*
32 *of a full and accurate record of all proceedings and of all*
33 *resolutions, regulations, and orders issued or adopted, and*
34 *shall provide for an annual audit of the accounts of receipts*
35 *and disbursements.*

1 Sec. 28. Section four hundred sixty-seven A point seven
2 (467A.7), Code 1971, is amended by adding the following new
3 subsection:

4 To take notice of the district plan, and conform to the duly
5 promulgated rules and regulations, of the conservancy district
6 or districts in which the soil conservation district is located;
7 provided that this subsection shall not be construed to grant
8 any authority not otherwise granted by law to the commissioners
9 of soil conservation districts.

10 Sec. 29. Chapter four hundred sixty-seven A (467A), Code
11 1971, is amended by adding the following new section:

12 In addition to the definitions established by section four
13 hundred sixty-seven A point three (467A.3), as used in sections
14 thirty (30) through forty (40) of this Act, unless the context
15 otherwise requires:

16 1. "Soil loss limit" means the maximum amount of soil loss
17 due to erosion by water or wind, expressed in terms of tons per
18 acre per year, which the commissioners of the respective soil
19 conservation districts shall determine is acceptable in order
20 to meet the objectives expressed in section one (1) of this Act.

21 2. "Soil and water conservation practices" means
22 any of the practices designated in or pursuant to this
23 subsection which serve to prevent erosion of soil by
24 wind or water, in excess of applicable soil loss limits,
25 from land used for agricultural or horticultural purposes
26 only.

27 a. "Permanent soil and water conservation practices"
28 means planting of perennial grasses, legumes, shrubs, or
29 trees, the establishment of grassed waterways, and the
30 construction of terraces, or other permanent soil and
31 water practices approved by the state soil conservation
32 committee.

33 b. "Temporary soil and water conservation practices"
34 means planting of annual or biennial crops, use of strip-
35 cropping, contour planting, minimum or mulch tillage, and

36 any other cultural practices approved by the state soil
37 conservation committee.

38 3. "Erosion control practices" means:

39 a. The construction or installation, and maintenance, of
40 such structures or devices as are necessary to carry to a suit-
41 able outlet from the site of any building housing four or more
42 residential units, any commercial or industrial development or
43 any publicly or privately owned recreational or service facility
44 of any kind, not served by a central storm sewer system, any

1 water which:

2 (1) would otherwise cause erosion in excess of the appli-
3 cable soil loss limit; and

4 (2) does not carry nor constitute sewage, industrial, waste,
5 or other waste as defined by section four hundred fifty-five B
6 point two (455B.2).

7 b. The employment of temporary devices or structures, tem-
8 porary seeding, fibre mats, plastic, straw, or other measures
9 adequate to prevent erosion in excess of the applicable soil
10 loss limits from the site of, or land directly affected by, the
11 construction of any public or private street, road or highway,
12 any residential, commercial, or industrial building or develop-
13 ment, or any publicly or privately owned recreational or service
14 facility of any kind, at all times prior to completion of such
15 construction.

16 c. The establishment and maintenance of vegetation upon the
17 right-of-way of any completed portion of any public street, road,
18 or highway, or the construction or installation thereon of struc-
19 tures or devices, or other measures adequate to prevent erosion
20 from the right-of-way in excess of the applicable soil loss
21 limits.

22 Sec. 30. Chapter four hundred sixty-seven A (467A), Code
23 1971, is amended by adding the following new section:

24 To conserve the fertility, general usefulness, and value
25 of the soil and soil resources of this state, and to prevent
26 the injurious effects of soil erosion, it is hereby made the
27 duty of the owners of real property in this state to establish
28 and maintain soil and water conservation practices or erosion
29 control practices, as required by the regulations of the com-
30 missioners of the respective soil conservation districts.

31 Sec. 31. Chapter four hundred sixty-seven A (467A), Code
32 1971, is amended by adding the following new section:

33 The commissioners of each soil conservation district shall,
34 with approval of the state soil conservation committee, adopt,
35 amend, and repeal such reasonable regulations as are deemed

1 necessary to establish a soil loss limit or limits for the dis-
2 trict and provide for the implementation of the limit or limits,
3 and may subsequently amend or repeal their regulations as they
4 deem necessary. The commissioners may:

5 1. Classify land in the district on the basis of topography,
6 soil characteristics, current use, and other factors affecting
7 propensity to soil erosion.

