

Local Government: Royer, Chair; Oxley and Sullivan.

*Amend (3216) & Do Pass 3/1 (p. 634)*

FEB 8 1985

HOUSE FILE 231

LOCAL GOVERNMENT

BY HARBOR and ROYER

Passed House, Date 3-11-85 (p. 747) Passed Senate, Date 4-22-85 (p. 1572)  
Vote: Ayes 95 Nays 1 Vote: Ayes 47 Nays 0  
Approved May 22, 1985

### A BILL FOR

1 An Act relating to the establishment and maintenance of pumping  
2 stations in drainage districts.

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

HOUSE FILE 231

H-3216

1 Amend House File 231 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. Section 461.1, Code 1985, is amended  
5 to read as follows:

6 461.1 AUTHORIZATION.

7 The board of supervisors or board of trustees of  
8 any county or counties in which a drainage or levee  
9 district has been organized as by law provided, may  
10 establish and maintain a pumping station or stations,  
11 when and where the same may be necessary to secure a  
12 proper outlet for the drainage of the land comprising  
13 the district or any portion thereof, and the cost of  
14 construction and maintenance of said pumping station  
15 or stations shall be levied upon and collected from  
16 the lands in the district benefited by such pumping  
17 station or stations, in the same manner as provided  
18 for in the construction and maintenance of said  
19 districts."

20 2. Page 1, by inserting after line 1 the  
21 following:

22 "Sec. 3. This Act, being deemed of immediate  
23 importance, takes effect from and after its  
24 publication in The Hamburg Reporter, a newspaper  
25 published in Hamburg, Iowa, and in the Muscatine  
26 Journal, a newspaper published in Muscatine, Iowa."

27 3. By renumbering sections to conform to this  
28 amendment.

H-3216 FILED MARCH 1, 1985

BY COMMITTEE ON LOCAL GOVERNMENT

*Adopted 3/11/85 (p. 747)*

Section 1. Section 461.2, Code 1985, is repealed.

3216 >  
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EXPLANATION

3 This bill repeals the requirement that one third of the  
4 owners of land in a drainage district petition the board of  
5 supervisors before a pumping station may be established or  
6 maintained in the district. The bill would allow the board of  
7 supervisors of any county or counties to establish and  
8 maintain a pumping station in a drainage district in the same  
9 manner as provided for in the construction and maintenance of  
10 drainage districts.

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HOUSE FILE 231

BY HARBOR and ROYER

(As Amended and Passed by the House March 11, 1985)

*Re* Passed House, Date 4-25-85 (p. 1898) Passed Senate, Date 4-22-85 (p. 1572)

Vote: Ayes 93 Nays 0 Vote: Ayes 47 Nays 0

Approved May 22, 1985

*Repassed* Senate 4-29-85 (p. 1729)  
45-0

# A BILL FOR

1 An Act relating to the establishment and maintenance of pumping  
2 stations in drainage districts.

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

House Amendments \_\_\_\_\_

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1 Section 1. Section 461.1, Code 1985, is amended to read as  
2 follows:

3 461.1 AUTHORIZATION.

4 The board of supervisors or board of trustees of any county  
5 or counties in which a drainage or levee district has been  
6 organized as by law provided, may establish and maintain a  
7 pumping station or stations, when and where the same may be  
8 necessary to secure a proper outlet for the drainage of the  
9 land comprising the district or any portion thereof, and the  
10 cost of construction and maintenance of said pumping station  
11 or stations shall be levied upon and collected from the lands  
12 in the district benefited by such pumping station or stations,  
13 in the same manner as provided for in the construction and  
14 maintenance of said districts.

3477 15 Sec. 2. Section 461.2, Code 1985, is repealed.

16 Sec. 3. This Act, being deemed of immediate importance,  
17 takes effect from and after its publication in The Hamburg  
18 Reporter, a newspaper published in Hamburg, Iowa, and in the  
19 Muscatine Journal, a newspaper published in Muscatine, Iowa.

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S-3304

HOUSE FILE 231

- 1 Amend House File 231, as amended and passed by the
- 2 House as follows:
- 3 1. Title, line 2, by inserting after the word
- 4 "districts" the following: "and providing an
- 5 effective date".

S-3304 Filed  
March 14, 1985

By HULTMAN

*o/s 4/22 (p. 1572)*

S-3477

HOUSE FILE 231

- 1 Amend House File 231 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking line 15, and inserting the
- 4 following:
- 5 "Sec. 2. Section 461.2, Code 1985, is amended by
- 6 adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. However, the board of
- 8 supervisors may install a temporary portable pumping
- 9 station to remove flood waters in an emergency. For
- 10 the purpose of this paragraph an emergency occurs when
- 11 ponded or standing water does not freely flow to the
- 12 outlet ditch and the capacity of the outlet ditch is
- 13 not fully used."

S-3477 Filed March 25, 1985

By WALDSTEIN

*o/s 4/22 (p. 1572)*

S-3772

HOUSE FILE 231

- 1 Amend House File 231 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 1 through 19, and
- 4 inserting the following:
- 5 "Section 1. Section 461.2, Code 1985, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. However, the board of
- 8 supervisors may install a temporary portable pumping
- 9 station to remove flood waters in an emergency. For
- 10 the purpose of this paragraph an emergency occurs when
- 11 ponded or standing water does not freely flow to the
- 12 outlet ditch and the capacity of the outlet ditch is
- 13 not fully used."

