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To: IDDA Membership

From: John T. Torbert, CAE

Re: Final Report on 2012 Legislative Session

As usual, during any legislative session, there were a number of ideas that surfaced that either directly or indirectly dealt with drainage rights. Thankfully, most of those ideas do not actually make it into bill stage or, if they do, they end up dying in the “funnel.” Here are the bills that passed this year that deal with drainage issues and drainage rights:

HF 2336 – This is an appropriations bill for the Iowa Department of Agriculture and Land Stewardship. There are two appropriations in this bill that IDDA supported. The first is the appropriation for the Conservation Reserve Enhancement Program (CREP). The CREP program builds wetlands for the purpose of removing nitrate from tile water. The appropriation that was approved was \$1 million – the same as last year’s amount. The second appropriation issue was the ag drainage well closure fund. Last year, in a dispute between the house and the senate, the ag drainage well fund was eliminated. IDDA proposed to the legislature this year that the fund be reinstated. In total, \$1,550,000 was appropriated for this purpose. \$550,000 will come from the Environment First fund and \$1 million will come from the Rebuild Iowa Infrastructure Fund. The Governor signed the bill on May 25.

HF 2465 – This is the so called “standings” bill. There is one section of this legislation relating to drainage. It was requested by the county treasurer’s association. Along with a number of other similar changes, the bill amends Chapter 468.57 relating to drainage levees collected by the county treasurer. It raises the threshold from \$100 to \$500 or more before the amount can be paid in installments. The bill was signed (with an item veto) by the Governor on May 25th.

SF 2217 – This bill, or similar ideas, has been in the works ever since flooding devastated Cedar Rapids and other parts of eastern Iowa several years ago. The bill relates to flood mitigation and puts authorities, procedures and funding mechanisms in place for future flood events. It authorizes the use of certain sales tax revenue and other financial assistance for flood mitigation projects. It also authorizes the issuance of bonds for flood mitigation projects. The bill provides that governmental entities will have the authority

to establish flood mitigation programs. Governmental entity is defined in several ways but one of the definitions is “a county, one or more cities that are located in whole or in part within the county, and a drainage district formed by mutual agreement under section 468.142 located in whole or in part within the county.” It was signed into law by Governor Branstad on April 19th.

If you have any questions about legislation, either that did or did not pass, contact the IDDA office.