8 2. Establish different soil loss limits for different classes
9 of land in the district if in their judgment and that of the
10 state soil conservation committee a lower soil loss limit should
11 be applied to some land than can reasonably be applied to other
12 land in the district, it being the intent of the general assembly
13 that no land in the state be assigned a soil loss limit
14 that cannot reasonably be applied to such land.

15 3. Require the owners of real property in the district to
16 employ either soil and water conservation practices or erosion
17 control practices, but may not specify the particular practices
18 to be employed so long as such owners voluntarily comply with
19 the applicable soil loss limit or with an administrative order
20 to bring erosion from land under their control with the appli-
21 cable soil loss limit, and in no case may the commissioners re-
22 quire:

23 a. The employment of erosion control practices on land used
24 in good faith for agricultural or horticultural purposes only.

25 b. The employment of soil and water conservation practices
26 or erosion control practices on that portion of any public street,
27 road or highway completed or under construction within the cor-
28 porate limits of any city or town, which is or will become the
29 travelled or surfaced portion of such street, road, or highway.

30 Sec. 32 Chapter four hundred sixty-seven A (467A), Code
31 1971, is amended by adding the following new section:

32 Regulations which the commissioners propose to adopt, amend,
33 or repeal shall be submitted to the state soil conservation
34 committee, in such form as the committee shall prescribe, for
35 its approval. The committee may approve the regulations as

1 submitted, or with such amendments as it deems necessary. The
2 commissioners shall thereafter publish the proposed regulations,
3 as approved, in a newspaper of general circulation in the dis-
4 trict, together with a notice of a date and time not less than
5 ten nor more than thirty days after such publication when a
6 hearing on the proposed regulations will be held at a specified
7 place.

8 Sec. 33. Chapter four hundred sixty-seven A (467A), Code
9 1971, is amended by adding the following new section:

10 At the hearing, the commissioners or their designees shall
11 explain, in reasonable detail, the reasons why adoption, amend-
12 ment, or repeal of the regulations is deemed necessary or ad-
13 visable. Any landowner, or any occupant of land who would be
14 affected by the regulations, shall be afforded an opportunity
15 to be heard for or against the proposed regulations. At the
16 conclusion of the hearing, the commissioners shall announce
17 and enter of record their decision whether to adopt or modify
18 the proposed regulations. Any modification must be approved
19 by the state soil conservation committee, which may at its dis-
20 cretion order the commissioners to republish the regulations
21 and hold another hearing in the manner prescribed by this Act,

22 Sec. 34. Chapter four hundred sixty-seven A (467A), Code
23 1971, is amended by adding the following new section:

24 The commissioners of any soil conservation district shall
25 inspect or cause to be inspected any land within the district,
26 upon receipt of a **written and signed** complaint
27 that soil erosion is occurring
28 thereon in excess of the limits established by the district's
29 soil erosion control regulations. If they find that such excess
30 soil erosion is so occurring on the land inspected, they shall
31 issue an administrative order to the landowner or landowners
32 of record, and to the occupant of the land if known to the com-
33 missioners, describing said land and stating as nearly as possible
34 the extent to which soil erosion thereon exceeds the limits
35 established by the district's regulations. The order shall be

1 delivered either by personal service or by restricted certified
2 mail to each of the persons to whom it is directed, and shall:

3 1. In the case of erosion occurring on the site of any con-
4 struction project or similar undertaking involving the removal
5 of all or a major portion of the vegetation or other natural
6 or man-made cover, exposing bare soil directly to water or wind,
7 state a time not more than five days after service or mailing
8 of the notice of the order when work necessary to establish or
9 maintain erosion control practices must be commenced, and a time
10 not more than **thirty** days after service or mailing of the notice
11 of the order when the work is to be satisfactorily completed.

12 2. In all other cases, state a time not more than six months
13 after service or mailing of the notice of the order, by which
14 work needed to establish or maintain the necessary soil and water
15 conservation practices or erosion control measures must be com-
16 menced, and a time not more than one year after the service or
17 mailing of the notice of the order when the work is to be sat-
18 isfactorily completed, unless the requirements of the order are
19 superseded by the provisions of section thirty-five (35) of
20 this Act.

