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FILED FEB 17 1977

SENATE FILE 120

By COMMITTEE ON COMMERCE
Approved 2/10 (p. 394)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the construction and location of
2 electric transmission lines.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S-3109

1 Amend Senate File 120 by striking everything after
2 the enacting clause and inserting in lieu thereof the
3 following:
4 "Section 1. Section four hundred seventy-eight
5 point eighteen (478.18), Code 1977, is amended to read
6 as follows:
7 478.18 SUPERVISION OF CONSTRUCTION--LOCATION.
8 The state commerce commission shall have power of
9 supervision over the construction of said transmission
10 line and over its future operation and maintenance.
11 The said transmission line shall be constructed near
12 and parallel to the right of way of the railways of the
13 state or along the division lines of the lands,
14 according to the government survey thereof, wherever
15 the same is practicable and reasonable, and so as not
16 to interfere with the use by the public of the highways
17 or streams of the state, nor unnecessarily interfere with
18 the use of any lands by the occupant thereof, except that
19 adherence to such a route is not required when deviations
20 therefrom are approved by both the state commerce commission
21 and the state soil conservation committee".

S.F. 120

S-3109 FILED
MARCH 1, 1977

BY DALE L. TIEDEN

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1 Section 1. Section four hundred seventy-eight point
2 eighteen (478.18), Code 1977, is amended by striking the
3 section and inserting in lieu thereof the following:
4 478.18 SUPERVISION OF CONSTRUCTION--LOCATION. Subject
5 only to applicable rehearing and appeal provisions of the
6 Code, the state commerce commission shall have power of
7 supervision over the location and construction of said
8 transmission line and over its future operations and
9 maintenance. The state commerce commission shall have the
10 power to determine as an issue of fact whether the applicant's
11 proposed route for said transmission line is reasonable and
12 practicable. In making such determination, the commission
13 shall give full consideration to routes of transmission line
14 projects which have minimal adverse impact on agricultural
15 or other productive use of land and those routes which are
16 near and parallel to the right-of-way of the railways and
17 roads of the state or parallel to the division lines of the
18 lands, according to the government survey thereof. Such
19 consideration shall include an examination of the relative
20 costs of construction, operation and maintenance of all routes
21 proposed. Said right-of-way shall not unnecessarily interfere
22 with the use by the public of the roads or streams of the
23 state, nor unnecessarily interfere with the use of lands by
24 the occupant thereof.

25 EXPLANATION

26 This bill amends the Code section relating to the location
27 and construction of electric transmission lines. The section
28 amended was section 489.18 in the 1975 Code, but as a result
29 of editorial changes is located as section 478.18 in the 1977
30 Code.

31 The present section requires lines to be located near and
32 parallel to rail rights-of-way or land division lines, except
33 where impracticable or unreasonable. Present law also provides
34 that a transmission line shall not be located so as to
35 "interefere" with use by the public of highways and streams,

1 nor "unnecessarily interfere" with the use of any lands by
2 the occupant.

3 This bill would provide for the following changes:

4 1. The commerce commission would determine on a case by
5 case basis whether a proposed transmission line route is
6 reasonable and practicable, giving full consideration to
7 alternative routes having minimal adverse impact on
8 agricultural and other productive land uses, alternative
9 routes near and parallel to rail rights-of-way and land
10 division lines, and the relative economic costs of proposed
11 and alternative routes.

12 2. A transmission line could not be located so as to
13 unnecessarily interfere either with use of lands by the
14 occupant thereof or with the public use of highways and
15 streams.

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S-3091

- 1 Amend Senate File 120 as follows:
2 1. Page 1, line 6, by inserting after the
3 word "commission", the following: "with the
4 concurrence of the state soil conservation
5 committee"
6 2. Page 1, line 9, by inserting after
7 the word "commission", the following: "with
8 the concurrence of the state soil conservation
9 committee"

S-3091 FILED
FEBRUARY 23, 1977

BY ROGER J. SHAFF

S-3095

- 1 Amend Senate File 120, page 1, by inserting
2 after line 24 the following:
3 "If the commission determines that the construc-
4 tion of a transmission line over property owned by
5 the state conservation commission or a county con-
6 servation board is practicable and reasonable and
7 approves the route, the property owned by the state
8 conservation commission or a county conservation
9 board shall be subject to the condemnation under
10 chapter four hundred seventy-two (472) of the Code."

S-3095 FILED
FEBRUARY 24, 1977

BY RAY TAYLOR