

Sec. 2. Section 455B.220 is amended by adding the following new subsection:

NEW SUBSECTION. 3. A certificate of proper classification may be issued without examination to operators of a water distribution system in which water is conveyed from a supply point to the premises of consumers without treatment which in some way alters the physical, chemical, or bacteriological quality of the water and which serves a population of not more than two hundred fifty persons. Renewals of those certificates issued shall be governed by the provisions of this part 2 of division III and rules promulgated pursuant to this part. Notwithstanding chapter 258A, continuing education requirements shall not be imposed as a condition of certificate renewal for certificates issued under this subsection.

Approved April 17, 1984

CHAPTER 1100
GRAIN DEALER AND WAREHOUSE FEES
H.F. 2391

AN ACT relating to license fees, inspection fees, and other fees charged by the commerce commission under chapters 542 and 543.

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

Section 1. Section 542.5, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Upon the filing of the application and compliance with the terms and conditions of this chapter and rules of the commission, the commission shall issue a license to the applicant. The license shall terminate on the thirtieth of June of each year. A grain dealer's license may be renewed annually by the filing of a renewal fee and a renewal application on a form prescribed by the commission. An application for renewal shall be received by the commission before the thirtieth of June. A grain dealer license which has terminated may be reinstated by the commission upon receipt of a proper renewal application, the renewal fee, and penalty the reinstatement fee in the amount of fifty dollars from the grain dealer, provided that such materials are as provided in section 542.6 if filed within thirty days from the date of termination of the grain dealer license. The commission may cancel a 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.

Sec. 2. Section 542.6, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

542.6 FEES. The commission shall charge the following fees for deposit in the general fund:

1. For the issuance or renewal of a license for a grain dealer and for any inspection of a grain dealer, the fee shall be determined on the basis of dollar volume of all grain purchased the previous calendar year as follows:

a. If the total purchased is one hundred thousand dollars or less, the license fee is forty dollars and the inspection fee is fifty dollars.

b. If the total purchased is more than one hundred thousand dollars, but not more than seven hundred fifty thousand dollars, the license fee is seventy dollars and the inspection fee is seventy-five dollars.

c. If the total purchased is more than seven hundred fifty thousand dollars, but not more than one million five hundred thousand dollars, the license fee is one hundred dollars and the inspection fee is one hundred fifteen dollars.

d. If the total purchased is more than one million five hundred thousand dollars, but not more than three million dollars, the license fee is one hundred seventy-five dollars and the inspection fee is one hundred fifty dollars.

e. If the total purchased is more than three million dollars, but not more than four million seven hundred fifty thousand dollars, the license fee is three hundred dollars and the inspection fee is one hundred eighty-five dollars.

f. If the total purchased is more than four million seven hundred fifty thousand dollars, but not more than nine million five hundred thousand dollars, the license fee is four hundred twenty-five dollars and the inspection fee is two hundred twenty-five dollars.

g. If the total purchased is more than nine million five hundred thousand dollars, the license fee is five hundred seventy-five dollars and the inspection fee is two hundred sixty-five dollars.

If the applicant did not purchase grain the previous calendar year, the applicant will pay the fee specified in subsection 1, paragraph "a". If during the license period the total grain actually purchased exceeds one hundred thousand dollars, the licensee shall notify the commission and the license and inspection fee shall be adjusted accordingly. Subsequent adjustments shall be made as necessary. An applicant may elect licensing in any category of subsection 1. New licenses issued for less than a full year shall be prorated from the date of application.

2. For an amendment to a license, the fee is ten dollars.

3. For a duplicate license, the fee is five dollars.

4. For reinstatement of a license the fee is fifty dollars.

Sec. 3. Section 543.2, Code 1983, is amended to read as follows:

543.2 DUTIES AND POWERS OF THE COMMISSION. The commission may exercise general supervision over the storage, warehousing, classifying according to grade or otherwise, weighing, and certification of agricultural products. The commission may inspect or cause to be inspected any warehouse. Inspections may be made at times and for purposes as the commission determines. The commission shall cause every licensed warehouse and its contents to be inspected once in every twelve-month period, provided that if a class 1 warehouseman elects to submit the unaudited financial statement under section 543.6, subsection 4, paragraph "b," the commission shall cause the warehouse to be inspected twice in every twelve-month period. The commission may require the filing of reports relating to a warehouse or its operation. If upon inspection a deficiency is found to exist as to the quantity or quality of agricultural products stored, as indicated on the warehouseman's books and records according to official grain standards, the commission may require an employee of the commission to remain at the licensed warehouse and supervise all operations involving agricultural products stored there under this chapter until the deficiency is corrected. The charge for the cost of maintaining an employee of the commission at a warehouse to supervise the correction of a deficiency is one hundred fifty dollars per day. The commission may make available to the United States government, or any of its agencies, including the Commodity Credit Corporation, the results of inspections made and inspection reports submitted to it by employees of the commission, upon payment to it of charges as determined by the commission, but the charges shall not be less than the actual cost of services rendered, as determined by

the commission. The commission may enter into contracts and agreements for such purpose and shall keep a record of all money thus received. All such money shall be paid over to the treasurer of state as miscellaneous receipts. The commission may classify any warehouse in accordance with its suitability for the storage of agricultural products and shall specify in any license issued for the operation of any warehouse the type or types and the quantity of agricultural products which may be exclusively stored in the warehouse. The commission may prescribe, within the limitations of this chapter, the duties of licensed warehousemen with respect to the care of and responsibility for the contents of licensed warehouses. Grain grades shall be determined under the official grain standards. The commission may from time to time publish data in connection with the administration of this chapter as may be of public interest. The commission shall administer this chapter.

Sec. 4. Section 543.33, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

543.33 FEES. The commission shall charge the following fees for deposit in the general fund:

1. For the issuance or renewal of a warehouse license, the fee shall be determined on the basis of the storage capacity in bushels of grain as follows:

a. If the total storage capacity is one hundred thousand bushels or less, the fee is thirty-five dollars.

b. If the total storage capacity is more than one hundred thousand bushels, but not more than seven hundred fifty thousand bushels, the fee is seventy-five dollars.

c. If the total storage capacity is more than seven hundred fifty thousand bushels, but not more than one million five hundred thousand bushels, the fee is one hundred fifteen dollars.

d. If the total storage capacity is more than one million five hundred thousand bushels, but not more than three million bushels, the fee is one hundred fifty dollars.

e. If the total storage capacity is more than three million bushels, but not more than four million seven hundred fifty thousand bushels, the fee is one hundred eighty-five dollars.

f. If the total storage capacity is more than four million seven hundred fifty thousand bushels, but not more than nine million five hundred thousand bushels, the fee is two hundred twenty-five dollars.

g. If the total storage capacity is more than nine million five hundred thousand bushels, the fee is two hundred sixty-five dollars.

2. For the issuance or renewal of a warehouse license for the storage of products other than bulk grain, the fee shall be determined as follows:

a. For intended storage of products of a value of one hundred thousand dollars or less, a fee of sixty dollars.

b. For intended storage of products of a value greater than one hundred thousand dollars but not greater than three hundred thousand dollars, a fee of one hundred dollars.

c. For intended storage of products of a value in excess of three hundred thousand dollars, a fee of two hundred dollars.

For each inspection of a warehouse or station for the purpose of licensing, a fee of twenty-five dollars, and for each additional warehouse or station under the same license, a fee of ten dollars.

3. For each amendment of a license, a fee of ten dollars.

4. For each amendment of a tariff, a fee of ten dollars.

5. For a duplicate license, a fee of five dollars.

6. For the reinstatement of a license, a fee of fifty dollars.

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