



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

April 14, 2011

The Honorable Matthew Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 428, an Act relating to drainage districts, by providing for the assessment of benefits by state agencies, and including effective date provisions.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in cursive script that reads "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



Senate File 428

AN ACT

RELATING TO DRAINAGE DISTRICTS, BY PROVIDING FOR THE ASSESSMENT OF BENEFITS BY STATE AGENCIES, AND INCLUDING EFFECTIVE DATE PROVISIONS.

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

Section 1. Section 468.2, subsection 1, Code 2011, is amended to read as follows:

1. The drainage of surface waters from agricultural lands and all other lands, including state-owned lakes and wetlands, or the protection of such lands from overflow shall be presumed to be a public benefit and conducive to the public health, convenience, and welfare.

Sec. 2. Section 468.40, Code 2011, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. When the land is a state-owned lake or state-owned wetland, the commissioners shall ascertain the benefits realized from removing excess water and shall not consider any benefit realized if the state-owned lake or state-owned wetland were drained or converted to another land use.

Sec. 3. Section 468.43, unnumbered paragraph 3, Code 2011, is amended to read as follows:

When state-owned land under the jurisdiction of the department of natural resources is situated within a levee or drainage district, the commissioners assessing benefits shall ascertain and return in their report the amount of benefits and the apportionment of costs and expenses to the land, and the board of supervisors shall assess the amount against the land. In estimating benefits to land which is a state-owned lake or state-owned wetland, the commissioners shall ascertain benefits

as provided in section 468.40.

Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.



JOHN P. KIBBIE

President of the Senate



KRAIG PAULSEN

Speaker of the House

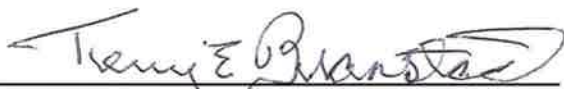
I hereby certify that this bill originated in the Senate and is known as Senate File 428, Eighty-fourth General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved April 14, 2011



TERRY E. BRANSTAD

Governor