21 Sec. 35. Chapter four hundred sixty-seven A (467A), Code
22 1971, is amended by adding the following new section:

23 No owner or occupant of land in this state shall be required
24 to establish any new **permanent or temporary**
25 soil and water conservation practice un-
26 less public cost-sharing funds
27 have been specifically approved for such land and actually made
28 available to the owner or occupant in an amount equal to
29 at least fifty percent of the cost of any **permanent soil**
30 **and water conservation practice**, or an amount set by the
31 **state soil conservation committee for any temporary soil**
32 **and water conservation practice. The state soil**
33 **conservation commission shall review these requirements**
34 **at least once each year, and may authorize soil**
35 **conservation district commissioners to make the mandatory**

36 establishment of any specified soil and water conservation
37 practice in any particular case conditional on a higher
38 proportion of public cost-sharing than is required by
39 this section. When the commissioners have been so
40 authorized, they shall, in determining the amount of
41 cost-sharing for establishment of a specified soil and
42 water conservation practice to comply with an
43 administrative order issued pursuant to section thirty-
44 four (34) of this Act, consider the extent to which the
45 practice will contribute benefits to the public in
46 relation to the benefits that will accrue to the individual
47 owner or occupant of the land on which the practice is to
48 be established. Evidence that an applica-
49 tion for public cost-sharing funds, from a source or sources
50 having authority to pay a portion of the cost of work needed
51 to comply with an administrative order issued pursuant to sec-
52 tion thirty-four (34) of this Act, has been submitted to the
53 proper officer or agency shall constitute commencement of such
54 work within the meaning of sections thirty (30) through
55 forty (40) of this Act. Upon receiving evidence
56 of the submission of such application, the commissioners shall

1 forward to the officer or agency to which the application
2 was made a written request to receive notification of the
3 disposition of such application. When notified of the ap-
4 proval of such application, the commissioners shall issue
5 to the same parties who received the original administra-
6 tive order, or their successors in interest, a supplementary
7 order, to be delivered in the same manner as provided by
8 sections thirty (30) through forty (40) of this
9 Act for delivery of original administrative orders. The sup-
10 plementary order shall state a time, not more than six months
11 after approval of the application for public cost-sharing funds,
12 by which the work needed to comply with the original adminis-
13 trative order shall actually be commenced, and a time not more
14 than one year thereafter when such work is to be satisfactorily
15 completed.

16 **In no case shall an owner of real property be required**
17 **to spend more than five percent of its actual value as**
18 **determined in section four hundred forty-one point twenty-**
19 **one (441.21), of the Code, of all acreage within project**
20 **in any one year, or twenty percent of his net income for**
21 **the previous year, whichever is the least. The burden**
22 **of proof of income shall be on the owner of property.**

23 Sec. 36. Chapter four hundred sixty-seven A (467A), Code
24 1971, is amended by adding the following new section:

25 The commissioners shall petition the district court for a
26 court order requiring immediate compliance with an administra-
27 tive order previously issued by the commissioners as provided
28 in section thirty-four (34) of this Act, if:

29 1. The work necessary to comply with the administrative
30 order is not commenced on or before the date specified in such
31 order, or in any supplementary order subsequently issued as pro-
32 vided in section thirty-five (35) of this Act, unless in the
33 judgment of the commissioners the failure to commence or com-
34 plete the work as required by the administrative order is due
35 to factors beyond the control of the person or persons to whom

36 such order is directed and the person or persons can be relied
37 upon to commence and complete the necessary work at the earliest
38 possible time.

39 2. Such work is not being performed with due diligence, or
40 is not satisfactorily completed by the date specified in the
41 administrative order, or when completed does not reduce soil
42 erosion from such land below the limits established by the soil
43 conservation district's regulations.

1 3. The person or persons to whom the administration order
2 is directed advise the commissioners that they do not intend
3 to commence or complete such work.

