

House Study Bill 185 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to information required for inclusion in
2 specified petitions for an electric transmission line
3 franchise or an extension of franchise, and including
4 effective date and retroactive applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 478.3, subsection 2, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. Petitions for transmission lines
4 extending across six or more counties that involve the taking
5 of more than ten percent of the required property under the
6 right of eminent domain shall also contain an affidavit that
7 the proposed project has been approved by a majority vote of
8 the county board of supervisors for each county the proposed
9 project will affect. Notwithstanding paragraph "b", this
10 requirement shall not be subject to waiver by the utilities
11 board.

12 Sec. 2. Section 478.13, Code 2015, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 6. If an extension is sought for
15 transmission lines extending across six or more counties that
16 involves the taking of more than ten percent of the required
17 property under the right of eminent domain, the application
18 shall be subject to the requirement in section 478.3,
19 subsection 2, paragraph "d".

20 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
21 immediate importance, takes effect upon enactment.

22 Sec. 4. RETROACTIVE APPLICABILITY. This Act applies
23 retroactively to November 1, 2014, for petitions for franchise
24 or extension of franchise filed on or after that date.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill relates to information required for inclusion in
29 specified petitions for an electric transmission line franchise
30 and for extensions of existing franchises.

31 The bill provides that in the case of petitions for
32 transmission lines extending across six or more counties and
33 involving the taking of more than 10 percent of the required
34 property under the right of eminent domain, the petition shall
35 contain an affidavit stating that prior to filing the petition

1 the proposed construction has been approved by a majority
2 vote of the county board of supervisors for each county the
3 project will affect. The bill states that this requirement
4 shall not be subject to waiver by the Iowa utilities board.
5 The bill makes these provisions applicable to the filing of an
6 application for an extension of an existing franchise.

7 The bill takes effect upon enactment and applies
8 retroactively to November 1, 2014, for petitions for franchise
9 or extension of franchise filed on or after that date.