

NAT. RES. & ENVIRONMENT
FILED FEB 14 2000

SENATE FILE 2155
BY REHBERG

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to on-site presence of a pipeline company
2 representative during farmland improvements near pipelines.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2155
NAT. RES. & ENVIRONMENT

1 Section 1. Section 479.48, subsection 5, Code Supplement
2 1999, is amended to read as follows:

3 5. If a pipeline right-of-way is abandoned for pipeline
4 use, but the pipe is not removed from the right-of-way, the
5 pipeline company shall remain subject to section 479.49, shall
6 remain responsible for the additional costs of subsequent
7 tiling as provided for in section 479.47, shall mark the
8 location of the line in response to a notice of proposed
9 excavation in accordance with chapter 480, and shall remain
10 subject to the damage provisions of this chapter in the event
11 access to or excavation relating to the pipe is required. The
12 landowner shall provide reasonable access to the pipeline in
13 order to carry out the responsibilities of this subsection.

14 Sec. 2. NEW SECTION. 479.49 FARMLAND IMPROVEMENTS.

15 A landowner may require a representative of the pipeline
16 company to be present on-site at all times during each phase
17 and separate activity related to a farmland improvement within
18 fifty feet of either side of a pipeline. A farmland
19 improvement includes, but is not limited to, the terracing of
20 farmland and tiling.

21 Sec. 3. Section 479A.27, subsection 5, Code Supplement
22 1999, is amended to read as follows:

23 5. If a pipeline right-of-way is abandoned for pipeline
24 use, but the pipe is not removed from the right-of-way, the
25 pipeline company shall remain subject to section 479A.28,
26 shall remain responsible for the additional costs of
27 subsequent tiling as provided for in section 479A.26, shall
28 mark the location of the line in response to a notice of
29 proposed excavation in accordance with chapter 480, and shall
30 remain subject to the damage provisions of this chapter in the
31 event access to or excavation relating to the pipe is
32 required. The landowner shall provide reasonable access to
33 the pipeline in order to carry out the responsibilities of
34 this subsection.

35 Sec. 4. NEW SECTION. 479A.28 FARMLAND IMPROVEMENTS.

1 A landowner may require a representative of the pipeline
2 company to be present on-site at all times during each phase
3 and separate activity related to a farmland improvement within
4 fifty feet of either side of a pipeline. A farmland
5 improvement includes, but is not limited to, the terracing of
6 farmland and tiling.

7 Sec. 5. Section 479B.32, subsection 5, Code Supplement
8 1999, is amended to read as follows:

9 5. If a pipeline right-of-way is abandoned for pipeline
10 use, but the pipe is not removed from the right-of-way, the
11 pipeline company shall remain subject to section 479B.33,
12 shall remain responsible for the additional costs of
13 subsequent tiling as provided for in section 479B.31, shall
14 mark the location of the line in response to a notice of
15 proposed excavation in accordance with chapter 480, and shall
16 remain subject to the damage provisions of this chapter in the
17 event access to or excavation relating to the pipe is
18 required. The landowner shall provide reasonable access to
19 the pipeline in order to carry out the responsibilities of
20 this subsection.

21 Sec. 6. NEW SECTION. 479B.33 FARMLAND IMPROVEMENTS.

22 A landowner may require a representative of the pipeline
23 company to be present on-site at all times during each phase
24 and separate activity related to a farmland improvement within
25 fifty feet of either side of a pipeline. A farmland
26 improvement includes, but is not limited to, the terracing of
27 farmland and tiling.

28 EXPLANATION

29 This bill provides that a landowner may require a
30 representative of a pipeline company to be present on-site at
31 all times during each phase and separate activity related to a
32 farmland improvement within fifty feet of either side of a
33 pipeline. The bill provides that if a pipeline right-of-way
34 is abandoned for pipeline use, but the pipe is not removed
35 from the right-of-way, the pipeline company remains subject to

1 the provisions of this bill. The bill applies to pipelines,
2 interstate natural gas pipelines, and hazardous liquid
3 pipelines.

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