4 Sec. 37. Chapter four hundred sixty-seven A (467A), Code
5 1971, is amended by adding the following new section:

6 In any action brought under section thirty-six (36) of this
7 Act, the burden of proof shall be upon the commissioners to show
8 that soil erosion is in fact occurring in excess of the appli-
9 cable soil loss limits and that the defendant has not established
10 or maintained soil and water conservation practices or erosion
11 control practices in compliance with the soil conservation dis-
12 trict's regulations. With respect to construction, repair, or
13 maintenance of any public street, road, or highway, evidence
14 that soil erosion control standards equivalent to or in excess
15 of those currently imposed by the United States government on
16 the project or like projects involving use of federal funds shall
17 create a presumption of compliance with the applicable soil loss
18 limit. Upon receiving satisfactory proof, the court shall issue
19 an order directing the landowner or landowners to comply with
20 the administrative order previously issued by the commissioners.
21 The court may modify such administrative order if deemed nec-
22 essary. Notice of the court order shall be given either by
23 personal service or by restricted certified mail to each of
24 the persons to whom the order is directed, who may within thirty
25 days from the date of the court order appeal to the supreme
26 court. Any person who fails to comply with a court order issued
27 pursuant to this section within the time specified in such order,
28 unless the order has been stayed pending an appeal, shall be
29 deemed in contempt of court and may be punished accordingly.

30 Sec. 38. Chapter four hundred sixty-seven A (467A), Code
31 1971, is amended by adding the following new section:

32 The commissioners and their authorized agents or employees
33 shall have authority to enter upon any land in the district
34 without the consent of the landowner or person in possession
35 or control of the land, by the procedures and subject to the

1 limitations prescribed in section twenty-four (24) of this Act,
2 when necessary in order to properly discharge their duties un-
3 der this Act.

4 Sec. 39. Chapter four hundred sixty-seven A (467A), Code
5 1971, is amended by adding the following new section:

6 When the board of any conservancy district informs the com-
7 missioners of a soil conservation district that the conservancy
8 district is unable to proceed with construction of a planned
9 internal improvement, because it has been found that the internal
10 improvement would not be adequately protected against siltation
11 due entirely or partially to failure to establish or maintain
12 soil and water conservation practices or erosion control prac-
13 tices within the soil conservation district, the commissioners
14 of the soil conservation district shall determine as far as
15 possible the particular lands where soil erosion which prevents
16 the conservancy district from constructing the internal improve-
17 ment is occurring and proceed in the same manner as when a com-
18 plaint is received under section thirty-four (34) of this Act.

19 If after six months, the commissioners of the soil conservation
20 district fail or refuse to control the soil erosion which prevents
21 the conservancy district from constructing the internal improve-
22 ment, the conservancy district directors may petition the dis-
23 trict court of the county in which such soil conservation dis-
24 trict is located for a court order directing the commissioners
25 to proceed at once to control such erosion. The court shall
26 afford the commissioners or their representative an opportunity
27 to appear and show cause why such order should not be issued.

28 Sec. 40. Chapter four hundred sixty-seven A (467A), Code
29 1971, is amended by adding the following new section:

30 Soil conservatoin districts are hereby authorized to enter
31 into agreements with the federal government or any agency there-
32 of, as provided by state law, or with the state of Iowa or any
33 agency thereof, any other soil conservation district or con-
34 servancy district, or other political subdivision of this state,
35 for cooperation in preventing, controlling, or attempting to

1 prevent or control, soil erosion. Soil conservation districts
2 may accept, as provided by state law, any money disbursed for
3 soil erosion control programs by the federal government or any
4 agency thereof, and expend such money for the purposes for which
5 it was received.

6 Sec. 41. Section four hundred sixty-seven B point one
7 (467B.1), Code 1971, is amended as follows:

8 468B.1. AUTHORITY OF BOARD. Whenever any county, soil con-
9 servation district, subdistrict of a soil conservation district,
10 *conservancy district*, political subdivision of the state, or
11 other local agency shall engage or participate in any project
12 for flood or erosion control, flood prevention, or the conserva-
13 tion, development, utilization, and disposal of water, in co-
14 operation with the federal government, or any department or
15 agency thereof, the counties in which said project shall be
16 carried on shall have the jurisdiction, power, and authority
17 through the board of supervisors to construct, operate and main-
18 tain said project on lands under the control or jurisdiction
19 of the county whenever dedicated to county use, or to furnish
20 financial and other assistance in connection with said projects.
21 Such flood, soil erosion control, and watershed improvement
22 projects shall be presumed to be for the protection of the tax
23 base of the county, for the protection of public roads and lands,
24 and for the protection of the public health, sanitation, safety,
25 and general welfare.

