

JAN 11 1971

Commerce

*See claim 6/18, Pass 6/18  
See Commerce 1/10/72, Pass a/w amend. 2/14/72*

HOUSE FILE 30

By HOLDEN, STROMER, PRIEBE,  
COCHRAN, REX, RODGERS,  
and WINKELMAN  
(Briles, Ollenburg, Griffin,  
Potgeter, and Smith)

Passed House, Date 6-18-71 Passed Senate, Date 2-29-72

Vote: Ayes 64 Nays 16 Vote: Ayes 42 Nays 1

Approved March 15, 1972

*Passed House - 5-7-72  
Ayes 79, Nays 7*

### A BILL FOR

1 An Act relating to the inspection of pipeline construction  
2 over private property.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 Section 1. Chapter four hundred ninety (490), Code 1971,  
5 is amended by adding the following new section:

6 A pipeline company engaged in the construction of a pipeline  
7 or a contractor operating for the pipeline company shall, when  
8 requested by the county board of supervisors, pay the cost of  
9 an inspector for the purpose of requiring and inspecting the  
10 replacement of underground improvements that may have been al-  
11 tered during the construction of the pipeline. The county  
12 board of supervisors shall employ the inspector.

#### EXPLANATION

13  
14 This bill provides that the pipeline company or its contrac-  
15 tor shall pay the costs of an inspector to make on-site inspec-  
16 tions during the construction of a pipeline to determine that  
17 underground improvements are properly replaced. The inspector  
18 is hired by the county board of supervisors.

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HOUSE CLIP SHEET  
Thursday, March 2, 1972

*House  
Concurred  
3/7/72*

SENATE AMENDMENT TO HOUSE FILE 30

1 Amend House File 30 by striking lines 4 through 12, inclusive,  
2 on page 1 and inserting in lieu thereof the following:

3 Section 1. Section four hundred ninety point four (490.4),  
4 Code 1971, is amended by adding the following new paragraphs:

5 "A board of supervisors may, by majority vote, submit a  
6 request in writing to the commission requesting that the ser-  
7 vices of a qualified inspector be provided to adequately inspect  
8 pipeline construction within that county. Upon receipt of the  
9 request, the commission shall make such inspector available. All  
10 costs of inspection shall be paid pursuant to section four  
11 hundred ninety point fourteen (490.14) of the Code.

12 As a part of the inspection process, the inspector shall,  
13 if provided by the easement contract, ascertain that the trench  
14 excavation has been filled in such a manner as to provide that  
15 the top soil has been replaced on top and all rocks and debris  
16 have been removed from the top soil.

17 Adequate inspection of underground improvements altered dur-  
18 ing construction of pipeline shall be conducted at the time of  
19 the replacement or repair of such underground improvements.

20 All faulty construction, as determined by the inspector,  
21 shall be repaired immediately by the contractor operating for  
22 the pipeline company and the cost of such repairs shall be paid  
23 by said contractor. If such repairs are not made by contractor,  
24 the commission shall proceed to collect under the provisions  
25 of section four hundred ninety point twenty-seven (490.27) of  
26 the Code."

27 Sec. 2. Section four hundred ninety point twenty-seven  
28 (490.27), Code 1971, is amended as follows:

29 490.27 FINANCIAL CONDITION OF PERMITTEE--BOND. Before  
30 any permit is granted under the provisions of this chapter the  
31 applicant must satisfy the state commerce commission that the  
32 applicant has property within this state other than pipe lines,  
33 subject to execution of a value in excess of fifty thousand  
34 dollars, or said applicant must file and maintain with said  
35 commission a surety bond in the penal sum of fifty thousand  
36 dollars with surety approved by the commission, conditioned  
37 that said applicant will pay any and all damages legally recovered  
38 against it growing out of the construction or operation of its  
39 said pipe line and gas storage facilities in the state of  
40 Iowa. When such pipe-line company deposits with said state  
41 commerce commission security satisfactory to said commission  
42 as a guaranty for the payment of said damages, or furnishes to  
43 said commission satisfactory proofs of its solvency and  
44 financial ability to pay said damages, the said pipe-line company  
45 shall be relieved of the said provisions requiring bond.

Received from the Senate  
March 1, 1972

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- 1 Amend the Senate amendment to House File 30
  - 2 by striking lines 12 through 16.

Filed  
March 2, 1972

*Lost  
3/7*

By FISCHER of Grundy  
ELLSWORTH of Dubuque  
FREEMAN of Buena Vista  
KEHE of Bremer  
WELDEN of Hardin

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- 1 Amend the Senate Amendment to House File 30
  - 2 by inserting after the word "pipeline" in line
  - 3 eight (8) the following:
  - 4 ", underground cable or wiring, sewage line
  - 5 or tile drainage line".

