

# House Study Bill 723

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON DRAKE)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to drainage and levee districts by providing for  
2 the publication of notice and the letting of bids.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6504HC 81  
5 da/gg/14

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1 1 Section 1. Section 468.34, Code 2005, is amended to read  
1 2 as follows:  
1 3 468.34 ADVERTISEMENT FOR BIDS.  
1 4 The board shall publish notice once each week for two  
1 5 consecutive weeks in a newspaper published in the county where  
1 6 the improvement is located, and publish additional  
1 7 advertisement and publication elsewhere as the board may  
1 8 direct. The notice shall state the time and place of letting  
1 9 the work of construction of the improvement, specifying the  
1 10 approximate amount of work to be done in each numbered section  
1 11 of the district, the time fixed for the commencement, and the  
1 12 time of the completion of the work, that bids will be received  
1 13 on the entire work and in sections or divisions of it, and  
1 14 that a bidder will be required to deposit with the bid cash, a  
1 15 certified check on and certified by a bank in Iowa, or a  
1 16 certified share draft from a credit union in Iowa payable to  
1 17 the auditor or the auditor's order, at the auditor's office,  
1 18 in an amount equal to ten percent of the bid, in no case to  
1 19 exceed ten thousand dollars. ~~If the estimated cost of the~~  
~~1 20 improvement exceeds fifteen thousand dollars, the board may~~  
~~1 21 make additional publication for two consecutive weeks in a~~  
~~1 22 contractors' journal of general circulation, giving only the~~  
~~1 23 type of proposed construction or repairs, estimated amount,~~  
~~1 24 date of letting, amount of bidder's bond, and name and address~~  
~~1 25 of the county auditor.~~ All notices shall fix the date to  
1 26 which bids will be received and upon which the work will be  
1 27 let. However, when the estimated cost of the improvement is  
1 28 less than ten fifteen thousand dollars, the board may let the  
1 29 contract for the construction without taking bids and without  
1 30 publishing notice.  
1 31 Sec. 2. Section 468.66, Code 2005, is amended to read as  
1 32 follows:  
1 33 468.66 BIDS REQUIRED.  
1 34 In case the board shall finally determine that any such  
1 35 changes as defined in section 468.62 shall be made involving  
2 1 an expenditure of ten fifteen thousand dollars or more, the  
2 2 work shall be let by bids in the same manner as is provided  
2 3 for the original construction of such improvements.  
2 4 EXPLANATION  
2 5 This bill amends Code chapter 468 which authorizes a  
2 6 governing board, usually a county board of supervisors and  
2 7 sometimes a joint board of supervisors or a board of trustees,  
2 8 to establish and administer a drainage district or districts,  
2 9 and to locate and establish levees. This includes the  
2 10 authority to maintain a levee, ditch, drain, watercourse, or  
2 11 settling basin, and to modify natural watercourses within its  
2 12 jurisdiction. The cost of establishing and maintaining a  
2 13 district is borne by the owners of land within the district  
2 14 who are responsible for paying an assessment.  
2 15 The bill amends Code section 468.34, which provides that  
2 16 before an improvement is made, the board must publish a notice  
2 17 in the county where the improvement is to be located. The  
2 18 notice must provide information regarding the scope of the

2 19 work required to make the improvement and call for bids.  
2 20 Further notice requirements are established based on the  
2 21 estimated cost of the improvements.

2 22 The Code section provides that if the estimated cost  
2 23 exceeds \$15,000, the board may publish a notice in a  
2 24 contractor's journal of general circulation. The bill  
2 25 eliminates the language relating to the secondary publication.  
2 26 The Code section also provides that when the estimated cost  
2 27 of the improvement is less than \$10,000, the board may let the  
2 28 contract to a contractor to make the improvement without  
2 29 publishing notice or taking bids. The bill increases that  
2 30 amount to \$15,000.

2 31 Code section 468.62 allows a board to let contracts to  
2 32 contractors for purposes of making improvements after there  
2 33 has been a change of conditions to a plan of improvement  
2 34 required when a district is created in cooperation with the  
2 35 United States government (see Code section 468.201). Code  
3 1 section 468.66 requires that bids be let in the same manner as  
3 2 provided for the original construction, unless the estimated  
3 3 cost is less than \$10,000. The bill also increases that  
3 4 amount to \$15,000.

3 5 LSB 6504HC 81  
3 6 da:nh/gg/14