

1.1 ..... moves to amend H.F. No. 578 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2010, section 117.225, is amended to read:

1.4 **117.225 EASEMENT DISCHARGE.**

1.5 Subdivision 1. Full discharge. Whenever claiming that an easement acquired by  
1.6 condemnation is not being used for the purposes for which it was acquired, the underlying  
1.7 fee owner may apply to the district court of the county in which the land is situated for an  
1.8 order discharging the easement, upon such terms as are just and equitable. Due notice of  
1.9 said application shall be given to all interested parties. Provided, however, this ~~section~~  
1.10 subdivision shall not apply to easements acquired by condemnation by a public service  
1.11 corporation now or hereafter doing business in the state of Minnesota for any purpose  
1.12 other than construction or expansion of:

1.13 (1) a high-voltage transmission line of 100 kilovolts or more, including ancillary  
1.14 substations; or

1.15 (2) a natural gas, petroleum, or petroleum products pipeline, including ancillary  
1.16 compressor stations or pumping stations.

1.17 For purposes of this section, "pipeline" does not include a natural gas distribution  
1.18 line transporting gas to an end user.

1.19 Subd. 2. Partial discharge; easement held by state agency. Whenever claiming  
1.20 that a portion of an easement acquired by condemnation by a state agency is not being  
1.21 used for the purposes for which it was acquired, the underlying fee owner may apply to  
1.22 the district court of the county in which the land is situated for an order discharging that  
1.23 portion of the easement, upon such terms as are just and equitable. Due notice of said  
1.24 application shall be given to all interested parties.

1.25 **Sec. 2. DISCHARGE OF PORTION OF EASEMENT; DOUGLAS COUNTY.**

2.1 Notwithstanding any provision of Minnesota Statutes, section 117.225, to the  
2.2 contrary, where the Department of Transportation has granted a limited use permit to  
2.3 Douglas County for a public swimming area on a portion of land over which it has  
2.4 acquired by condemnation an easement for highway purposes, the underlying fee owner  
2.5 may apply to the district court for an order on terms that are just and equitable, discharging  
2.6 any or all portions of the easement that are not subject to the limited use permit.

2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment."

2.8 Amend the title accordingly