

CHAPTER 1164

SOIL CONSERVATION AGENTS

H. F. 2331

AN ACT relating to authority of soil conservation district commissioners and their authorized agents or employees to enter upon public or private property.

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

Section 1. Section four hundred sixty-seven A point fifty-one (467A.51), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

467A.51 ENTERING ON LAND. The commissioners and their authorized agents or employees may enter upon any private or public property, except private dwellings, at any reasonable time to classify land by soil sampling or other appropriate methods or to determine whether soil erosion is occurring on the property in violation of the district's regulations.

1. If the owner or occupant of any property refuses admittance, or if prior to such refusal the commissioners demonstrate the need for a warrant, the commissioners may make an application under oath or affirmation to the district court of the county in which the property is located for the issuance of a search warrant.

2. In the application the commissioners shall state that entry on the premises is mandated by the laws of this state or that entry is needed to conduct soil sampling necessary to classify soil in the district as specified in section four hundred sixty-seven A point forty-four (467A.44), subsection one (1), of the Code or to determine whether soil erosion is occurring on the property in violation of the district's regulations. The application shall describe the area or premises, give the date of the last known investigation or sampling, give the date and time of the proposed inspection, declare the need for such inspection, recite that notice of desire to make an inspection has been given to affected persons and that admission was refused if that be the fact, and state that the inspection has no purpose other than to carry out the purpose of the statute, ordinance or regulation pursuant to which the inspection is to be made.

3. The court may issue a search warrant, after examination of the applicant and any witnesses, if the court is satisfied that there is probable cause to believe the existence of the allegations in the application.

4. In soil sampling and making investigations pursuant to a warrant, the commissioners must execute the warrant in a reasonable manner within the time period specified in the warrant.

Sec. 2. This Act is effective January 1, 1979.

Approved May 8, 1978

CHAPTER 1165
GAS LAMPS AND PILOT LIGHTS

S. F. 182

AN ACT relating to the sale in this state of decorative gas lamps and gas appliances equipped with a pilot light and providing penalties.

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

Section 1. NEW SECTION. DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Commission" means the Iowa state commerce commission.
2. "Gas appliance" means any new residential or commercial furnace that has an input capacity of not more than two hundred thousand British thermal units per hour, air conditioner, range or dryer which uses a gaseous fuel for operation and is automatically ignited.
3. "Intermittent ignition device" means an ignition device which is actuated only when the gas appliance is in operation.
4. "Pilot light" means a gas operated device that remains continually operated or lighted in order to ignite a gas appliance to begin normal operation.

Sec. 2. NEW SECTION. PILOT LIGHTS PROHIBITED. New gas appliances equipped with pilot lights shall not be sold or installed in this state commencing twenty-four months after the commission has certified an intermittent ignition device for the gas appliance as provided in section three (3) of this Act. The commission may determine that an intermittent ignition device is not feasible for a particular gas appliance or that the use of a pilot light on a particular gas appliance is necessary for public health and safety. The provisions of this section shall not apply to the sale and installation of a gas appliance in a residence that does not have a one hundred twenty volt power supply.