

7 upon blanks furnished by the commissioner, such reports and returns
 8 as he may require for the purpose of compiling such labor statistics as
 9 are contemplated in this chapter; and the owner, operator, or business
 10 manager shall make such reports or returns within sixty days from
 11 the receipt of blanks furnished by the commissioner, and shall certify
 12 under oath to the correctness of the same.

1 SEC. 5. Section ninety-one point fifteen (91.15), Code 1971, is
 2 amended as follows:

3 **91.15 Definition of terms.** The expressions "factory", "mill",
 4 "workshop", "mine", "store", "railway", "business house", and "pub-
 5 lic or private work", as used in this chapter, shall be construed to
 6 mean any factory, mill, workshop, mine, store, *railway*, business
 7 house, public or private work, where wage earners are employed for
 8 a compensation.

1 SEC. 6. Section ninety-one point sixteen (91.16), subsection one
 2 (1), Code 1971, is amended as follows:

3 1. Any owner, superintendent, manager, or person in charge of any
 4 factory, mill, workshop, store, mine, hotel, restaurant, *cafe*, *railway*,
 5 business house, public or private work, who shall refuse to allow the
 6 commissioner of labor or any inspector or employee of the bureau of
 7 labor to enter the same, or who shall hinder or deter him in collecting
 8 information which it is his duty to collect shall be fined not exceeding
 9 one hundred dollars or imprisoned in the county jail not exceeding
 10 thirty days.

1 SEC. 7. Section ninety-one point sixteen (91.16), subsection four
 2 (4), Code 1971, is amended as follows:

3 4. Any owner, operator, or manager of a factory, mill, workshop,
 4 mine, store, *railway*, business house, public or private work, who shall
 5 neglect or refuse for thirty days after receipt of notice from the com-
 6 missioner to furnish any reports or returns he may require to enable
 7 him to discharge his duties shall be fined not to exceed one hundred
 8 dollars or imprisoned in the county jail not to exceed thirty days.

Approved June 30, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes. However, see Editor's note, page iii.

CHAPTER 237

ELECTRIC UTILITY PROJECTS

H. F. 24

AN ACT to exempt certain electric utility projects from petition requirements.

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

1 SECTION 1. Section four hundred eighty-nine point three (489.3),
 2 Code 1971, is amended as follows:

3 **489.3 Petition—requirements.**

4 1. [The petition] *All petitions* shall set forth:

5 [1]a. The name of the individual, company, or corporation asking
 6 for the franchise.

7 [2]b. The principal office or place of business.

8 [3]c. The starting points, routes, and termini of the proposed lines,
9 accompanied with a map or plat showing such details.

10 [4]d. A general description of the public or private lands, highways,
11 and streams over, across, or along which any proposed line will pass.

12 [5]e. General specifications as to materials and manner of con-
13 struction.

14 [6]f. The maximum voltage to be carried over each line.

15 [7]g. Whether or not the exercise of the right of eminent domain
16 will be used and, if so, a specific reference to the lands described in
17 subsection 1*, paragraph "d" of this section which are sought to be
18 subject thereto.

19 [8]h. An allegation that the proposed construction is necessary to
20 serve a public use [and].

21 2. *Petitions for transmission lines carrying thirty-four point five*
22 *kilovolts or more and extending a distance of not less than one mile*
23 *across privately owned real estate shall also set forth an allegation*
24 *that the proposed construction represents a reasonable relationship*
25 *to an overall plan of transmitting electricity in the public interest*
26 *and substantiation of such allegations, including but not limited to,*
27 *a showing of the following:*

28 a. The relationship of the proposed project to present and future
29 economic development of the area.

30 b. The relationship of the proposed project to comprehensive elec-
31 tric utility planning.

32 c. The relationship of the proposed project to the needs of the pub-
33 lic presently served and future projections based on population trends.

34 d. The relationship of the proposed project to the existing electric
35 utility system and parallel existing utility routes.

36 e. The relationship of the proposed project to any other power sys-
37 tem planned for the future.

38 f. The possible use of alternative routes and methods of supply.

39 g. The relationship of the proposed project to the present and future
40 land use and zoning ordinances.

41 h. The inconvenience or undue injury which may result to property
42 owners as a result of the proposed project.

43 The commission may waive the proof required for such allegations
44 which are not applicable to a particular proposed project.

45 [9. An] *The petition shall contain an affidavit stating that informa-*
46 *tional meetings were held in each county which the proposed project*
47 *will affect and the time and place of each meeting.*

1 SEC. 2. Section four hundred eighty-nine point thirty-one
2 (489.31), Code 1971, is amended as follows:

3 489.31 **Temporary permits for lines less than one mile.** Notwith-
4 standing the provisions of section 489.1 any person, company or cor-
5 poration proposing to construct an electric transmission line not
6 exceeding one mile in length and which does not involve the taking
7 of property under the right of eminent domain may obtain a tempo-
8 rary construction permit from the state commerce commission by
9 proceeding in the manner hereinafter set forth. Said person, com-
10 pany or corporation shall first file with the state commerce commis-
11 sion a verified petition setting forth [all] the requirements of section
12 489.3, *subsection one (1), paragraphs "a" through "h", inclusive, with*

*According to enrolled Act

13 the further allegation that the petitioner is the nearest electric utility
14 to the proposed point of service.

15 The petition shall also state that the filing thereof constitutes an
16 application for a temporary construction permit and shall also have
17 endorsed thereon the approval of the appropriate highway authority
18 or railroad concerned if such line is to be constructed over, across or
19 along a public highway or railroad.

20 Upon receipt of such petition the commission shall consider same
21 and may grant a temporary construction permit in whole or in part
22 or upon such terms, conditions and restrictions, and with such modi-
23 fications as to location as may seem to it just and proper, however,
24 no finding of public use will be made at the time of the issuance of
25 the permit, such finding to be made, if substantiated by petitioner, at
26 the subsequent consideration of the propriety of granting a franchise
27 for the line subject to the permit. The signature of one commissioner
28 on such permit shall be sufficient. The issuance of such permit shall
29 constitute temporary authority for the permit holder to construct the
30 line for which the permit is granted.

31 Upon the granting of such temporary construction permit the com-
32 mission shall cause the publication of notice required by section 489.5
33 and all other requirements shall be complied with as in the manner
34 provided for the granting of a franchise. If a hearing is required
35 then the petitioner shall make a sufficient and proper showing thereat
36 before a franchise will be issued for the line. Any franchise issued
37 will be subject to all applicable provisions of this chapter.

38 Notwithstanding anything foregoing, if the commission shall deter-
39 mine that a franchise should not be granted, or that further restric-
40 tions, conditions or modifications are required, or if the petitioner
41 shall fail to make a sufficient and proper showing of the necessity for
42 the granting of a franchise within six months of the granting of the
43 temporary construction permit, the permit issued hereunder shall be-
44 come null and void and the permit holder may be required to take such
45 action deemed necessary by the commission to remove, modify or re-
46 locate the construction undertaken by virtue of the temporary permit
47 issued hereunder.

Approved May 5, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes.
However, see Editor's note, page iii.

CHAPTER 238†

ELECTRIC TRANSMISSION LINES

H. F. 32

AN ACT to remove references to the granting of a franchise to an electric utility company by the county board of supervisors.

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

1 SECTION 1. Section four hundred eighty-nine point six (489.6),
2 Code 1971, is amended as follows:
3 489.6 Taking under eminent domain. Upon the filing of such

†See Editor's note, page iii.