

L. Pass 2/13 (p. 415)

*Sen. Appropriation 2/24
L. Pass 2/26 (p. 574)*

FEB 12 1981

Appropriations

HOUSE FILE 398

BY COMMITTEE ON COMMERCE

(Formerly Study Bill 161)

Passed House, Date 2-18-81 (p. 441) Passed Senate, Date 3-4-81 (p. 642)

Vote: Ayes 92 Nays 1 Vote: Ayes 38 Nays 0

Approved March 13 1981

A BILL FOR

1 An Act relating to the funding of the operations of the
 2 utilities division of the Iowa state commerce commission,
 3 and providing for semiannual remainder assessments against
 4 public utilities, and for a supplemental appropriation of
 5 two hundred thousand dollars to the commerce commission
 6 for the fiscal year commencing July 1, 1980, and ending
 7 June 30, 1981, for operational purposes, to be effective
 8 upon publication.

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

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMUNICATION FROM SECRETARY OF STATE

April 1, 1981

Pat H. Harper
Chief Clerk of the House
State Capitol Building
LOCAL

I hereby certify that House File 398 was published in The Messenger, Fort Dodge, Iowa on March 25, 1981, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa on March 26, 1981.

Respectfully submitted,

MARY JANE ODELL
Secretary of State

398

1 Section 1. Section 476.10, unnumbered paragraph 2, Code
2 1981, is amended to read as follows:

3 The commission shall ~~annually, within ninety days after~~
4 ~~the close of each fiscal year,~~ ascertain the total of its
5 expenditures during each year which are reasonably attributable
6 to the performance of its duties under this chapter and shall
7 deduct therefrom all amounts chargeable directly to any spe-
8 cific utility under any law. The remainder shall be assessed
9 by the commission to the several public utilities in propor-
10 tion to their respective gross operating revenues during the
11 last calendar year derived from intrastate public utility
12 operations and shall be assessed within ninety days of the
13 close of the calendar year based upon an estimate of the
14 commission expenditures for the first half of the commission's
15 fiscal year and again within ninety days of the close of the
16 fiscal year as necessary to conform the amount of the
17 assessment to the requirements of this section. The total
18 amount which may be assessed to the public utilities under
19 authority of this paragraph shall not exceed one-tenth of
20 one percent of the total gross operating revenues of such
21 public utilities during such calendar year derived from
22 intrastate public utility operations. For public utilities
23 exempted from rate regulation under this chapter, the
24 assessments under this paragraph shall be computed at one-
25 half the rate used in computing the assessment for other
26 utilities.

27 Sec. 2. Acts of the Sixty-eighth General Assembly, 1979
28 Session, chapter 4, section 2, subsection 5, paragraph c,
29 unnumbered paragraph 1, is amended to read as follows:

30 For salaries and wages for not more
31 than eighty-one full-time equivalent
32 positions and for support, maintenance,
33 and other operational purposes \$ 2,092,492 \$-2,099,228
34 \$ 2,299,228

35 Sec. 3. This Act being deemed of immediate importance,

1 takes effect from and after its publication in the Fort Dodge
2 Messenger, a newspaper published in Fort Dodge, Iowa, and
3 in The Cedar Rapids Gazette, a newspaper published in Cedar
4 Rapids, Iowa.

5 EXPLANATION

6 This bill relates to the financing of activities of the
7 utilities division of the commerce commission.

8 Section 1 increases from annually to semiannually the
9 frequency at which public utilities are required to pay their
10 pro-rata shares of the operating overhead of the utilities
11 division. The amendment does not change the basis for
12 determining the assessment, but provides that it will be paid
13 in two installments rather than one.

14 Section 2 contains a supplemental appropriation of \$200,000
15 to the commerce commission for operating expenses of the
16 utilities division for fiscal year 1980-81.

17 The bill would take effect upon publication.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 398

AN ACT

RELATING TO THE FUNDING OF THE OPERATIONS OF THE UTILITIES DIVISION OF THE IOWA STATE COMMERCE COMMISSION, AND PROVIDING FOR SEMIANNUAL REMAINDER ASSESSMENTS AGAINST PUBLIC UTILITIES, AND FOR A SUPPLEMENTAL APPROPRIATION OF TWO HUNDRED THOUSAND DOLLARS TO THE COMMERCE COMMISSION FOR THE FISCAL YEAR COMMENCING JULY 1, 1980, AND ENDING JUNE 30, 1981, FOR OPERATIONAL PURPOSES, TO BE EFFECTIVE UPON PUBLICATION.

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

Section 1. Section 476.10, unnumbered paragraph 2, Code 1981, is amended to read as follows:

The commission shall ~~annually, within ninety days after the close of each fiscal year,~~ ascertain the total of its expenditures during each year which are reasonably attributable to the performance of its duties under this chapter and shall deduct therefrom all amounts chargeable directly to any specific utility under any law. The remainder shall be assessed by the commission to the several public utilities in proportion to their respective gross operating revenues during the last calendar year derived from intrastate public utility operations and shall be assessed within ninety days of the close of the calendar year based upon an estimate of the commission expenditures for the first half of the commission's fiscal year and again within ninety days of the close of the fiscal year as necessary to conform the amount of the assessment to the requirements of this section. The total amount which may be assessed to the public utilities under authority of this paragraph shall not exceed one-tenth of one percent of the total gross operating revenues of such public utilities during such calendar year derived from intrastate public utility operations. For public utilities exempted from rate regulation under this chapter, the assessments under this paragraph shall be computed at one-half the rate used in computing the assessment for other utilities.

Sec. 2. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter 4, section 2, subsection 5, paragraph c, unnumbered paragraph 1, is amended to read as follows: For salaries and wages for not more than eighty-one full-time equivalent positions and for support, maintenance, and other operational purposes \$ 2,092,492 ~~\$-2,099,228~~ \$ 2,299,228

3/25 Sec. 3. This Act being deemed of immediate importance, takes effect from and after its publication in the Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa, and in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa. 3/26

DELWYN STROMER
Speaker of the House

TERRY F. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 398, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved _____, 1981

March 13, 1981
ROBERT D. RAY
Governor

H.F. 398