

*Substituted  
for HF 539  
3/24/97 (p. 736)*

FILED FEB 20 1997

SENATE FILE 190  
BY COMMITTEE ON NATURAL  
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 11)

Passed Senate, Date 3/18/97 (P.683) Passed House, Date 3/24/97 (p. 736)  
Vote: Ayes 49 Nays 0 Vote: Ayes 99 Nays 0  
Approved March 31, 1997

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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S.F. 190

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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Barta, Chair  
McKibben  
Zink

SSB 11  
Natural Resources

Succeeded By  
SENATE/HOUSE ~~FILED~~ HF 190  
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 1282DP

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.

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

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RON J. CORBETT  
Speaker of the House

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:

NEW UNNUMBERED PARAGRAPH. 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,

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

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MARY PAT GUNDERSON  
Secretary of the Senate

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TERRY E. BRANSTAD  
Governor