

(P. 753) 3-7-94 Amend/Do Pass w/H5142  
(P. 738) 3-17-94 Senate - Local Gov  
(P. 800) 3-22-94 Senate - Do Pass  
(P. 860) 3-24-94 Senate -

HOUSE FILE 2313

BY MERTZ

FEB 28 1994

**Agriculture**

Passed House, <sup>(p. 689)</sup> date 3-17-94 Passed Senate, <sup>(p. 860)</sup> Date 3/28/94  
Vote: Ayes 98 Nays 0 Vote: Ayes 49 Nays 0  
Approved April 8, 1994

**A BILL FOR**

1 An Act providing for the administration of drainage districts,  
2 and providing for assessments.

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

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**HOUSE FILE 2313**

H-5142

- 1 Amend House File 2313 as follows:
- 2 1. Page 2, by striking line 3 and inserting the
- 3 following: "less than five ten thousand dollars, the
- 4 board".
- 5 2. Page 3, by striking line 27 and inserting the
- 6 following: "an expenditure of five ten thousand
- 7 dollars or".
- 8 3. Page 3, line 28, by striking the word "more"
- 9 and inserting the following: "more".

By COMMITTEE ON AGRICULTURE  
EDDIE of Buena Vista, Chairperson

H-5142 FILED MARCH 7, 1994 <sup>(p. 688)</sup>  
adopted 3-15-94

HF 2313

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1 Section 1. Section 468.10, subsections 4 and 5, Code 1993,  
2 are amended to read as follows:

3 ~~4. Assistants may be employed by the engineer only with~~  
4 ~~the approval of the board, which shall fix their compensation.~~

5 5 4. The engineer shall keep an accurate record of the  
6 kind of work done by the engineer and each assistant, the  
7 place where done, and the time engaged therein, and shall file  
8 an itemized statement thereof with the auditor. No expenses  
9 shall be incurred by the engineer except upon authority of the  
10 board, and vouchers shall be filed with the claims therefor.

11 Sec. 2. Section 468.34, Code 1993, is amended to read as  
12 follows:

13 468.34 ADVERTISEMENT FOR BIDS.

14 The board shall publish notice once each week for two  
15 consecutive weeks in a newspaper published in the county where  
16 the improvement is located, and publish additional  
17 advertisement and publication elsewhere as the board may  
18 direct. The notice shall state the time and place of letting  
19 the work of construction of the improvement, specifying the  
20 approximate amount of work to be done in each numbered section  
21 of the district, the time fixed for the commencement, and the  
22 time of the completion of the work, that bids will be received  
23 on the entire work and in sections or divisions of it, and  
24 that a bidder will be required to deposit with the bid cash, a  
25 certified check on and certified by a bank in Iowa, or a  
26 certified share draft from a credit union in Iowa payable to  
27 the auditor or the auditor's order, at the auditor's office,  
28 in an amount equal to ten percent of the bid, in no case to  
29 exceed ten thousand dollars. If the estimated cost of the  
30 improvement exceeds fifteen thousand dollars, the board may  
31 make additional publication for two consecutive weeks in a  
32 contractors' journal of general circulation, giving only the  
33 type of proposed construction or repairs, estimated amount,  
34 date of letting, amount of bidder's bond, and name and address  
35 of the county auditor. All notices shall fix the date to

1 which bids will be received and upon which the work will be  
2 let. However, when the estimated cost of the improvement is  
3 ~~less-than-five~~ in excess of ten thousand dollars, the board  
4 may let the contract for the construction without taking bids  
5 and without publishing notice.

