



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 15, 2005

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

House File 399, an Act relating to the disposal of solid waste by planning areas and related solid waste management plans and reports.

House File 581, an Act relating to interstate natural gas pipelines including requirements regarding construction, operation, and maintenance, applicable penalties and resultant damages, and easements.

House File 602, an Act relating to the collection, transportation, and disposal of household hazardous waste.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Vilsack".

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 581

AN ACT

RELATING TO INTERSTATE NATURAL GAS PIPELINES INCLUDING REQUIREMENTS REGARDING CONSTRUCTION, OPERATION, AND MAINTENANCE, APPLICABLE PENALTIES AND RESULTANT DAMAGES, AND EASEMENTS.

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

Section 1. Section 306A.3, unnumbered paragraph 2, Code 2005, is amended to read as follows:


The department shall adopt rules, pursuant to chapter 17A, embodying a utility accommodation policy which imposes reasonable restrictions on placements occurring on or after the effective date of the rules, on primary road rights-of-way. The rules may require utilities to give notice to the department prior to installation of a utility system on a primary road right-of-way and obtain prior permission from the department for the proposed installation. The rules shall recognize emergency situations and the need for immediate installation of service extensions subject to the standards adopted by the department and the utilities board. The rules shall be no less stringent than the standards adopted by the utilities board pursuant to chapters 478, 479, 479A, and 479B. This paragraph shall not be construed as granting the department authority which has been expressly granted to the utilities board to determine the route of utility installations. If the department requires a utility company permit, the department shall be required to act upon the permit application within thirty days of its filing. In cases of federal-aid highway projects on nonprimary highways, the local authority with jurisdiction over the highway and the department shall comply with all federal regulations and statutes regarding utility accommodation.


Sec. 2. Section 479A.1, Code 2005, is amended to read as follows:

479A.1 PURPOSE.


It is the purpose of the general assembly in enacting this law to confer upon the utilities board the power and authority ~~to implement certain controls over the transportation of natural gas to protect landowners and tenants from environmental or economic damages which may result from the construction, operation, or maintenance of a pipeline within the state.~~ ~~It is also the purpose of the general assembly in enacting this law to provide for the board~~ to act as an agent for the federal government in determining pipeline company compliance with the standards of the federal government for pipelines within the boundaries of the state.

Sec. 3. Sections 479A.3, 479A.5, 479A.6, 479A.8, 479A.10, 479A.12 through 479A.17, and 479A.19 through 479A.28, Code 2005, are repealed.


CHRISTOPHER C. RANTS
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 581, Eighty-first General Assembly.


MARGARET THOMSON
Chief Clerk of the House

Approved April 15, 2005


THOMAS J. VILSACK
Governor