

intent by certified mail to the council of each city whose urbanized area contains a portion of the territory, the board of supervisors of each county which contains a portion of the territory, the regional planning authority of the territory involved, each affected public utility, and to each property owner listed in the petition. The written notification shall include notice that the petitioners shall hold a public meeting on the petition for involuntary annexation prior to the filing of the petition.

Sec. 10. NEW SECTION. 368.26 FAILURE TO PROVIDE MUNICIPAL SERVICES.

If a city fails to provide municipal services to territory involuntarily annexed, according to the plan filed pursuant to section 368.11, within three years after city taxes are imposed in the annexed territory, the city development board shall initiate proceedings to sever the annexed territory from the city. However, a city may appeal to the board for an additional three years to provide municipal services if good cause is shown. A petition for severance filed pursuant to this section shall be filed and acted upon in the same manner as a petition under section 368.11. For purposes of this section and section 368.11, subsection 14, "municipal services" means services selected by a landowner to be provided by the city, including, but not limited to, water supply, sewage disposal, street and road maintenance, and police and fire protection.²

Sec. 11. APPLICABILITY. This Act applies to applications, petitions, or plans filed for annexation of territory on or after the effective date of this Act.

Approved April 26, 2002

CHAPTER 1133

WATERCRAFT REGULATION — OPERATION AND SAFETY

H.F. 2447

AN ACT relating to the operation and regulation of personal watercraft, and to watercraft safety courses and certificates, and subjecting violators to a penalty.

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

Section 1. Section 462A.2, Code 2001, is amended by adding the following new subsection:
NEW SUBSECTION. 27A. "Personal watercraft" means a vessel, less than sixteen feet in length, which is propelled by a water jet pump or similar machinery as its primary source of motor propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than being operated by a person sitting, standing, or kneeling inside the vessel.

Sec. 2. Section 462A.12, subsection 6, Code Supplement 2001, is amended by striking the subsection and inserting in lieu thereof the following:

6. An owner or operator shall not permit any person under twelve years of age to operate the personal watercraft unless accompanied in or on the same personal watercraft by a responsible person of at least eighteen years of age. However, commencing January 1, 2003, a person who is twelve years of age or older but less than eighteen years of age shall not operate any personal watercraft unless the person has successfully completed a department-approved wa-

² See chapter 1175, §32 herein

tercraft safety course. A person required to have a watercraft safety certificate shall carry and shall exhibit or make available the certificate upon request of an officer of the department. A violation of this subsection is a simple misdemeanor as provided in section 462A.13. However, a person charged with violating this subsection shall not be convicted if the person produces in court, within a reasonable time, a department-approved certificate. The cost of a department certificate, or any duplicate, shall not exceed five dollars.

Sec. 3. Section 462A.12, Code Supplement 2001, is amended by adding the following new subsections:

NEW SUBSECTION. 12. A person shall not operate a personal watercraft at any time between sundown and sunup.

NEW SUBSECTION. 13. A person shall not chase or harass animals while operating a personal watercraft or motorboat.

Approved April 26, 2002

CHAPTER 1134

ELECTIONS AND VOTER REGISTRATION

H.F. 2472

AN ACT relating to the office of secretary of state and the conduct of elections and of voter registration in the state and including effective and applicability date provisions.

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

Section 1. Section 39.2, subsection 1, unnumbered paragraph 2, Code 2001, is amended to read as follows:

A special election shall not be held in conjunction with the primary election. A special election shall not be held in conjunction with a school election unless the special election is for a school district or community college. A special election shall not be held in conjunction with a regularly scheduled or special city primary or city runoff election.

Sec. 2. Section 39.3, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 17. "Written" and "in writing" may include any mode of representing words or letters in general use. A signature, when required by law, must be made by the writing or markings of the person whose signature is required. If a person is unable due to a physical disability to make a written signature or mark, that person may substitute either of the following in lieu of a signature required by law:

a. The name of the person with a disability written by another upon the request and in the presence of the person with a disability.

b. A rubber stamp reproduction of the name or facsimile of the actual signature of the person with a disability when adopted by that person for all purposes requiring a signature and then only when affixed by that person or another upon the request and in the presence of the person with a disability.

Sec. 3. NEW SECTION. 39.26 CANDIDATE QUALIFICATIONS.

Any person seeking election to an elective office under the laws of this state shall be an eligible elector at the time of any election at which the person's name appears on the ballot.