6 Sec. 3. Section 468.35, subsection 2, Code 1993, is  
7 amended to read as follows:

8 2. A bid shall be in writing, specifying the portion of  
9 the work upon which the bid is made, and filed with the  
10 auditor. The bid shall be accompanied with a bid security.  
11 The bid security shall be in the form of a deposit of cash, or  
12 a certified check on and certified by a bank in Iowa, or a  
13 certified share draft drawn on a credit union in Iowa, or a  
14 bid bond with a corporate surety satisfactory to the board as  
15 provided in section 73A.20. The bid security must be payable  
16 to the auditor or the auditor's order at the auditor's office  
17 in a sum equal to ten percent of the amount of the bid, but  
18 not to exceed ten thousand dollars. However, if the maximum  
19 limit on a bid deposits security would cause a denial of funds  
20 or services from the federal government which would otherwise  
21 be available, or if the maximum limit would otherwise be  
22 inconsistent with the requirements of federal law, the maximum  
23 limit may be suspended to the extent necessary to prevent  
24 denial of federal funds or services or to eliminate the  
25 inconsistency with federal requirements. The ~~checks~~ cash,  
26 check, or share drafts draft of an unsuccessful bidders bidder  
27 shall be returned to-them, but-the-checks and the bid bond of  
28 an unsuccessful bidder shall be canceled. The bid security of  
29 a successful bidders bidder shall be held maintained as a  
30 guarantee that ~~they~~ the bidder will enter into contract in  
31 accordance with ~~their~~ the bids.

32 Sec. 4. Section 468.50, Code 1993, is amended to read as  
33 follows:

34 468.50 LEVY -- INTEREST.

35 When the board has finally determined the matter of

1 assessments of benefits and apportionment, it the board shall  
2 levy the assessments as fixed by it upon the lands within the  
3 district, but an assessment on a tract, parcel, or lot within  
4 the district which is computed at less than two five dollars  
5 shall be fixed at the sum of two five dollars. All  
6 assessments shall be levied at that time as a tax and shall  
7 bear interest at not to exceed the rate permitted by chapter  
8 74A from that date, payable annually, except as provided as to  
9 cash payments within a specified time.

10 Sec. 5. Section 468.52, Code 1993, is amended to read as  
11 follows:

12 468.52 LEVY FOR DEFICIENCY.

13 If the first assessment made by the board for the original  
14 cost or for repairs of any improvement is insufficient, the  
15 board shall make an additional assessment and levy in the same  
16 ratio as the first for either purpose, payable at the next  
17 taxpaying period after such indebtedness is incurred subject,  
18 however, to the provisions of section 468.57. Any assessment  
19 made under this section on any tract, parcel, or lot within  
20 the district which is computed at less than two five dollars  
21 shall be fixed at the sum of two five dollars.

22 Sec. 6. Section 468.66, Code 1993, is amended to read as  
23 follows:

24 468.66 BIDS REQUIRED.

25 In case the board shall finally determine that any such  
26 changes as defined in section 468.62 shall be made involving  
27 an expenditure of ~~five~~ which exceeds ten thousand dollars or  
28 more, ~~said the~~ work shall be let by bids in the same manner as  
29 is provided for the original construction of such  
30 improvements.

31 Sec. 7. Section 468.126, subsection 2, Code 1993, is  
32 amended to read as follows:

33 2. In the case of minor repairs, or in the eradication of  
34 brush and weeds along the open ditches, not in excess of five  
35 ten thousand dollars where the board finds that a saving to

1 the district will result ~~it~~ the board may cause the repairs or  
2 eradication to be done by secondary road equipment, or weed  
3 fund equipment, and labor of the county and then reimburse the  
4 secondary road fund or the weed fund from the fund of the  
5 drainage district thus benefited.