26 Sec. 42. Section four hundred sixty-seven B point two
27 (467B.2), Code 1971, is amended as follows:

28 467B.2 FEDERAL AID. Any county may, in accordance with
29 provisions of this chapter, accept federal funds for aid in
30 any project for flood, or soil erosion control, flood preven-
31 tion, or the conservation, development, utilization, and dis-
32 posal of water, and may co-operate with the federal government
33 or any department or agency thereof, soil conservation districts,
34 subdistricts of a soil conservation district, *conservancy*
35 *district*, political subdivision of the state, or other local

1 agency, and the county may assume such proportion of the cost
2 of the project as deemed appropriate, and may assume the main-
3 tenance cost of the same on lands under the control or juris-
4 diction of the county as will not be discharged by federal aid
5 or grant.

6 Sec. 43. Section four hundred sixty-seven B point three
7 (467B.3), Code 1971, is amended as follows:

8 467B.3 CO-OPERATION. The counties and soil conservation
9 districts, subdistricts of soil conservation districts con-
10 cerned, and *conservancy districts* shall advise and consult
11 with each other, upon the request of [either party] *any of them*
12 or of any affected landowners, and shall be authorized to co-
13 operate with each other or with other state subdivisions, or
14 instrumentalities, and affected landowners, as well as with
15 the federal government or any department or agency thereof,
16 to construct, operate, and maintain suitable projects for flood
17 or soil erosion control, flood prevention, or the conservation,
18 development, utilization, and disposal of water on public roads
19 or other public lands or other land granted county use.

20 Sec. 44. Section four hundred sixty-seven B point five
21 (467B.5), Code 1971, is amended as follows:

22 467B.5 MAINTENANCE COST. Where construction of projects
23 has been completed by the soil conservation district, subdis-
24 tricts of soil conservation districts, *conservancy districts*,
25 political subdivisions of the state, or other local agencies,
26 or the federal government, or any department or agency thereof
27 on private lands under the easement granted to the county,
28 only the cost of maintenance may be assumed by the county.

29 Sec. 45. Section four hundred sixty-seven B point ten
30 (467B.10), Code 1971, is amended as follows:

31 467B.10 ASSUMPTION OF OBLIGATIONS. This chapter con-
32 that actual direction of the project, or projects, and the
33 actual work done in connection therewith, will be assumed by
34 the soil conservation district, subdistrict of a soil conserva-
35 tion district, *conservancy district*, or by the federal govern-
templates

1 ment and that the county or other state subdivisions or in-
2 strumentalities jointly will meet the obligation required for
3 federal co-operation and may make proper commitment for the
4 care and maintenance of the project after its completion for
5 the general welfare of the public and residents of the respec-
6 tive counties.

7 Sec. 46. This Act shall take precedence over any other
8 statute of this state found in conflict herewith.

EXPLANATION OF H. F. 73

This bill establishes, prescribes the boundaries of, and provides for administration of six conservancy districts, which together will include the entire territory of the State of Iowa. The districts—which will have no authority to levy taxes or issue bonds—are created to help work against water pollution by coordinating the efforts of individual drainage and soil conservation districts, and by helping to put into effect the comprehensive statewide water resources plan developed by the National Resources Council under existing law. In order to more effectively control soil erosion and hereby prevent consequent siltation of Iowa's lakes and streams, the bill also requires local soil conservation district commissioners to promulgate regulations requiring establishment of soil conservation practices, to inspect private land to determine whether such practices have been established, to direct that such practices be established in conformity with district regulations, and in cases of noncompliance to obtain court orders, if necessary, to require compliance. Affected landowners and occupants would have the right to appear in court and show cause why they should not be required to comply with the directives of the soil conservation district commissioners.

1 Amend House File 73, as amended and passed by the
2 House, by striking from page 38 lines 21 through 31,
3 inclusive, and renumbering the succeeding subsections of
4 section 26 accordingly.

