

6. "Administrator" means the superintendent of the division of savings and loans banking of the department of commerce.

Sec. 2. Section 535B.13, subsection 1, paragraph a, Code 1991, is amended to read as follows:

a. For the purposes of this subsection, "administrator" means either the superintendent of savings and loans banking or the official or agency charged with enforcing this chapter, or parts thereof, against the person under investigation.

Approved April 29, 1991

CHAPTER 66

LIGHT RAIL STUDY

S.F. 454

AN ACT authorizing the state department of transportation to contract for a light rail study.

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

Section 1. INTENT. It is the intent of the general assembly to increase energy conservation and efficiency, to reduce air pollution, and to provide efficient and convenient transportation to metropolitan airport facilities through use of a light rail system within the state.

Sec. 2. LIGHT RAIL SYSTEM. The state department of transportation shall contract with a private consultant to study the feasibility of operating a light rail system within the state. The routes studied shall include a route from West Des Moines through metropolitan Des Moines, a route from the Des Moines airport through Ankeny to Ames, and a route from Iowa City through North Liberty to Cedar Rapids. The department shall only contract for the light rail system feasibility study authorized by this section if the study is financed from adequate funds made available by the federal government or the private sector. The department is authorized to accept and use any available federal or private funds for conducting the study. The department shall submit a report of findings and recommendations to the general assembly.

Approved April 29, 1991

CHAPTER 67

DEPARTMENTAL RULES ON RECOVERY FOR DAMAGE TO HIGHWAYS

H.F. 275

AN ACT requiring the state department of transportation to adopt administrative rules relating to damage to highways and highway structures.

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

Section 1. Section 321.475, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall adopt rules pursuant to chapter 17A, stating the department's policy for recovery of damages to highways or highway structures pursuant to this section. The policy shall exclude from recoverable damages the costs of traffic control at the scene of an accident.

Sec. 2. FILING DATE FOR RULES. The rules required to be adopted by section 1 of this Act shall be filed within six months of the enactment of this Act.

Approved April 29, 1991

CHAPTER 68
PUBLIC UTILITY REORGANIZATION
H.F. 386

AN ACT relating to public utility reorganizations and providing an effective date.

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

Section 1. Section 476.77, Code 1991, is amended to read as follows:
476.77 TIME AND STANDARDS FOR REVIEW.

1. A reorganization shall not take place if the board disapproves. Prior to reorganization, the applicant shall file with the board a proposal for reorganization with supporting testimony and evidence to establish that the reorganization is not contrary to the interests of the public utility's ratepayers and the public interest.

2. A proposal for reorganization shall be deemed to have been approved unless the board disapproves the proposal within ~~forty-five~~ ninety days after its filing. However, the board shall not disapprove a proposal for reorganization without providing for notice and opportunity for hearing. The notice of hearing shall be provided no later than ~~twenty-one~~ fifty days after the proposal for reorganization has been filed.

3. In its review of a proposal for reorganization, the board may consider all of the following:

a. Whether the board will have reasonable access to books, records, documents, and other information relating to the public utility or any of its affiliates.

b. Whether the public utility's ability to attract capital on reasonable terms, including the maintenance of a reasonable capital structure, is impaired.

c. Whether the ability of the public utility to provide safe, reasonable, and adequate service is impaired.

d. Whether ratepayers are detrimentally affected.

e. Whether the public interest is detrimentally affected.

4. The board may adopt rules which exempt any a public utility or class of public utility or class of reorganization from this section if the board finds that with respect to the public utility or class of public utility or class of reorganization review is not necessary in the public interest. The board may adopt rules necessary to protect the interest of the customers of the exempt public utility. These rules may include, but are not limited to, notification of a proposed sale or transfer of assets or stock. The board may waive the requirements of this section, if the board finds that board review is not necessary in the public interest.

Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 29, 1991