6 Sec. 8. Section 468.126, subsection 4, paragraph a, Code  
7 1993, is amended to read as follows:

8 a. When the board determines that improvements are  
9 necessary or desirable, ~~it~~ the board shall appoint an engineer  
10 to make surveys as seem appropriate to determine the nature  
11 and extent of the needed improvements, and to file a report  
12 showing what improvements are recommended and their estimated  
13 costs, which report may be amended before final action. If  
14 the estimated cost of the improvements does not exceed five  
15 ten thousand dollars, or twenty-five percent of the original  
16 cost of the district and subsequent improvements, whichever is  
17 the greater amount, the board may order the work done without  
18 notice. ~~If the estimated cost of the improvements does not~~  
19 ~~exceed ten thousand dollars or twenty-five percent of the~~  
20 ~~original cost of the district and subsequent improvements,~~  
21 ~~whichever is the greater amount, the board may order the work~~  
22 ~~done after holding a hearing and publishing notice of that~~  
23 ~~hearing in a newspaper of general circulation published in the~~  
24 ~~county not less than twenty days before the day set for the~~  
25 ~~hearing. The board shall also mail a copy of the notice to~~  
26 ~~any state agency which is a landowner in the district.~~ The  
27 board shall not divide proposed improvements into separate  
28 programs in order to avoid the limitation for making  
29 improvements without notice. If the board deems it desirable  
30 to make improvements where the estimated cost exceeds the ten  
31 thousand dollar or twenty-five percent limit, ~~it~~ the board  
32 shall set a date for a hearing on the matter of constructing  
33 the proposed improvements and also on the matter of whether  
34 there shall be a reclassification of benefits for the cost of  
35 the proposed improvements, and shall give notice as provided

1 in sections 468.14 through 468.18. At the hearing the board  
2 shall hear objections to the feasibility of the proposed  
3 improvements and arguments for or against a reclassification  
4 presented by or for any taxpayer of the district. Following  
5 the hearing the board shall order that the improvements it  
6 deems desirable and feasible be made, and shall also determine  
7 whether there should be a reclassification of benefits for the  
8 cost of improvements. If it is determined that a  
9 reclassification of benefits should be made the board shall  
10 proceed as provided in section 468.38. In lieu of publishing  
11 the notice of a hearing as provided by this subsection the  
12 board may mail a copy of the notice to each address where a  
13 landowner in the district resides by first class mail if the  
14 cost of mailing is less than publication of the notice. The  
15 mailing shall be made during the time the notice would  
16 otherwise be required to be published.

17 Sec. 9. Section 468.127, unnumbered paragraph 1, Code  
18 1993, is amended to read as follows:

19 The costs of the repair or improvements provided for in  
20 section 468.126 shall be paid for out of the funds of the  
21 levee or drainage district. If the funds on hand are not  
22 sufficient to pay such expenses, the board within two years  
23 shall levy an assessment sufficient to pay the outstanding  
24 indebtedness and leave the balance which the board determines  
25 is desirable as a sinking fund to pay maintenance and repair  
26 expenses. Any assessment made under this section on any  
27 tract, parcel or lot within the district which is computed at  
28 less than two five dollars shall be fixed at the sum of two  
29 five dollars.

30 Sec. 10. Section 468.136, Code 1993, is amended to read as  
31 follows:

32 468.136 LEVY UNDER ORIGINAL CLASSIFICATION.

33 If the amount finally charged against a district does not  
34 exceed twenty-five percent of the original cost of the  
35 improvement in ~~said~~ the district, the board shall proceed to

1 levy ~~said~~ the amount against all lands, highways, and railway  
2 rights of way and property within the district, in accordance  
3 with the original classification and apportionment. Any  
4 assessment made under this section on any tract, parcel, or  
5 lot within the district which is computed at less than two  
6 five dollars shall be fixed at the sum of two five dollars.

7 Sec. 11. Section 468.137, Code 1993, is amended to read as  
8 follows:

9 468.137 LEVY UNDER RECLASSIFICATION.

10 If the amount finally charged against a district exceeds  
11 twenty-five percent of the original cost of the improvement,  
12 the board may order a reclassification as provided for the  
13 original classification of a district and upon the final  
14 adoption of the new classification and apportionment shall  
15 proceed to levy that amount upon all lands, highways, and  
16 railway rights of way and property within the district, in  
17 accordance with the new classification and apportionment. An  
18 assessment made under this section on a tract, parcel, or lot  
19 within the district which is computed at less than two five  
20 dollars shall be fixed at the sum of two five dollars.

