

MAR 11 1997

Place On Calendar

*Substituted by SF 190  
3-24-97  
(P. 736)*

HOUSE FILE 539

BY COMMITTEE ON NATURAL RESOURCES

WITHDRAWN

*3-24-97  
(P. 737)*

(SUCCESSOR TO HSB 65)

Passed House, Date \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to granting easements on certain property by the  
2 department of natural resources.

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

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WITHDRAWN

*HF 539*

1 Section 1. Section 461A.25, Code 1997, is amended by  
 2 adding the following new unnumbered paragraph:  
 3 NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules  
 4 providing for granting easements to political subdivisions and  
 5 utility companies on state land under the jurisdiction of the  
 6 department. An applicant for an easement shall provide the  
 7 director with information setting forth the need for the  
 8 easement, availability of alternatives, and measures proposed  
 9 to prevent or minimize adverse impacts on the affected  
 10 property. An easement shall be executed by the director,  
 11 approved as to form by the attorney general, and if granted  
 12 for a term longer than five years, approved by the commission.

13 EXPLANATION

14 This bill directs the natural resource commission to adopt  
 15 rules for granting easements to political subdivisions and  
 16 utility companies on state land under the jurisdiction of the  
 17 department of natural resources. An applicant for an easement  
 18 must provide information stating the need for the easement,  
 19 availability of alternatives, and measures proposed to prevent  
 20 or minimize the adverse impacts of the easement. Easements  
 21 are to be executed by the director, except that an easement  
 22 which is to be granted for more than five years must be  
 23 approved by the commission.

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Arnold, Chair  
Brauns  
Fresvert

HSB 65  
NATURAL RESOURCES  
Succeeded By  
SF (HF) 539

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
NATURAL RESOURCES BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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LSB 1282 DP

10/22/96

**DNR AUTHORITY FOR LEASES AND EASEMENTS ON PUBLIC LANDS.**

**Rationale:**

The Department of Natural Resources has occasional requests to grant easements on state land under its jurisdiction. Under current law there is no specific legislative direction regarding the manner of proceeding to grant an easement. This bill is intended to clarify the authority and procedures by which the DNR will enter into agreements for easements with political subdivisions and utilities.