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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 1182

March 2, 2009

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

March 25, 2010

Rre-referred to the Committee on Finance without further recommendation

February 8, 2010

By motion, recalled and re-referred to the Energy Finance and Policy Division

1.1 A bill for an act
1.2 relating to eminent domain; repealing certain exemptions for public service
1.3 corporations; amending Minnesota Statutes 2008, section 117.225; repealing
1.4 Minnesota Statutes 2008, section 117.189.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 117.225, is amended to read:

1.7 **117.225 EASEMENT DISCHARGE.**

1.8 Whenever claiming that an easement acquired by condemnation is not being used
1.9 for the purposes for which it was acquired, the underlying fee owner may apply to the
1.10 district court of the county in which the land is situated for an order discharging the
1.11 easement, upon such terms as are just and equitable. Due notice of said application shall
1.12 be given to all interested parties. ~~Provided, however, this section shall not apply to~~
1.13 ~~easements acquired by condemnation by a public service corporation now or hereafter~~
1.14 ~~doing business in the state of Minnesota.~~

1.15 Sec. 2. **REPEALER.**

1.16 Minnesota Statutes 2008, section 117.189, is repealed.

APPENDIX
Repealed Minnesota Statutes: 09-2094

117.189 PUBLIC SERVICE CORPORATION EXCEPTIONS.

Sections 117.031; 117.036; 117.055, subdivision 2, paragraph (b); 117.186; 117.187; 117.188; and 117.52, subdivisions 1a and 4, do not apply to public service corporations. For purposes of an award of appraisal fees under section 117.085, the fees awarded may not exceed \$500 for all types of property.