21 Sec. 12. Section 468.291, Code 1993, is amended to read as  
22 follows:

23 468.291 MONTHLY ESTIMATE -- PAYMENT.

24 The engineer in charge of the work shall furnish the  
25 contractor a monthly estimates-of statement estimating the  
26 amount of work done on each section and ~~the amount thereof~~  
27 ~~done~~ in each county, ~~a.~~ A duplicate copy of which the  
28 statement shall be filed with the auditor of each ~~of the~~  
29 ~~several counties~~ county where the work is done. ~~Upon the~~  
30 ~~filing of such~~ When the auditor files the statement, each the  
31 auditor shall draw a warrant for the contractor or give the  
32 contractor an order directing the treasurer to deliver to the  
33 contractor improvement certificates or drainage bonds, as the  
34 case may be, in favor of the contractor for eighty ninety  
35 percent of the amount due from the auditor's county. Drainage

1 warrants, bonds, or improvement certificates when so issued  
2 shall be in such amounts as the auditor determines, but shall  
3 not however be in amounts in excess of one thousand dollars.

4 EXPLANATION

5 This bill amends chapter 468 providing for the  
6 establishment and regulation of drainage districts and levees.  
7 Generally, districts are administered by the board of  
8 supervisors in the county where the district is located.

9 Currently, the board must appoint an engineer for the  
10 district. This bill eliminates a requirement that the board  
11 must approve assistants to the engineer.

12 The board is authorized to make improvements and repairs.  
13 The chapter provides that in cases of minor improvements or  
14 repairs, the board is not required to advertise for bids or  
15 provide notice, and may use secondary road equipment or weed  
16 fund equipment and labor of the county and then reimburse the  
17 secondary road fund or the weed fund based on the work done.  
18 The bill increases the maximum amount of improvement or repair  
19 costs from \$5,000 to \$10,000 before the improvement or repair  
20 is not considered minor.

21 A bid by a contractor must be accompanied with a bid  
22 security guaranteeing that the bidder will enter into a  
23 contract. This bill provides that a bidder may submit a bid  
24 bond in lieu of a cash deposit, certified check, or certified  
25 share draft.

26 The governing board may currently assess land within the  
27 district in order to support improvements. This bill  
28 increases the minimum levy amount that may be assessed on land  
29 within the district to pay for repairs and improvements from  
30 \$2 to \$5.

31 The chapter provides that during the construction of an  
32 improvement involving multiple counties, counties must each  
33 pay monthly 80 percent of the estimate of the construction  
34 costs pursuant to a statement filed by the engineer in charge  
35 of the work. The bill provides that the county must pay for



1 90 percent of the amount due.

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HOUSE FILE 2313  
BY MERTZ

(As Amended and Passed by the House March 17, 1994)

Passed House, Date 3/17/94 Passed Senate, Date 3/28/94  
Vote: Ayes 98 Nays 0 Vote: Ayes 49 Nays 0  
Approved April 8, 1994

A BILL FOR

1 An Act providing for the administration of drainage districts,  
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House Amendments \_\_\_\_\_

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14 ten thousand dollars, or twenty-five percent of the original  
15 cost of the district and subsequent improvements, whichever is  
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17 notice. ~~If the estimated cost of the improvements does not  
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19 original cost of the district and subsequent improvements,  
20 whichever is the greater amount, the board may order the work  
21 done after holding a hearing and publishing notice of that  
22 hearing in a newspaper of general circulation published in the  
23 county not less than twenty days before the day set for the  
24 hearing.--The board shall also mail a copy of the notice to  
25 any state agency which is a landowner in the district.~~ The  
26 board shall not divide proposed improvements into separate  
27 programs in order to avoid the limitation for making  
28 improvements without notice. If the board deems it desirable  
29 to make improvements where the estimated cost exceeds the ten  
30 thousand dollar or twenty-five percent limit, it the board  
31 shall set a date for a hearing on the matter of constructing  
32 the proposed improvements and also on the matter of whether  
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1 shall hear objections to the feasibility of the proposed  
2 improvements and arguments for or against a reclassification  
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21 sufficient to pay such expenses, the board within two years  
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23 indebtedness and leave the balance which the board determines  
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25 expenses. Any assessment made under this section on any  
26 tract, parcel or lot within the district which is computed at  
27 less than two five dollars shall be fixed at the sum of two  
28 five dollars.

