

Reprinted 4/26/83

REC'D MAR 21 1983

SENATE FILE 511

BY COMMITTEE ON AGRICULTURE
Approved 3/18/83 (p. 883)
(FORMERLY SSB 267)

Passed Senate, Date 4-21-83 (p. 1354) Passed House, Date 3-27-84 (p. 1324)

Vote: Ayes 40 Nays 0 Vote: Ayes 98 Nays 0

Approved April 24, 1984

A BILL FOR

1 An Act relating to construction near a buried electric
2 transmission line.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 511

1 Section 1. Chapter 478, Code 1983, is amended by adding
2 the following new section:

3 NEW SECTION. SUBSEQUENT CONSTRUCTION NEAR BURIED LINE.

4 At least forty-eight hours before performing earthwork, tiling,
5 or excavation within one hundred fifty feet of a buried
6 electric transmission line, the landowner or contractor shall
7 notify the company or corporation that owns or maintains the
8 buried line. The company or corporation shall then mark the
9 location of the line and inform the landowner and contractor
10 of the line's route, depth, and voltage. If requested by
11 the landowner or contractor, the company or corporation shall
12 expose the line so as to prevent accident or injury. The
13 company or corporation shall not charge a fee for this service.

14 EXPLANATION

15 This bill provides that at least forty-eight hours before
16 performing earthwork, tiling, or excavation within one hundred
17 fifty feet of a buried electric transmission line, the land-
18 owner or contractor will notify the owner of the line and
19 the owner will locate the line according to route, depth,
20 and voltage, and expose the line upon request. A fee shall
21 not be charged for this service.

22 This bill takes effect July 1 following enactment.

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SENATE FILE 511

S-3482

1 Amend Senate File 511 as follows:
2 1. Page 1, by striking lines 3 through 13 and
3 inserting in lieu thereof the following:
4 "NEW SECTION. SUBSEQUENT CONSTRUCTION NEAR BURIED
5 LINE. At least forty-eight hours before performing
6 earthwork, tiling, or excavation within fifty feet
7 of a buried electric line, the landowner, tenant,
8 or contractor shall notify the company or corporation
9 that owns or maintains the buried line. Upon
10 notification, if the proposed work will disturb the
11 soil within fifteen feet of the line the company or
12 corporation shall then mark the location of the line
13 and inform the landowner, tenant, or contractor of
14 the line's route and voltage. If the line carries
15 an operating voltage of thirty-four point five
16 kilovolts or greater, the corporation or company shall
17 have a representative present during the performance
18 of the earthwork, tiling or excavation. The company
19 or corporation shall not charge a fee for this
20 service."

S-3482 FILED
APRIL 11, 1983

*Adopted as amended by 3640
4/21/83 (p. 1254)*

BY EMIL HUSAK
BILL HUTCHINS
ARNE WALDSTEIN

SENATE FILE 511

S-3640

1 Amend the amendment S-3482 to Senate File 511 as
2 follows:
3 1. Page 1, line 13, by striking the word "and"
4 and inserting in lieu thereof the word "or".

S-3640 FILED & ADOPTED
APRIL 21, 1983 *(p. 1254)*

BY EMIL J. HUSAK

Agriculture: Halvorson of Webster, Chair; Copenhaver, De Groot, Handorf and Hughes.

SENATE FILE 511

Amended per 5788 + its Pass 3/22 (p. 1227)

BY COMMITTEE ON AGRICULTURE

(AS AMENDED AND PASSED BY THE SENATE APRIL 21, 1983)

RePassed Senate, Date 4-2-84 (p. 1220) Passed House, Date 3-27-84 (p. 1324)

Vote: Ayes 44 Nays 0 Vote: Ayes 98 Nays 0

Approved April 24, 1984

A BILL FOR

1 An Act relating to construction near a buried electric
2 transmission line.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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————— = New Language
by the Senate

1 Section 1. Chapter 478, Code 1983, is amended by adding
2 the following new section:

3 NEW SECTION. SUBSEQUENT CONSTRUCTION NEAR BURIED LINE.

57884 At least forty-eight hours before performing earthwork, tiling,
5 or excavation within fifty feet of a buried electric line,
6 the landowner, tenant, or contractor shall notify the company
7 or corporation that owns or maintains the buried line. Upon
8 notification, if the proposed work will disturb the soil
9 within fifteen feet of the line the company or corporation
10 shall then mark the location of the line or inform the
11 landowner, tenant, or contractor of the line's route and
12 voltage. If the line carries an operating voltage of thirty-
13 four point five kilovolts or greater, the corporation or
14 company shall have a representative present during the
15 performance of the earthwork, tiling or excavation. The
16 company or corporation shall not charge a fee for this service.

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HOUSE AMENDMENT TO SENATE FILE 511

S-5652

1 Amend Senate File 511 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 4, by inserting after the word
4 "performing" the words "construction involving".
5 2. Page 1, line 13, by inserting after the word
6 "greater" the words "and if requested by the landowner,
7 tenant, or contractor".
8 3. Page 1, line 16, by inserting after the word
9 "service." the words "This section does not apply
10 to emergency construction involving earthwork, tiling,
11 or excavation located in a highway or street right-
12 of-way."

