

FILED FEB 2 0 1997

SENATE FILE 190 BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 11)

Passed Senate, Date 3/18/97 Passed House, Date 3/34/97(p.796)Vote: Ayes 49 Nays Q Vote: Ayes 99 Nays Q Approved 734/97

A BILL FOR

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S.F. 190 H.F.

Section 1. Section 461A.25, Code 1997, is amended by
2 adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The commission shall adopt rules a providing for granting easements to political subdivisions and 5 utility companies on state land under the jurisdiction of the 5 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, ll approved as to form by the attorney general, and if granted 12 for a term longer than five years, approved by the commission. 3 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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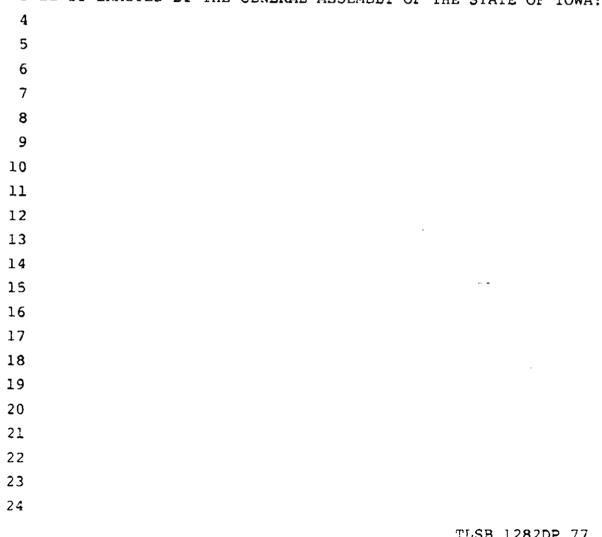
SENATE/HOUSE SEPARTMENT OF NATURAL RESOURCES BILL)

Passed	Senate,	Date	Passed	House,	Date
Vote:	Ayes	Nays	Vote:	Ayes	Nays
	Ar	pproved			_

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:



TLSB 1282DP 77 mj/sc/14 S.F. H.F.

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adding the following new unnumbered paragraph:
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providing for granting easements to political subdivisions and
utility companies on state land under the jurisdiction of the
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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LSB 1282DP

DNR AUTHORITY FOR LEASES AND EASEMENTS ON PUBLIC LANDS.

Rationale:

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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





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approved as to form by the attorney general, and if granted for a term longer than five years, approved by the commission.

> MARY E. KRAMER President of the Senate

SENATE FILE 190

AN ACT

RELATING TO GRANTING EASEMENTS ON CERTAIN PROPERTY BY THE DEPARTMENT OF NATURAL RESOURCES.

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

Section 1. Section 461A.25, Code 1997, is amended by adding the following new unnumbered paragraph:

<u>NEW UNNUMBERED PARAGRAPH</u>. The commission shall adopt rules providing for granting easements to political subdivisions and utility companies on state land under the jurisdiction of the department. An applicant for an easement shall provide the director with information setting forth the need for the easement, availability of alternatives, and measures proposed to prevent or minimize adverse impacts on the affected property. An easement shall be executed by the director, RON J. CORBETT Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 190, Seventy-seventh General Assembly.

Approved March 31 1997

MARY PAT GUNDERSON Secretary of the Senate

TERRY E. BRANSTAD Governor