29 Sec. 10. Section 468.136, Code 1993, is amended to read as  
30 follows:

31 468.136 LEVY UNDER ORIGINAL CLASSIFICATION.

32 If the amount finally charged against a district does not  
33 exceed twenty-five percent of the original cost of the  
34 improvement in said the district, the board shall proceed to  
35 levy said the amount against all lands, highways, and railway

1 rights of way and property within the district, in accordance  
2 with the original classification and apportionment. Any  
3 assessment made under this section on any tract, parcel, or  
4 lot within the district which is computed at less than ~~two~~  
5 five dollars shall be fixed at the sum of ~~two~~ five dollars.

6 Sec. 11. Section 468.137, Code 1993, is amended to read as  
7 follows:

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9 If the amount finally charged against a district exceeds  
10 twenty-five percent of the original cost of the improvement,  
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12 original classification of a district and upon the final  
13 adoption of the new classification and apportionment shall  
14 proceed to levy that amount upon all lands, highways, and  
15 railway rights of way and property within the district, in  
16 accordance with the new classification and apportionment. An  
17 assessment made under this section on a tract, parcel, or lot  
18 within the district which is computed at less than ~~two~~ five  
19 dollars shall be fixed at the sum of ~~two~~ five dollars.

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24 contractor a monthly estimates-of statement estimating the  
25 amount of work done on each section and the-amount-thereof  
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27 statement shall be filed with the auditor of each of-the  
28 several-counties county where the work is done. Upon-the  
29 filing-of-such When the auditor files the statement, each the  
30 auditor shall draw a warrant for the contractor or give the  
31 contractor an order directing the treasurer to deliver to the  
32 contractor improvement certificates or drainage bonds, as the  
33 case may be, in favor of the contractor for eighty ninety  
34 percent of the amount due from the auditor's county. Drainage  
35 warrants, bonds, or improvement certificates when so issued



1 shall be in such amounts as the auditor determines, but shall  
2 not ~~however~~ be in amounts in excess of one thousand dollars.

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## HOUSE FILE 2313

## AN ACT

PROVIDING FOR THE ADMINISTRATION OF DRAINAGE DISTRICTS, AND PROVIDING FOR ASSESSMENTS.

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

Section 1. Section 468.10, subsections 4 and 5, Code 1993, are amended to read as follows:

~~4--Assistants may be employed by the engineer only with the approval of the board, which shall fix their compensation;~~

5 4. The engineer shall keep an accurate record of the kind of work done by the engineer and each assistant, the place where done, and the time engaged therein, and shall file an itemized statement thereof with the auditor. No expenses shall be incurred by the engineer except upon authority of the board, and vouchers shall be filed with the claims therefor.

Sec. 2. Section 468.34, Code 1993, is amended to read as follows:

468.34 ADVERTISEMENT FOR BIDS.

The board shall publish notice once each week for two consecutive weeks in a newspaper published in the county where the improvement is located, and publish additional advertisement and publication elsewhere as the board may direct. The notice shall state the time and place of letting the work of construction of 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 of the work, that bids will be received on the entire work and in sections or divisions of it, and that a bidder will be required to deposit with the bid cash, a certified check on and certified by a bank in Iowa, or a certified share draft from a credit union in Iowa payable to the auditor or the auditor's order, at the auditor's office.

in an amount equal to ten percent of the bid, in no case to exceed ten thousand dollars. If the estimated cost of the improvement exceeds fifteen thousand dollars, the board may make additional publication for two consecutive weeks in 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 name and address of the county auditor. All notices shall fix the date to which bids will be received and upon which the work will be let. However, when the estimated cost of the improvement is less than five ten thousand dollars, the board may let the contract for the construction without taking bids and without publishing notice.