S-5652 FILED
MARCH 29, 1984

RECEIVED FROM THE HOUSE
Senate concurred 4/2 (p. 12/19)

SENATE FILE 511

S-5713

1 Amend the House amendment, S-5652, to Senate File 511
2 as amended, passed and reprinted by the House as follows:
3 1. Page 1, by inserting after line 4 the following:
4 "____. Page 1, line 5, by inserting after the word
5 "line," the words "or pipeline,"."
6 2. Page 1, line 12, by inserting after the word
7 "of-way." the words "A company or corporation proposing
8 a new buried electric line or pipeline shall give notice
9 to affected landowners at least six months prior to
10 construction."

S-5713 FILED
APRIL 2, 1984
RULED OUT OF ORDER (*p. 12/19*)

BY JAMES V. GALLAGHER

S-5712

1 Amend the House amendment, S-5652, to Senate File
2 511 as amended, passed and reprinted by the Senate
3 as follows:

4 1. Page 1, by inserting after line 12 the
5 following:

6 "4. Page 1, by inserting after line 16 the
7 following:

8 "Sec. ____ . NEW SECTION. 479.48 DEPTH MAINTENANCE.

9 1. An owner or tenant of agricultural land, as
10 defined in section 479.47, crossed by a pipeline may
11 require the pipeline company to measure the depth
12 of pipeline on that property unless the pipeline
13 company can produce a record of the depths made within
14 the previous three years. The pipeline company shall
15 determine the depth without charge to the owner or
16 tenant. If the depth of the pipeline is found to
17 be insufficient to prevent its being struck by tillage
18 equipment or otherwise interfering with farming
19 practices, the pipeline company shall provide
20 additional cover over the pipeline, compensate the
21 owner or tenant for any special precautions or loss
22 of productivity resulting from the shallow depth of
23 the pipeline, or provide other remedy as may be
24 mutually agreed upon by the pipeline company and the
25 owner or tenant. If the pipeline company and owner
26 or tenant are unable to agree upon a remedy, they
27 may agree to submit the matter to arbitration under
28 chapter 679A. The procedures of sections 479.41 and
29 479.46 shall also apply to a resolution of damages
30 caused by the shallow depth of the pipeline. This
31 subsection does not apply to earthwork, tiling or
32 excavation activities subject to section 479.47.
33 2. The fact that an owner or tenant of agricultural
34 land did not request a measurement of depth of a
35 pipeline shall not constitute negligence by the owner
36 or tenant.

37 3. The Iowa state commerce commission shall
38 establish by rule a notification form to be
39 periodically published by pipeline companies in the
40 official newspapers as determined under chapter 349
41 in counties crossed by the pipeline informing owners
42 and tenants of their rights under this section and
43 section 479.47."".

S-5712 FILED
APRIL 2, 1984

BY JOHN W. JENSEN

RULED OUT OF ORDER (p. 1219)

SENATE FILE 511

H-3876

Amend Senate File 511 as amended, passed and
reprinted by the Senate, as follows:
1. Page 1, line 16, by inserting after the word
"service." the words "This section does not apply
to an electric transmission line located in a highway
or street right-of-way or in a drainage or levee
district right-of-way."

H-3876 FILED APRIL 27, 1983 BY COOPER of Lucas

7/15 3/27/84 (p. 1323)

SENATE FILE 511

H-5788

Amend Senate File 511 as amended, passed and
reprinted by the Senate, as follows:
1. Page 1, line 4, by inserting after the word
"performing" the words "construction involving".

H-5788 FILED MARCH 22, 1984 BY COMMITTEE ON AGRICULTURE

Adopted 3/27 (p. 1323)

SENATE FILE 511

H-5825

Amend Senate File 511 as amended, passed and
reprinted by the Senate, as follows:
1. Page 1, line 16, by inserting after the word
"service." the words "This section does not apply
to construction involving earthwork, tiling, or
excavation located in a highway or street right-of-
way."

BY HALVORSON of Webster

H-5825 FILED MARCH 23, 1984 COOPER of Lucas

Adopted as amended by 5865 3/27 (p. 1323)

SENATE FILE 511

H-5865

Amend amendment H-5825 to Senate File 511 as
amended, passed and reprinted by the Senate as follows:
1. Page 1, by inserting after line 2 the following:
"1. Page 1, line 13, by inserting after the word
"greater" the words "and if requested by the landowner,
tenant, or contractor"."
2. Page 1, line 5, by inserting before the word
"construction" the word "emergency".

BY HALVORSON of Webster

HUMMEL of Benton

PELLETT of Cass

COOPER of Lucas

H-5865 FILED MARCH 27, 1984

ADOPTED (p. 1323)

service. This section does not apply to emergency construction involving earthwork, tiling, or excavation located in a highway or street right-of-way.

SENATE FILE 511

AN ACT

RELATING TO CONSTRUCTION NEAR A BURIED ELECTRIC TRANSMISSION LINE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Chapter 478, Code 1983, is amended by adding the following new section:

NEW SECTION SUBSEQUENT CONSTRUCTION NEAR BURIED LINE.

At least forty-eight hours before performing construction involving earthwork, tiling, or excavation within fifty feet of a buried electric line, the landowner, tenant, or contractor shall notify the company or corporation that owns or maintains the buried line. Upon notification, if the proposed work will disturb the soil within fifteen feet of the line the company or corporation shall then mark the location of the line or inform the landowner, tenant, or contractor of the line's route and voltage. If the line carries an operating voltage of thirty-four point five kilovolts or greater and if requested by the landowner, tenant, or contractor, the corporation or company shall have a representative present during the performance of the earthwork, tiling or excavation. The company or corporation shall not charge a fee for this

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 511, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved *April 24*, 1984

TERRY E. BRANSTAD
Governor