

February 28, 1963.

Passed on File.
on calendar 2/28

Passed Senate, Date 3-22-63

Vote: Ayes 44 Nays 0

Approved.....

Senate File 384

By HIGHWAYS COMMITTEE.

Passed House, Date.....

Vote: Ayes..... Nays.....

Roads & Highways 3/26

A BILL FOR

An Act to amend chapter three hundred fourteen (314), Code 1962, relating to entry upon private property for surveys.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Chapter three hundred fourteen (314), Code
2 1962, is hereby amended by striking all of section three
3 hundred fourteen point nine (314.9), Code 1962, and insert-
4 ing in lieu thereof the following: "The board or commission
5 in control of any highway or highway system or the engineer,
6 or any other authorized person employed by said board or com-
7 mission, may after written notice to the owner and occupant,
8 enter upon private land for the purpose of making surveys,
9 soundings, drillings, appraisals and examinations as it deems
10 appropriate or necessary to determine the advisability or practi-
11 cability of locating and constructing a highway thereon or for
12 the purpose of determining whether gravel or other material
13 exists on said land of suitable quality and in sufficient
14 quantity to warrant the purchase or condemnation of said land
15 or part thereof. Such entry, after notice, shall not be deemed
16 a trespass, and the board or commission may be aided by in-
17 junction to insure peaceful entry. The board or commission shall
18 pay actual damages caused by such entry, surveys, soundings,
19 drillings, appraisals or examinations."

1 Sec. 2. Any damage caused by such entry, surveys, sound-

2 ings, drillings, appraisals or examinations shall be
 3 determined by agreement or in the manner provided for the
 4 award of damages in condemnation of land for highway pur-
 5 poses. No such prospecting shall be done within twenty rods
 6 of the drilling, house or buildings on said land without
 7 written consent of owner.

SENATE FILE 384

- 1 Amend Senate File 384 as follows:
- 2 1. Strike line 6 of section 2 and insert in lieu
- 3 thereof the following: "of the dwelling house or buildings
- 4 on said land without".

Filed
 March 19, 1963.

adopted 3/22

By NOLAN.

SENATE FILE 384

- 1 Amend Senate File 384 as follows:
- 2 By adding to section 2 the following:
- 3 "The findings and results of any surveys, soundings,
- 4 drillings, appraisals or examinations made under the authority
- 5 of this section shall be made available to the owner of the
- 6 land upon his request."

Filed and adopted ✓
 March 22, 1963.

By BENEKE.