Sec. 3. Section 468.35, subsection 2, Code 1993, is amended to read as follows:

2. A bid shall be in writing, specifying the portion of the work upon which the bid is made, and filed with the auditor. The bid shall be accompanied with a bid security. The bid security shall be in the form of a deposit of cash, or a certified check on and certified by a bank in Iowa, or a certified share draft drawn on a credit union in Iowa, or a bid bond with a corporate surety satisfactory to the board as provided in section 73A.20. The bid security must be payable to the auditor or the auditor's order at the auditor's office in a sum equal to ten percent of the amount of the bid, but not to exceed ten thousand dollars. However, if the maximum limit on a bid deposits security would cause a denial of funds or services from the federal government which would otherwise be available, or if the maximum limit would otherwise be inconsistent with the requirements of federal law, the maximum limit may be suspended to the extent necessary to prevent denial of federal funds or services or to eliminate the inconsistency with federal requirements. The checks, cash, check, or share drafts draft of an unsuccessful bidders bidder shall be returned to them, but the checks and the bid bond of

an unsuccessful bidder shall be canceled. The bid security of a successful bidder shall be held maintained as a guarantee that they the bidder will enter into contract in accordance with their the bids.

Sec. 4. Section 468.50, Code 1993, is amended to read as follows:

468.50 LEVY -- INTEREST.

When the board has finally determined the matter of assessments of benefits and apportionment, it the board shall levy the assessments as fixed by it upon the lands within the district, but an assessment on a tract, parcel, or lot within the district which is computed at less than two five dollars shall be fixed at the sum of two five dollars. All assessments shall be levied at that time as a tax and shall bear interest at not to exceed the rate permitted by chapter 74A from that date, payable annually, except as provided as to cash payments within a specified time.

Sec. 5. Section 468.52, Code 1993, is amended to read as follows:

468.52 LEVY FOR DEFICIENCY.

If the first assessment made by the board for the original cost or for repairs of any improvement is insufficient, the board shall make an additional assessment and levy in the same ratio as the first for either purpose, payable at the next taxpaying period after such indebtedness is incurred subject, however, to the provisions of section 468.57. Any assessment made under this section on any tract, parcel, or lot within the district which is computed at less than two five dollars shall be fixed at the sum of two five dollars.

Sec. 6. Section 468.66, Code 1993, is amended to read as follows:

468.66 BIDS REQUIRED.

In case the board shall finally determine that any such changes as defined in section 468.62 shall be made involving an expenditure of five ten thousand dollars or more, said the

work shall be let by bids in the same manner as is provided for the original construction of such improvements.

Sec. 7. Section 468.126, subsection 2, Code 1993, is amended to read as follows:

2. In the case of minor repairs, or in the eradication of brush and weeds along the open ditches, not in excess of five ten thousand dollars where the board finds that a saving to the district will result it the board may cause the repairs or eradication to be done by secondary road equipment, or weed fund equipment, and labor of the county and then reimburse the secondary road fund or the weed fund from the fund of the drainage district thus benefited.

Sec. 8. Section 468.126, subsection 4, paragraph a, Code 1993, is amended to read as follows:

a. When the board determines that improvements are necessary or desirable, it the board shall appoint an engineer to make surveys as seem appropriate to determine the nature and extent of the needed improvements, and to file a report showing what improvements are recommended and their estimated costs, which report may be amended before final action. If the estimated cost of the improvements does not exceed five ten thousand dollars, or twenty-five percent of the original cost of the district and subsequent improvements, whichever is the greater amount, the board may order the work done without notice. ~~If the estimated cost of the improvements does not exceed ten thousand dollars or twenty-five percent of the original cost of the district and subsequent improvements, whichever is the greater amount, the board may order the work done after holding a hearing and publishing notice of that hearing in a newspaper of general circulation published in the county not less than twenty days before the day set for the hearing. The board shall also mail a copy of the notice to any state agency which is a landowner in the district.~~ The board shall not divide proposed improvements into separate programs in order to avoid the limitation for making