Filed - *Adopted 4/29*
April 23, 1971

By LAVERTY

-
- 1 Amend House File 73 as follows:
- 2 1. Page 40, by striking line 5 and in line 6 the words "living
3 on farms", and inserting in lieu thereof the following:
4 "~~five-appointive-members-shall-be-bona-fide-farmers-living~~
5 ~~on-farms~~ Six of the appointive members shall be knowledg-
6 able in farming and soil conservancy practices".
 - 7 2. Page 40, by striking in line 11, the words "The league of
8 Iowa Municipalities" all of lines 12, 13, 14 15 and in line
9 16 the word "position".
 - 10 3. Page 41, line 12, by inserting after the word "thereafter.",
11 the words "No members shall be appointed to serve more than
12 two complete terms.".
 - 13 4. Page 41, line 20, by inserting after the word "state" the
14 words "or any political subdivision".
 - 15 4. Page 41, line 20, by striking the word "forty" and inserting
16 in lieu thereof the word "thirty".

Filed - *Withdrawn 4/29*
April 27, 1971

By POTGETER

Senate 7
April 30, 1971

HOUSE FILE 73

Division 1

- 1 Amend House File 73, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 1. Page 46A, by striking from line 33 the word
- 4 "commission" and inserting in lieu thereof the word
- 5 "committee".

Division 2

- 6 2. Page 47A, by striking lines 16 through 22,
- 7 inclusive.

Filed, Divisions 1 and 2 By SCHABEN and LAVERTY
Adopted
April 29, 1971

HOUSE FILE 73

- 1 Amend House File 73, as amended, passed and reprinted by
- 2 the House, as follows:
- 3 1. Page 46A, line 32, by inserting after the word "practice."
- 4 the words "Mandatory conservation practices performed under the
- 5 requirements of this Act shall not be used by an assessor in
- 6 determining actual or market value of land in accordance with
- 7 Section 441.21, Code 1971, for a period of ten years after the
- 8 conservation practices have been completed.".

Filed and Adopted *Motion to reconsider* By POTGETER
April 29, 1971 *filed 4/29 adopted as amended 4/30*

HOUSE FILE 73

- 1 Amend House File 73 as amended, passed by the House and
- 2 reprinted as follows:
- 3 1. Page 2, line 9, by striking the words "or by wind".
- 4 2. Page 42A, line 17, by striking the words "or wind".
- 5 3. Page 42A, line 24, by striking the words "wind or".
- 6 4. Page 46A, line 6, by striking the words "or wind".

Filed and Adopted *Motion to reconsider* By BROWNLEE
April 29, 1971 *considered filed 4/29 prevailed, amendment adopted as amended 4/30*

HOUSE FILE 73

- 1 Amend the Potgeter Amendment filed April 29 to House
- 2 File 73, page 46A, line 32 as follows:
- 3 1. Line 4, by striking the words "Mandatory conservation"
- 4 and inserting in lieu thereof the word "Conservation".
- 5 2. Line 6, by adding after the word "of" the word "farm".

Filed - *Adopted 4/29*
April 29, 1971

By DeKOSTER

Senate 12
May 3, 1971

HOUSE FILE 73

1 Amend the Brownlee amendment to House File 73 as
2 amended, passed by the House and reprinted, filed
3 April 29, by striking lines 3 through 6, inclusive, and
4 inserting in lieu thereof the following:
5 1. Page 44, by inserting after line 29 the follow-
6 ing new paragraph:
7 "c. That any owner or operator of agricultural land
8 refrain from fall plowing of land on which he intends
9 to raise a crop during the next succeeding growing
10 season, however on those lands which are prone to
11 excessive wind erosion the commissioners may require
12 that reasonable temporary measures be taken to
13 minimize the likelihood of wind erosion so long as
14 such measures do not unduly increase the cost of
15 operation of the farm on which the land is located."

Filed and Adopted
April 30, 1971

By LAVERTY and SCHABEN

HOUSE FILE 73

1 Amend House File 73 as amended, passed, and reprinted
2 by the House as follows:
3 1. Page 41, by striking in lines 22, 23 and 24 the words
4 "The committee shall determine the number of days for which
5 any committee member may draw per diem compensation, but the"
6 and inserting the words "~~The-committee-shall-determine-the~~
7 ~~of-days-for-which-any-committee-member-may-draw-per-diem~~
8 ~~compensation, but-the~~ ^{number} ~~The~~".
9 2. Page 41, line 25 by striking the words "the entire" and
10 inserting the words "~~the-entire~~".
11 3. Page 41, line 25 by inserting after the word "committee",
12 the word "meetings".
13 4. Page 41, line 26, by striking the words "three hundred",
14 and inserting the word "hundred".

