

New licenses issued for less than a year shall be prorated from the date of application.

Sec. 5. Section 543.37, Code 1983, is amended to read as follows:

543.37 FAILURE TO PAY FEE. Failure to pay the annual fee provided for in section 543.33 on or before June 30 of the year for which due shall cause a license to terminate. A warehouse license which has terminated may be reinstated by the commission upon receipt of a proper renewal application, the renewal fee, and a ~~penalty~~ the reinstatement fee in the amount of twenty-five dollars as provided for in section 543.33, if filed within thirty days from the date of termination of the warehouse license. The commission may cancel the license upon request of the licensee unless a complaint or information is filed against the licensee alleging a violation of a provision of this chapter.

Approved April 17, 1984

CHAPTER 1101
ELECTRIC TRANSMISSION FRANCHISES
S.F. 2135

AN ACT relating to electric transmission line, wire, or cable franchises and making civil penalties applicable.

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

Section 1. Section 476.25, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. 3. An electric utility shall not serve or offer to serve electric customers in an exclusive service area assigned to another electric utility, nor shall an electric utility construct facilities to serve electric customers in an exclusive service area assigned to another electric utility. The state, an electric utility, or any other person who is injured or threatened with injury by conduct prohibited by this section may initiate a contested case proceeding with the commission under chapter 17A. Upon finding a violation of this section the commission shall order appropriate corrective action including discontinuance of the unlawful service to electric customers, removal of the unlawful facility, or other disposition the commission deems just and reasonable.

Sec. 2. Section 478.1, Code 1983, is amended to read as follows:

478.1 FRANCHISE. ~~No individual, company, or corporation~~ A person shall not construct, erect, maintain, or operate any a transmission line, wire, or cable which operates at an electric voltage of thirty-four and one-half kilovolts or more along, over, or across any public highway or grounds outside of cities for the transmission, distribution, or sale of electric current, without first procuring from the Iowa state commerce commission a franchise granting authority so to do as provided in this chapter provided.

If the transmission line, wire, or cable operates at an electric voltage of less than thirty-four and one-half kilovolts, no franchise is required. However, the commission shall retain jurisdiction over all such lines, wires or cables and shall prescribe the contents of a written notice and

map to be timely provided to the commission and affected parties including owners of electric supply lines located within six-tenths of one mile of proposed construction of such lines, wires or cables. A person who seeks to construct, erect, maintain or operate a transmission line, wire or cable which will operate at an electric voltage of less than thirty-four and one-half kilovolts outside of cities and which cannot secure the necessary voluntary easements to do so may petition the commission pursuant to section 478.3, subsection 1 for a franchise granting authority for such construction, erection, maintenance or operation, and for the use of the right of eminent domain.

Sec. 3. Section 478.19, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All transmission lines, wires or cables outside of cities for the transmission, distribution or sale of electric current at any voltage shall be constructed and maintained in accordance with standards adopted by rule by the commission.

Approved April 17, 1984

CHAPTER 1102
SECONDARY ROAD BUDGET YEAR
S.F. 2250

AN ACT relating to the budget year and annual report provisions for secondary roads.

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

Section 1. Section 17.9, Code 1983, is amended to read as follows:

17.9 STATE DEPARTMENT OF TRANSPORTATION. The annual report of the state department of transportation shall cover the year ending June 30 and shall be filed not later than September 1 of each year, provided the summary report of county highway engineers may be filed on a date not later than February 1.

Sec. 2. Section 309.1, Code 1983, is amended to read as follows:

309.1 DEFINITION. As used in this chapter, unless the context otherwise requires, "department":

1. "Department" means the state department of transportation.
2. "Fiscal year" means the period of twelve months beginning on July 1 and ending on June 30.

Sec. 3. Section 309.10, unnumbered paragraph 1, Code Supplement 1983, is amended to read as follows:

Notwithstanding the provisions of section 310.4, if the board of supervisors of a county does not plan to utilize its farm-to-market road fund allocation for the succeeding calendar fiscal year for farm-to-market projects, the board may annually, by stipulation in the secondary road construction program and secondary road budget submitted to the department in accordance