

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 338

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**Version:** Second engrossment

**Authors:** Bly and others

**Subject:** Eminent domain compensation with respect to a high-voltage transmission line

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### Overview

The “Buy the Farm” law, originally enacted in 1977, allows the owner of real property that is “agricultural or nonagricultural homestead, nonhomestead agricultural land, rental residential property, and both commercial and noncommercial seasonal residential recreational property” to require a utility acquiring land for the route of a high-voltage transmission line to condemn and purchase any amount of land contiguous to the parcel needed for the project, up to and including the entire property.

Statutory changes in eminent domain law made in 2010 required public service corporations, including utilities and pipelines, to abide by provisions of law from which they had previously been exempt. These provisions govern compensation to landowners for attorneys’ fees, loss of an on-going business, relocation, and appraisals, as well as petition and notice requirements.

This bill specifies that those statutes apply to acquisitions under the “Buy the Farm” law.

### Section

- 1** **Contiguous land** (§ 216E.012, subd. 4). (a) Removes the requirement that the land an owner voluntarily elects to be condemned as part of an eminent domain proceeding for construction of a high-voltage transmission line be commercially viable.

Provides a utility 60 days to object to a landowner’s election of the amount of contiguous land to be condemned under this subdivision. If an objection is filed, the district court must hold a hearing to determine whether to uphold or reject it within 90 days of the objection.

**Section**

(b) Specifies that certain provisions of chapter 117 governing condemnations – including reimbursement to landowners for attorneys’ fees and appraisal fees, and compensation for loss of an on-going business – apply to the acquisition of land under the “Buy the Farm” statute.

(c) Provides a utility 90 days to make a written offer to a landowner that has elected to require the condemnation of additional contiguous land.

(d) Defines “owner.”

Effective the day after enactment and applies to eminent domain proceedings or actions pending on or after that date.

**2** **Property rights ombudsman.** Directs the commissioner of agriculture to provide a property rights ombudsman for property owners potentially affected by utility takings. Requires project proposers to pay the costs of providing the ombudsman.

Effective the day after enactment.