

JAN 21 1972
Made (in Calendar

HOUSE FILE 1052
By COMMITTEE ON COMMERCE
(Committee on Commerce)

Passed House, Date 1-24-72 Passed Senate, Date 2-3-72
Vote: Ayes 76 Nays 0 Vote: Ayes 42 Nays 0
Approved 3/2/72

A BILL FOR

1 An Act relating to the deposit and use of fees collected by
2 the Iowa state commerce commission.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section three hundred twenty-five point thirty-
2 six (325.36), Code 1971, is amended to read as follows:

3 325.36 USE OF FEES. All moneys received under the provi-
4 sions of this chapter ~~or so much thereof as may be neces-~~
5 ~~sary, shall be used for the administration and enforcement~~
6 ~~of the provisions of this chapter and the regulation of cer-~~
7 ~~tified motor carriers, and shall be paid to the commission~~
8 ~~by warrant drawn from time to time by the state comptroller~~
9 ~~upon the treasurer of state. -- Unexpended balances on June~~
10 ~~30 of each year shall be remitted to the treasurer of state~~
11 ~~and credited to the general fund of the state by December~~
12 ~~31 following.~~

13 Sec. 2. Section three hundred twenty-seven point thirteen
14 (327.13), Code 1971, is amended to read as follows:

15 327.13 EXPENDITURE OF FUNDS. All moneys received under
16 the provisions of this chapter ~~or so much thereof as may be~~
17 ~~necessary shall be used for the administration and enforcement~~
18 ~~of the provisions of this chapter and the regulation of truck~~
19 ~~operators, and shall be paid to the commission by warrant~~
20 ~~drawn from time to time by the state comptroller upon the~~
21 ~~treasurer of state. -- Unexpended balances on June 30 of each~~
22 ~~year shall be remitted monthly to the treasurer of state and~~
23 ~~credited to the general fund of the state by December 31~~
24 ~~following.~~

25 Sec. 3. Section three hundred twenty-seven A point nine-
26 teen (327A.19), Code 1971, is amended to read as follows:

27 327A.19 FEE FOR OPERATION. No certificate of convenience
28 and necessity shall be issued nor continued in force until
29 the holder thereof shall have paid to the commission ~~for the~~
30 ~~administration of this chapter~~ an annual certificate fee for
31 each motor vehicle operated thereunder in the amount of five
32 dollars, except that the fee for a tractor or truck tractor
33 shall be fifteen dollars, and except that the fee herein pro-
34 vided shall not be imposed on any trailer or semitrailer.
35 Fees collected pursuant to the provisions of this section

1 shall be remitted to the treasurer of state and credited to
2 the general fund of the state.

3 Sec. 4. Section three hundred twenty-seven B point three
4 (327B.3), Code 1971, is amended to read as follows:

5 327B.3 FEES--USE. All fees paid under the provisions
6 of this chapter ~~or so much thereof as may be necessary shall~~
7 ~~be used for the administration of this chapter and shall be~~
8 ~~paid to the commission by warrant drawn from time to time~~
9 ~~upon the treasurer of state. Unexpended balances on June~~
10 ~~30 of each year shall be~~ remitted to the treasurer of state
11 and credited to the general fund of the state by December
12 31 following.

13 Sec. 5. Section four hundred ninety point seventeen
14 (490.17), Code 1971, is amended to read as follows:

15 490.17 USE OF FUNDS. All moneys received under the pro-
16 visions of this chapter ~~or so much thereof as may be neces-~~
17 ~~sary shall be used for the administration and enforcement~~
18 ~~of the provisions of this chapter and the regulation of pipe-~~
19 ~~line companies and shall be paid to the commission by warrant~~
20 ~~drawn from time to time by the comptroller of state upon the~~
21 ~~treasurer of state. Unexpended balances on December 31 of~~
22 ~~each year shall be~~ remitted monthly to the treasurer of state
23 and credited to the general fund of the state by June 30
24 following.

25 Sec. 6. Sections three hundred twenty-seven point twelve
26 (327.12) and four hundred ninety point sixteen (490.16), Code
27 1971, are repealed.

28 Sec. 7. The provisions of this Act shall become effective
29 July 1, 1973.

30 EXPLANATION

31 This bill eliminates special funds of the Iowa State
32 Commerce Commission resulting from the collection of fees
33 for regulation of certificated motor carriers, truck operators,
34 liquid transport carriers, interstate transportation carriers,
35 and pipeline companies. Fees will continue to be collected

1 but will be deposited directly to the credit of the general
2 fund and will have to be appropriated. Thus the Commerce
3 Commission will have to be totally financed pursuant to a
4 legislative appropriation in regard to regulation of the areas
5 indicated.

6 The effective date clause allows the Commerce Commission
7 to continue to use the fees indicated until the appropriation
8 to the Commerce Commission commencing in the fiscal year 1973
9 becomes effective, which appropriation should cover the ex-
10 penses normally paid for by the fees.

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