Filed and Lost
April 29, 1971

By VAN DRIE

HOUSE FILE 73

1 Amend House File 73, as amended, passed by the House
2 and reprinted, by inserting on page 37A, after the
3 period in line 17, the following new sentence:
4 "The remedy for any soil erosion which constitutes a
5 nuisance under this section shall be limited to
6 requiring that the owner or occupant of the land on which
7 the erosion is occurring take such measures as are
8 necessary to comply with the regulations of the soil
9 conservation district in which the land is located, and
10 the fine and jail sentence provided by section six
11 hundred fifty-seven point three (657.3) of the Code shall
12 not apply in any action arising under this section."

Filed and Adopted
April 30, 1971

By OLLENBURG

Senate 6
April 30, 1971

HOUSE FILE 73

1 Amend House File 73, as passed, amended and reprinted by
2 the House, page 31 by striking all of line 21 after the period
3 and all of lines 22 through 28.

Filed and Adopted
April 29, 1971

By GRAHAM

HOUSE FILE 73

Division 1

1 Amend House File 73, as amended, passed and reprinted by
2 the House, as follows:

3 1. Page 40A, by striking in line 12 the words "The league
4 of Iowa Municipalities", and lines 13, 14, 15, 16 and in line 17
5 the word "position."

Division 2

6 2. Page 41, line 12, by inserting after the word "there-
7 after.", the words "No members shall be appointed to serve more
8 than two complete terms."

Division 3

9 3. Page 41, line 20, by inserting after the word "state,"
10 the words "or any political subdivision."

Filed, Divisions 1,2 and 3 By POTGETER
Adopted
April 29, 1971

HOUSE FILE 73

1 Amend House File 73, as passed and reprinted, page 41,
2 by striking in line 18 the words "the chair-" and all in
3 lines 19, 20, 21, 22, 23, 24, 25, and in line 26 the
4 words "not exceed (~~two~~) three hundred fifty days per year."

Filed and Adopted
April 29, 1971

By COLEMAN

Motion to reconsider moved and prevailed, amendment lost 4/29

HOUSE FILE 73

1 Amend House File 73, as passed, amended and reprinted by the
2 House, page 46A, line 29, by striking the word "fifty" and
3 in lieu thereof the word "seventy-five". inserting

Filed and Adopted
April 29, 1971

By BALLOUN

-
- 1 Amend House File 73, as amended, passed and reprinted by
2 the House, as follows:
3 1. Page 31, by striking lines 17 through 20, and in line 21
4 the word "district."
5 2. By renumbering the remaining subsections.

Filed and Adopted
April 29, 1971

By POTGETER

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- 1 Amend House File 73, as passed, amended and reprinted by
2 the House, page 51 by striking lines 20 through 28.

Filed and Lost
April 29, 1971

By GRAHAM

-
- 1 Amend the Brownlee amendment to House File 73 as
2 amended, passed by the House and reprinted, filed
3 April 29, by striking lines 3 through 6 inclusive, and
4 inserting in lieu thereof the following:
5 1. Page 44, by inserting after line 29 the
6 following new paragraph:
7 "c. That any owner or operator of agricultural
8 land refrain from fall plowing of land on which he
9 intends to raise a crop during the next succeeding
10 growing season.

Filed and Lost
April 30, 1971

By BROWNLEE and COLEMAN

1 Amend the Senate amendment to House File 73 as
2 follows:
3 By striking from line 15 the numerals "21" and in-
4 sertion in lieu thereof the numerals "24".

Filed - *Adopted 5/14*
May 13, 1971

By VARLEY of Adair
District 84

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 73

1 Amend the Senate amendment to House File 73 as amended,
2 passed and reprinted by the House as follows:
3 1. By striking Senate amendments 1 and 9.
4 2. Line 15, by striking the numerals "21" and
5 inserting in lieu thereof the numerals "24".
6 3. Line 22, by inserting after the word complete
7 the word "six-year".
8 4. Line 35, by inserting after the period the following:
9 "however, fall plowing of soil which is commonly known
10 as gumbo shall always be permitted."
11 5. By adding thereto the following amendment:
12 Page 44, line 23, by inserting after the word
13 "practices" the words "as defined in Section 29, sub-
14 section 3, of this Act".