S-3772 Filed April 16, 1985

By WALDSTEIN

*Adopted 4/22/85 (p. 1572)*

SENATE AMENDMENT TO HOUSE FILE 231

H-4006

1 Amend House File 231 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 1, by striking lines 1 through 19, and  
4 inserting the following:  
5 "Section 1. Section 461.2, Code 1985, is amended  
6 by adding the following new unnumbered paragraph:  
7 NEW UNNUMBERED PARAGRAPH. However, the board of  
8 supervisors may install a temporary portable pumping  
9 station to remove flood waters in an emergency. For  
10 the purpose of this paragraph an emergency occurs when  
11 ponded or standing water does not freely flow to the  
12 outlet ditch and the capacity of the outlet ditch is  
13 not fully used."

H-4006 FILED APRIL 24, 1985

RECEIVED FROM THE SENATE

*House amended (4062) & concurred 4/25/85 (p. 1897)*

HOUSE FILE 231

H-4062

1 Amend Senate amendment H-4006 to House File 231 as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 1, by striking lines 3 through 13 and  
5 inserting the following:  
6 " . Page 1, by striking lines 1 through 19 and  
7 inserting the following:  
8 "Section 1. Section 461.2, Code 1985, is amended  
9 by adding the following new unnumbered paragraph:  
10 NEW UNNUMBERED PARAGRAPH. However, the board of  
11 supervisors may install a temporary portable pumping  
12 station to remove flood waters in an emergency. The  
13 board of supervisors shall levy and collect the cost  
14 of the purchase, operation and maintenance of the  
15 pumping station from the lands in the district  
16 benefited by the pumping station in the same manner as  
17 provided for in the construction and maintenance of a  
18 drainage or levee district. For the purpose of this  
19 paragraph an emergency occurs when ponded or standing  
20 water does not freely flow to the outlet ditch and the  
21 capacity of the outlet ditch is not fully used.""

BY ROYER of Page

HARBOR of Mills

H-4062 FILED APRIL 25, 1985

ADOPTED (p. 1897)

HOUSE FILE 231

H-4036

1 Amend Senate amendment S-3772 to House File 231 as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking lines 3 through 13 and  
5 inserting the following:

6 "\_\_\_\_. Page 1, by striking lines 1 through 19 and  
7 inserting the following:

8 "Section 1. Section 461.2, Code 1985, is amended  
9 by adding the following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. However, the board of  
11 supervisors may install a temporary portable pumping  
12 station to remove flood waters in an emergency. The  
13 board of supervisors shall levy and collect the cost  
14 of the purchase, operation and maintenance of the  
15 pumping station from the lands in the district  
16 benefited by the pumping station in the same manner as  
17 provided for in the construction and maintenance of a  
18 drainage or levee district. For the purpose of this  
19 paragraph an emergency occurs when ponded or standing  
20 water does not freely flow to the outlet ditch and the  
21 capacity of the outlet ditch is not fully used."

BY ROYER of Page  
HARBOR of Mills

H-4036 FILED APRIL 24, 1985

*o/c 4/25/85(j.1897)*

HOUSE AMENDMENT TO  
SENATE AMENDMENT TO  
HOUSE FILE 231

1 Amend Senate amendment H-4006 to House File 231 as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking lines 3 through 13 and  
5 inserting the following:

6 "\_\_\_\_. Page 1, by striking lines 1 through 19 and  
7 inserting the following:

8 "Section 1. Section 461.2, Code 1985, is amended  
9 by adding the following new unnumbered paragraph:  
10 NEW UNNUMBERED PARAGRAPH. However, the board of  
11 supervisors may install a temporary portable pumping  
12 station to remove flood waters in an emergency. The  
13 board of supervisors shall levy and collect the cost  
14 of the purchase, operation and maintenance of the  
15 pumping station from the lands in the district  
16 benefited by the pumping station in the same manner as  
17 provided for in the construction and maintenance of a  
18 drainage or levee district. For the purpose of this  
19 paragraph an emergency occurs when ponded or standing  
20 water does not freely flow to the outlet ditch and the  
21 capacity of the outlet ditch is not fully used."

S-4036 Filed April 26, 1985

RECEIVED FROM THE HOUSE

*Senate concurred 4/29/85 (p. 1729)*

water does not freely flow to the outlet ditch and the capacity of the outlet ditch is not fully used.

HOUSE FILE 231

AN ACT

RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF PUMPING STATIONS IN DRAINAGE DISTRICTS.

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

Section 1. Section 461.2, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, the board of supervisors may install a temporary portable pumping station to remove flood waters in an emergency. The board of supervisors shall levy and collect the cost of the purchase, operation and maintenance of the pumping station from the lands in the district benefited by the pumping station in the same manner as provided for in the construction and maintenance of a drainage or levee district. For the purpose of this paragraph an emergency occurs when ponded or standing

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DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 231, Seventy-first General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 22, 1985

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TERRY E. BRANSTAD  
Governor

H.F. 231