

Reprinted 5/19

FILED MAR 3 1980

SENATE FILE 2280

By COMMITTEE ON TRANSPORTATION
Approved 2/27 (g 621)
(FORMERLY SENATE STUDY BILL 2248)

Passed Senate, Date 3/11/80 Passed House, Date _____
Vote: Ayes _____ Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act granting the state the power of eminent domain to
2 acquire railroad right-of-way.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2280

SENATE FILE 2280

S-5347
1 Amend Senate File 2280 as follows:
2 1. Page 1, line 29, by striking the word "public"
3 and inserting in lieu thereof the word "railroad".

S-5347 FILED
MARCH 11, 1980

BY CLOYD E. ROBINSON
JOHN W. JENSEN

1 Section 1. Section four hundred seventy-one point six
2 (471.6), Code 1979, is amended to read as follows:

3 471.6 RAILWAYS. ~~Any~~ The state or any railway, ~~incorporated~~
4 ~~under the laws of the United States or of any state thereof,~~
5 corporation may acquire by condemnation ~~or otherwise so much~~
6 ~~real-estate~~ property as may be necessary for the location,
7 construction, and convenient use of ~~its~~ a railway. ~~Such~~ The
8 acquisition shall carry the right to use for the construction
9 and repair of ~~said~~ the railway and its appurtenances any
10 earth, gravel, stone, timber, or other material, on or from
11 the land ~~so~~ taken.

12 Sec. 2. Section four hundred seventy-one point nine
13 (471.9), Code 1979, is amended to read as follows:

14 471.9 ADDITIONAL PURPOSES. ~~Any-such~~ The state or a railway
15 corporation ~~owning, operating, or constructing a railway~~ may,
16 by condemnation or otherwise, acquire lands for the following
17 additional purposes:

18 1. For necessary additional depot grounds or yards.

19 2. For ~~the purpose of~~ constructing a track or tracks to
20 any mine, quarry, gravel pit, ~~manufactory~~ manufacturing plant,
21 warehouse, or mercantile establishment.

22 3. For additional or new right of way for constructing
23 double track, reducing or straightening curves, changing
24 grades, shortening or relocating portions of the line, and
25 for excavations, embankments, or places for depositing waste
26 earth.

27 4. For the ~~purpose of constructing water stations, dams~~
28 ~~or reservoirs for supplying its engines with water~~ preservation
29 of abandoned railroad right-of-way for future public use.

30 EXPLANATION

31 The bill extends to the state the power of eminent domain
32 granted to railroad corporations and allows the use of the
33 power of eminent domain to acquire railroad right-of-way for
34 future public use. The bill takes effect July first fol-
35 lowing enactment.

Transportation: Lageschulte, Chair; Pellett and Binneboesc.

*No. Passed 2/27 (p. 1235)
Returned Transportation 4/14*

SENATE FILE **2280**

By COMMITTEE ON TRANSPORTATION

(AS AMENDED AND PASSED BY THE SENATE MARCH 17, 1980)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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_____ = New Language
by the Senate

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