

On page 2, after line 30, of the Senate State Affairs Engrossed bill, insert: "

Section 6. That a NEW SECTION be added to chapter 49-41B:

If an easement is necessary for a proposed facility requiring a permit pursuant to this chapter, and as a precondition for initiating condemnation proceedings under chapter 21-35, the applicant must, at least sixty days before applying to the commission for the permit, provide notice of the applicant's intent to obtain a permit to the owner of record of the property on which the easement is sought.

The notice must:

- (1) Be sent by certified mail, return receipt requested;
- (2) Contain a description of the nature and location of the proposed facility; and
- (3) Include a color aerial map of the property, showing the intended location of the proposed facility.

Notice is not required pursuant to this section if the applicant has already obtained the necessary easement on the property.

For purposes of this section, "owner of record" means the person designated to receive the property tax bill, on the property at issue, sent by the county treasurer."