Offered from the floor and ruled not germane  
March 7, 1972 By FISCHER of Grundy

1 House File 30 is amended by striking from page 1, lines 4  
 2 through 12, inclusive, and inserting in lieu thereof the  
 following

3 new sections:

4 Section 1. Section four hundred ninety point four (490.4),  
 5 Code 1971, is amended by adding the following new paragraphs:

6 "A board of supervisors may, by majority vote, submit a  
 request  
 7 in writing to the commission requesting that the services of a  
 8 qualified inspector be provided to inspect pipeline construc-  
 tion  
 9 within that county. Upon receipt of the request, the commis-  
 sion  
 10 shall make such inspector available.

11 Inspection of underground improvements altered during con-  
 struction  
 12 of pipeline shall be conducted at the time of the replacement or  
 13 repair of such underground improvements.

14 All faulty construction, as determined by the inspector, shall  
 15 be repaired immediately by the contractor operating for the

16 company and the cost of such repairs shall be paid by said con-  
 tractor.

17 If such repairs are not made by contractor, the commission shall  
 18 proceed to collect under the provisions of section four hundred  
 19 ninety point twenty-seven (490.27) of the Code."

20 Sec. 2. Section four hundred ninety point twenty-seven  
 (490.27),

21 Code 1971, is amended as follows:

22 490.27 FINANCIAL CONDITION OF PERMITTEE BOND. Before any  
 23 permit is granted under the provisions of this chapter the  
 applicant  
 24 must satisfy the state commerce commission that the applicant  
 has  
 25 property within this state other than pipe lines, subject to  
 execu-

1 tion of a value in excess of fifty thousand dollars, or said  
 applicant  
 2 must file and maintain with said commission a surety bond in  
 the  
 3 penal sum of fifty thousand dollars with surety approved by  
 the  
 4 commission, conditioned that said applicant will pay any and  
 all  
 5 damages legally recovered against it growing out of the con-  
 struction  
 6 or operation of its said pipe line and gas storage facilities  
 in the  
 7 state of Iowa. When such pipe-line company deposits with said  
 8 state commerce commission security satisfactory to said com-  
 mission  
 9 as a guaranty for the payment of said damages, or furnishes to  
 10 said commission satisfactory proofs of its solvency and finan-  
 cial  
 11 ability to pay said damages, the said pipe-line company shall  
 be  
 12 relieved of the said provisions requiring bond.

1 Amend the Committee on Commerce amendment filed  
2 February 14, 1972, to House File 30 as follows:  
3 Page 1, line 8, by striking the words "qualified inspec-  
4 tor" and inserting in lieu thereof the words "registered  
5 civil engineer".  
6 Page 1, line 10, by inserting after the period the fol-  
7 lowing: "All costs of inspection shall be paid by the pipeline  
8 company and assessed to the company by the commission."

Filed *w. N. 2-27*  
February 17, 1972

By LAMBORN

1 Amend the Committee on Commerce amendment file February  
2 14, 1972, to House File 30, as follows:  
3 Page 1, line 8, by striking the words "qualified in- } *Lost*  
4 spector" and inserting in lieu thereof the words "registered } *2/29*  
5 civil engineer".  
6 Page 1, line 10, by inserting after the period the follow- } *Adopted*  
7 ing "All costs of inspection shall be paid pursuant to section } *2/29*  
8 four hundred ninety point fourteen (490.14) of the Code."

Filed  
February 22, 1972

By LAMBORN

*adoption*  
*2/29*  
1 Amend the Committee on Commerce amendment filed February  
2 14, 1972, to House File 30 as follows:  
3 1. Page 1, line 8, by inserting after the words "to" the  
4 word "adequately".  
5 2. Page 1, line 11, by striking the word "Inspection" and  
6 inserting in lieu thereof the words "Adequate inspection".  
7 3. Page 2, by adding the following new section after line 12:  
8 "Sec. \_\_\_\_ . All trench excavations made for the laying of  
9 pipelines shall be made in two separate operations with the re-  
10 moval of the topsoil and placing it in one windrow with the first  
11 operation and the removal of the rest of the soil and the placin  
12 of it in another windrow the second operation. In filling in the  
13 trench in, the pipeline company shall fill the soil in in such  
14 a manner as to provide that the topsoil will be the last soil  
15 filled in and will be on top."

Filed  
February 23, 1972

By LAMBORN

1 Amend the Commerce Committee amendment filed February 14,  
2 1972, to House File 30, page 1, by adding the following  
3 new paragraph after line 10:  
4 "As a part of the inspection process, the inspector shall,  
5 if provided by the easement contract, ascertain that the  
6 trench excavation has been filled in in such a manner as  
7 to provide that the top soil has been replaced on top and  
8 all rocks and debris have been removed from the top soil."

Filed - *adopted 2-29-72 (592)*  
February 28, 1972

By LAMBORN