Received from the House
May 17, 1971

Senate concurred 5/26

SENATE AMENDMENT TO HOUSE FILE 73

- 1 Amend House File 73 as amended, passed and reprinted by the
2 House as follows:
- 3 1. Page 31, by striking all of lines 17 through 28 and
4 renumbering the remaining subsections.
 - 5 2. Page 37A, line 17, by adding after the period the follow-
6 ing new sentence: "The remedy for any soil erosion which
7 constitutes a nuisance under this section shall be limited
8 to requiring that the owner or occupant of the land on which
9 the erosion is occurring take such measures as are necessary
10 to comply with the regulations of the soil conservation
11 district in which the land is located, and the fine and
12 jail sentence provided by section six hundred fifty-seven
13 point three (657.3) of the Code shall not apply in any action
14 arising under this section."
 - 15 3. Page 38, by striking lines 21 through 31, inclusive, and
16 renumbering the remaining subsections.
 - 17 4. Page 40A, by striking in line 12 the words "The league
18 of Iowa municipalities", and lines 13, 14, 15, 16 and in line
19 17 the word "position."
 - 20 5. Page 41, line 12, by inserting after the word "thereafter."
21 the following: "No members shall be appointed to serve more
22 than two complete terms."
 - 23 6. Page 41, line 20, by inserting after the word "state,"
24 the words "or any political subdivision,".
 - 25 7. Page 44, by inserting after line 29 the following new
26 paragraph:
27 "c. That any owner or operator of agricultural land
28 refrain from fall plowing of land on which he intends to
29 raise a crop during the next succeeding growing season,
30 however on those lands which are prone to excessive wind
31 erosion the commissioners may require that reasonable
32 temporary measures be taken to minimize the likelihood
33 of wind erosion so long as such measures do not unduly
34 increase the cost of operation of the farm on which the
35 land is located."
 - 36 8. Page 46A, line 29, by striking the word "fifty" and
37 inserting in lieu thereof "seventy-five".
 - 38 9. Page 46A, line 32, by inserting after the word
39 "practice." the following: "Conservation practices
40 performed under the requirements of this Act shall not
41 be used by an assessor in determining actual or market
42 value of farmland in accordance with section 441.21,
43 Code 1971, for a period of ten years after the conservation
44 practices have been completed."
 - 45 10. Page 46A, by striking from line 33 the word "commission"
46 and inserting in lieu thereof the word "committee".
 - 47 11. Page 47A, by striking lines 16 through 22, inclusive.

Received from the Senate
May 3, 1971

*House concurred in
Senate amendment as amended
5/14*

- 1 Amend House File 73, page 46, line 10,
- 2 by striking the word "ten" and inserting in
- 3 lieu thereof the word "thirty".

By LAWSON of Cerro Gordo
District 17

Filed
April 1, 1971

- 1 Amend the Senate Amendment to House File 73 as
- 2 follows:
- 3 1. By inserting after line 24, the following:
- 4 "7. Page 44, by striking lines 23 and 24."

By UBAN of Black Hawk
District 38

Filed - *w. d. 5/14*
May 7, 1971

- 1 Amend the Senate Amendment to House File 73 as
- 2 follows:
- 3 1. By inserting after line 24, the following:
- 4 "7. Page 44, by inserting in line 23, after the
- 5 word "practices", the words, "as defined in Section
- 6 28, subsection 3 of this Act."
- 7 2. By renumbering the following sections.

By UBAN of Black Hawk
District 38

Filed - *adopted 5/14*
May 13, 1971

- 1 Amend the Senate Amendment to House File 73,
- 2 filed May 3, 1971, line 22, by inserting after the
- 3 word "complete" the words "six year".

Offered from the Floor and
Adopted.
May 14, 1971

By COCHRAN of Webster, District 29
PELLET of Audubon, District 83
CAMPBELL of Washington, District 89

- 1 Amend the Senate amendment to House File 73, line 35,
- 2 by inserting after the period the following:
- 3 "However, fall plowing of soil which is commonly
- 4 known as gumbo shall always be permitted."

Offered from the Floor
and Adopted.
May 14, 1971

By SCHROEDER of Pottawattamie
District 54

- 1 Amend the Senate amendment to House File 73
- 2 by striking Senate amendments 1 and 9.

Offered from the
Floor and Adopted.
May 14, 1971

By VARLEY of Adair
District 84