

then by 3/31 Do Pass 4/9/87 (p. 1240)

FILED FEB 25 1987

SENATE FILE 257
BY COMMITTEE ON LOCAL GOVERN-
MENT

(formerly SSB 77)
Approved 2/25/87

Passed Senate, Date 3-13-87 (p. 673) Passed House, Date 4-14-87 (p. 1314)

Vote: Ayes 40 Nays 0 Vote: Ayes 24 Nays 9

Approved April 27, 1987 (p. 1541)

A BILL FOR

1 An Act relating to the payment for crop damages within the right-
2 of-way of drainage improvements.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

SF 257

1 Section 1. Section 455.33, unnumbered paragraph 2, Code
2 1987, is amended to read as follows:

3 Following its establishment, the drainage district is
4 deemed to have acquired by permanent easement all right-of-way
5 for drainage district ditches, tile lines, settling basins and
6 other improvements, unless they are acquired by fee simple, in
7 the dimensions shown on the survey and report made in
8 compliance with sections 455.17 and 455.18 or as shown on the
9 permanent survey, plat and profile, if one is made. The
10 permanent easement includes the right of ingress and egress
11 across adjoining land and the right of access for maintenance,
12 repair, improvement, and inspection. The owner or lessee
13 shall be reimbursed for any crop damages incurred in the
14 maintenance, repair, improvement, and inspection except within
15 the right-of-way of the drainage district.

16 EXPLANATION

17 This bill excludes from reimbursement any damage to crops
18 occurring during maintenance, repair, improvement, or
19 inspection of a drainage improvement if the damage occurs
20 within the established right-of-way of the drainage district.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SSB # 77
Local Government
m
5/2/87

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the payment for crop damages within the right-
2 of-way of drainage improvements.

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

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SUB COMMITTEE ASSIGNMENTS

CHAIR: *Taylor*
COMMITTEE: *Local Government*
2-3-87

1 Section 1. Section 455.33, unnumbered paragraph 2, Code
2 1987, is amended to read as follows:

3 Following its establishment, the drainage district is
4 deemed to have acquired by permanent easement all right-of-way
5 for drainage district ditches, tile lines, settling basins and
6 other improvements, unless they are acquired by fee simple, in
7 the dimensions shown on the survey and report made in
8 compliance with sections 455.17 and 455.18 or as shown on the
9 permanent survey, plat and profile, if one is made. The
10 permanent easement includes the right of ingress and egress
11 across adjoining land and the right of access for maintenance,
12 repair, improvement, and inspection. The owner or lessee
13 shall be reimbursed for any crop damages incurred in the
14 maintenance, repair, improvement, and inspection except within
15 the right-of-way of the drainage district.

16 EXPLANATION

17 This bill excludes from reimbursement any damage to crops
18 occurring during maintenance, repair, improvement, or
19 inspection of a drainage improvement if the damage occurs
20 within the established right-of-way of the drainage district.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

maintenance, repair, improvement, and inspection except within the right-of-way of the drainage district.

SENATE FILE 257

AN ACT

RELATING TO THE PAYMENT FOR CROP DAMAGES WITHIN THE RIGHT-OF-WAY OF DRAINAGE IMPROVEMENTS.

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

Section 1. Section 455.33, unnumbered paragraph 2, Code 1987, is amended to read as follows:

Following its establishment, the drainage district is deemed to have acquired by permanent easement all right-of-way for drainage district ditches, tile lines, settling basins and other improvements, unless they are acquired by fee simple, in the dimensions shown on the survey and report made in compliance with sections 455.17 and 455.18 or as shown on the permanent survey, plat and profile, if one is made. The permanent easement includes the right of ingress and egress across adjoining land and the right of access for maintenance, repair, improvement, and inspection. The owner or lessee shall be reimbursed for any crop damages incurred in the

JO ANN ZIMMERMAN
President 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 257, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 27, 1987

TERRY E. BRANSTAD
Governor

S.F. 257