

Agriculture: Koenigs, Chair; Muhlbauer and Van Maanen.

Amend for 5789 by Sen 3/22 (p. 1227)

FILED FEB 1 1984

SENATE FILE 2153

BY COMMITTEE ON AGRICULTURE

(FORMERLY SSB 2044)

Approved 2/7 (p. 341)

Passed Senate, Date 2-13-84 (p. 297) Passed House, Date 4-20-84 (p. 2425)

Vote: Ayes 45 Nays 0 Vote: Ayes 93 Nays 0

Approved May 4, 1984

A BILL FOR

- 1 An Act relating to drainage district expenses and assessments.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2153

H-5789

1 Amend Senate File 2153 as passed by the Senate
2 as follows:

3 1. Page 1, line 29, by striking the word "five"
4 and inserting in lieu thereof the word "ten".

H-5789 FILED MARCH 22, 1984 BY COMMITTEE ON AGRICULTURE

4/17 4/20 (p. 2428)

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1 Section 1. Section 455.40, Code 1983, is amended to read
2 as follows:

3 455.40 ADVERTISEMENT FOR BIDS. The board shall cause
4 notice to be given by publication once each week for two
5 consecutive weeks in ~~some~~ a newspaper published in the county
6 ~~wherein-such~~ where the improvement is located, and ~~such~~
7 additional advertisement and publication elsewhere as it may
8 direct, of the time and place of letting the work of
9 construction of ~~said~~ the improvement, specifying the
10 approximate amount of work to be done in each numbered section
11 of the district, the time fixed for the commencement, and
12 the time of the completion ~~thereof~~ of the work, that bids
13 will be received on the entire work and in sections or
14 divisions ~~thereof~~ of it, and that each bidder will be required
15 to deposit with ~~his~~ the bid cash or certified check on and
16 certified by a bank in Iowa, payable to the auditor or ~~his~~
17 the auditor's order, at ~~his~~ the auditor's office, in an amount
18 equal to ten percent of ~~his~~ the bid, in no case to exceed
19 ten thousand dollars. ~~When~~ If the estimated cost of the
20 improvement exceeds fifteen thousand dollars, the board may
21 make additional publication for two consecutive weeks in ~~some~~
22 ~~contractors~~ a contractors' journal of general circulation,
23 giving only the type of proposed construction or repairs,
24 estimated amount, date of letting, amount of bidder's bond,
25 and the name and address of the county auditor. All notices
26 shall fix the date to which bids will be received and upon
27 which ~~said~~ work will be let. ~~Except, however~~ However, when
28 the estimated cost of the improvement is less than ~~twenty-~~
5749 29 ~~five-hundred~~ five thousand dollars, the board may let the
30 contract for ~~such~~ construction without taking bids ~~therefor~~
31 and without publishing any notice ~~as-above-provided~~.

32 Sec. 2. Section 455.63, Code 1983, is amended to read
33 as follows:

34 455.63 PAYMENT BEFORE BONDS OR CERTIFICATES ISSUED. All
35 assessments for benefits, as corrected and approved by the

1 board, shall be levied at one time against the property
2 benefited, and when levied and certified by the board, shall
3 be are payable at the office of the county treasurer. Each
4 ~~A person or corporation shall have the right~~ may, within
5 ~~twenty~~ thirty days after the levy of assessments, ~~to~~ pay his
6 ~~or its~~ the person's assessment in full without interest, and
7 before any warrants against assessments, improvement
8 ~~certificate~~ certificates or drainage ~~bond is~~ bonds are issued
9 ~~therefor~~ for the assessment, and ~~any~~ may pay a certificate
10 at any time after issue, with accrued interest.

11 EXPLANATION

12 This bill provides that an improvement must exceed five
13 thousand dollars rather than twenty-five hundred dollars
14 before a drainage district is required to advertise for bids
15 and allows a person or corporation thirty days to pay an
16 assessment in full without interest. The bill takes effect
17 July 1 following enactment.

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SENATE FILE 2153

AN ACT

RELATING TO DRAINAGE DISTRICT EXPENSES AND ASSESSMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455.40, Code 1983, is amended to read as follows:

455.40 ADVERTISEMENT FOR BIDS. The board shall cause notice to be given by publication once each week for two consecutive weeks in ~~some~~ a newspaper published in the county ~~wherein-such~~ where the improvement is located, and ~~such~~ additional advertisement and publication elsewhere as it may direct, of the time and place of letting the work of

construction of ~~said~~ the improvement, specifying the approximate amount of work to be done in each numbered section of the district, the time fixed for the commencement, and the time of the completion ~~thereof~~ of the work, that bids will be received on the entire work and in sections or divisions ~~thereof~~ of it, and that each bidder will be required to deposit with ~~his~~ the bid cash or certified check on and certified by a bank in Iowa, payable to the auditor or ~~his~~ the auditor's order, at ~~his~~ the auditor's office, in an amount equal to ten percent of ~~his~~ the bid, in no case to exceed ten thousand dollars. ~~When~~ If the estimated cost of the improvement exceeds fifteen thousand dollars, the board may make additional publication for two consecutive weeks in ~~some~~ ~~contractors~~ a contractors' journal of general circulation, giving only the type of proposed construction or repairs, estimated amount, date of letting, amount of bidder's bond, and the name and address of the county auditor. All notices shall fix the date to which bids will be received and upon which ~~said~~ work will be let. ~~Except-however~~ However, when the estimated cost of the improvement is less than ~~twenty-five-hundred~~ five thousand dollars, the board may let the contract for ~~such~~ construction without taking bids ~~therefor~~ and without publishing any notice ~~as-above-provided~~.

Sec. 2. Section 455.63, Code 1983, is amended to read as follows:

455.63 PAYMENT BEFORE BONDS OR CERTIFICATES ISSUED. All assessments for benefits, as corrected and approved by the board, shall be levied at one time against the property benefited, and when levied and certified by the board, ~~shall~~ be are payable at the office of the county treasurer. ~~Each~~ A person ~~or-corporation-shall-have-the-right~~ may, within ~~twenty~~ thirty days after the levy of assessments, to pay ~~his~~ the person's assessment in full without interest, and before any warrants against assessments, improvement ~~certificate~~ certificates or drainage ~~bond-in~~ bonds are issued

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~~therefor~~ for the assessment, and ~~any~~ may pay a certificate at any time after issue, with accrued interest.

CHARLES P. MILLER
President Pro Tempore of the
Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2153, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 4, 1984

TERRY E. BRANSTAD
Governor