

LEVEE AND DRAINAGE DISTRICT LAW STUDY COMMITTEE

THE EXECUTIVE COUNCIL AND THE ATTORNEY GENERAL'S OFFICE SHOULD REEXAMINE ITS POLICIES REGARDING THE PAYMENT OF ASSESSMENTS IMPOSED ON STATE OWNED LAKES AND LOCATED WITHIN A LEVEE OR DRAINAGE DISTRICT AND MAKE ALL NECESSARY PAYMENTS TO DISTRICTS WHICH HAVE SUBMITTED CLAIMS AS PROVIDED IN IOWA CODE SECTION 468.43. THE PROVISION READS 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.

The assessments against lands under the jurisdiction of the department of natural resources shall be paid by the executive council upon certification of the amount by the county treasurer. There is appropriated from any funds in the general fund of the state not otherwise appropriated amounts sufficient to pay the certified assessments.