improvements without notice. If the board deems it desirable to make improvements where the estimated cost exceeds the ten thousand dollar or twenty-five percent limit, ~~it~~ the board shall set a date for a hearing on the matter of constructing the proposed improvements and also on the matter of whether there shall be a reclassification of benefits for the cost of the proposed improvements, and shall give notice as provided in sections 468.14 through 468.18. At the hearing the board shall hear objections to the feasibility of the proposed improvements and arguments for or against a reclassification presented by or for any taxpayer of the district. Following the hearing the board shall order that the improvements it deems desirable and feasible be made, and shall also determine whether there should be a reclassification of benefits for the cost of improvements. If it is determined that a reclassification of benefits should be made the board shall proceed as provided in section 468.38. In lieu of publishing the notice of a hearing as provided by this subsection the board may mail a copy of the notice to each address where a landowner in the district resides by first class mail if the cost of mailing is less than publication of the notice. The mailing shall be made during the time the notice would otherwise be required to be published.

Sec. 9. Section 468.127, unnumbered paragraph 1, Code 1993, is amended to read as follows:

The costs of the repair or improvements provided for in section 468.126 shall be paid for out of the funds of the levee or drainage district. If the funds on hand are not sufficient to pay such expenses, the board within two years shall levy an assessment sufficient to pay the outstanding indebtedness and leave the balance which the board determines is desirable as a sinking fund to pay maintenance and repair expenses. Any assessment made under this section on any tract, parcel or lot within the district which is computed at less than two five dollars shall be fixed at the sum of two five dollars.

Sec. 10. Section 468.136, Code 1993, is amended to read as follows:

468.136 LEVY UNDER ORIGINAL CLASSIFICATION.

If the amount finally charged against a district does not exceed twenty-five percent of the original cost of the improvement in ~~said~~ the district, the board shall proceed to levy ~~said~~ the amount against all lands, highways, and railway rights of way and property within the district, in accordance with the original classification and apportionment. Any assessment made under this section on any tract, parcel, or lot within the district which is computed at less than two five dollars shall be fixed at the sum of two five dollars.

Sec. 11. Section 468.137, Code 1993, is amended to read as follows:

468.137 LEVY UNDER RECLASSIFICATION.

If the amount finally charged against a district exceeds twenty-five percent of the original cost of the improvement, the board may order a reclassification as provided for the original classification of a district and upon the final adoption of the new classification and apportionment shall proceed to levy that amount upon all lands, highways, and railway rights of way and property within the district, in accordance with the new classification and apportionment. An assessment made under this section on a tract, parcel, or lot within the district which is computed at less than two five dollars shall be fixed at the sum of two five dollars.

Sec. 12. Section 468.291, Code 1993, is amended to read as follows:

468.291 MONTHLY ESTIMATE -- PAYMENT.

The engineer in charge of the work shall furnish the contractor a ~~monthly estimates of statement estimating~~ the amount of work done on each section and ~~the amount thereof~~ done in each county ~~-a-~~. A duplicate copy of which the statement shall be filed with the auditor of each ~~of the several counties~~ county where the work is done. ~~Upon the~~

~~filing-of-such~~ When the auditor files the statement, each the auditor shall draw a warrant for the contractor or give the contractor an order directing the treasurer to deliver to the contractor improvement certificates or drainage bonds, as the case may be, in favor of the contractor for eighty ninety percent of the amount due from the auditor's county. Drainage warrants, bonds, or improvement certificates when so issued shall be in such amounts as the auditor determines, but shall not however be in amounts in excess of one thousand dollars.

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HAROLD VAN MAANEN  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2313, Seventy-fifth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved April 8, 1994

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TERRY E. BRANSTAD  
Governor