

3-13-97 Do Pass  
5-4-7-97 Do Pass  
5-4/10/97 Unfinished Business Calendar

FEB 25 1997  
Agriculture

HOUSE FILE 336  
BY TEIG

Passed House, Date 3-25-97 (p. 1294) Passed Senate, Date 4/21/97 (p. 1294)  
Vote: Ayes 94 Nays 0 Vote: Ayes 49 Nays 0  
Approved May 29, 1997

A BILL FOR

1 An Act providing for the assessment of lands owned by the  
2 department of natural resources within levee and drainage  
3 districts.

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

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HF 336

1 Section 1. Section 468.43, unnumbered paragraph 3, Code  
2 1997, is amended to read as follows:

3 When any state-owned ~~lands~~ land under the jurisdiction of  
4 the department of natural resources ~~are~~ is situated within a  
5 levee or drainage district, the commissioners ~~to-assess~~  
6 assessing benefits shall ascertain and return in their report  
7 the amount of benefits and the apportionment of costs and  
8 expenses to ~~such-lands~~ the land, and the board of supervisors  
9 shall assess the ~~same~~ amount against ~~such-lands~~ the land.

10 ~~However, the commissioners shall not assess benefits to~~  
11 ~~property below the ordinary high water mark in a sovereign~~  
12 ~~state-owned lake, marsh or stream under the jurisdiction of~~  
13 ~~the department of natural resources.~~

14 EXPLANATION

15 This bill amends Code chapter 468 which provides for the  
16 organization and administration of drainage and levee  
17 districts. Specifically, the bill amends Code section 468.43  
18 which provides for assessing state-owned land under the  
19 jurisdiction of the department of natural resources. The bill  
20 eliminates a provision which provides that land under the  
21 department's jurisdiction is not subject to an assessment if  
22 it is located below the ordinary high water mark in a  
23 sovereign state-owned lake, marsh, or stream.

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**HOUSE FILE 336  
FISCAL NOTE**

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A fiscal note for **House File 336** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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House File 336 provides for assessing State-owned land under the jurisdiction of the Department of Natural Resources in drainage and levee districts.

**BACKGROUND**

Prior to 1985, the Conservation Commission was responsible for paying drainage and levee district assessments on land currently managed by the Department of Natural Resources. The drainage and levee district assessments paid by the Conservation Commission normally ranged from \$50,000 to \$150,000 annually.

**FISCAL IMPACT**

The estimated fiscal impact of House File 336 cannot be determined from the current information.

**SOURCE**

Department of Natural Resources

(LSB 2116hh, AMF)

FILED MARCH 25, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR

~~state-owned-lake-marsh-or-stream-under-the-jurisdiction-of  
the-department-of-natural-resources.~~

HOUSE FILE 336

AN ACT

PROVIDING FOR THE ASSESSMENT OF LANDS OWNED BY THE DEPARTMENT  
OF NATURAL RESOURCES WITHIN LEVEE AND DRAINAGE DISTRICTS.

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

Section 1. Section 468.43, unnumbered paragraph 3, Code  
1997, is amended to read as follows:

When any state-owned ~~lands~~ land under the jurisdiction of  
the department of natural resources are is situated within a  
levee or drainage district, the commissioners ~~to-assess~~  
assessing benefits shall ascertain and return in their report  
the amount of benefits and the apportionment of costs and  
expenses to ~~such-lands~~ the land, and the board of supervisors  
shall assess the ~~same amount~~ amount against ~~such-lands~~ the land.  
~~However, the commissioners shall not assess benefits to~~  
~~property below the ordinary high water mark in a sovereign~~

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RON J. CORBETT  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 336, Seventy-seventh General Assembly.

Approved May 29, 1997

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ELIZABETH ISAACSON  
Chief Clerk of the House

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TERRY E. BRANSTAD  
Governor