

CHAPTER 1039**UTILITY RATE REGULATION EXEMPTION***H.F. 2325*

AN ACT exempting electric public utilities having less than ten thousand customers and electric cooperative corporations and associations from the rate regulation authority of the Iowa commerce commission and defining the areas in which such utilities remain subject to regulation.

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

Section 1. NEW SECTION. 476.1A APPLICABILITY OF AUTHORITY — CERTAIN ELECTRIC UTILITIES.

Electric public utilities having less than ten thousand customers and electric cooperative corporations and associations are not subject to the rate regulation authority of the commission. Such utilities are subject to all other regulation and enforcement activities of the commission, including:

1. Assessment of fees for the support of the commission.
2. Safety and engineering standards for equipment, operations, and procedures.
3. Assigned area of service.
4. Pilot projects of the commission.

However, sections 476.20, 476.21, 476.41 through 476.44, 476.51 and 476.61 and chapters 476A and 478, to the extent applicable, apply to such electric utilities.

Electric cooperative corporations and associations and electric public utilities exempt from rate regulation under this section shall not make or grant any unreasonable preferences or advantages as to rates or services to any person or subject any person to any unreasonable prejudice or disadvantage.

The board of directors or the membership of an electric cooperative corporation or association otherwise exempt from rate regulation may elect to have the cooperative's rates regulated by the commission. The commission shall adopt rules prescribing the manner in which the board of directors or the membership of an electric cooperative may so elect. If the board of directors or the membership of an electric cooperative has elected to have the cooperative's rates regulated by the commission, after two years have elapsed from the effective date of such election the membership of the electric cooperative may elect to exempt the cooperative from the rate regulation authority of the commission.

Sec. 2. The Iowa state commerce commission shall submit copies of its intended action on rules required under section 1 of this Act to the administrative rules coordinator pursuant to chapter 17A within thirty days from the effective date of this Act.

Approved April 8, 1986

CHAPTER 1040**COMMUNITY-BASED CORRECTIONAL FACILITIES ESCAPEES***H.F. 268*

AN ACT relating to escapees from community-based correctional facilities, and adopting penalties.

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

Section 1. Section 719.4, subsections 1, 2, and 3, Code 1985, are amended to read as follows:

1. A person convicted of a felony, or charged with or arrested for the commission of a felony, who intentionally escapes from ~~any~~ a detention facility, community-based correctional facility, or institution to which the person has been committed by reason of ~~such~~ the conviction, charge, or arrest, or from the custody of any public officer or employee to whom the person has been entrusted, commits a class "D" felony.

2. A person convicted of, charged with, or arrested for a misdemeanor, who intentionally escapes from ~~any~~ a detention facility, community-based correctional facility, or institution to which the person has been committed by reason of ~~such~~ the conviction, charge, or arrest, or from the custody of any public officer or employee to whom the person has been entrusted, commits a serious misdemeanor.

3. A person who has been committed to an institution under the control of the Iowa department of corrections, to a community-based correctional facility, or to a jail or correctional institution, who knowingly and voluntarily leaves a place where the person is required to be, commits a serious misdemeanor.

Approved April 8, 1986

CHAPTER 1041
BED AND BREAKFAST HOMES
H.F. 340

AN ACT relating to the operation of bed and breakfast homes.

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

Section 1. Section 170A.2, Code 1985, is amended by adding the following new subsection:
NEW SUBSECTION. 13. "Bed and breakfast home" means a private residence which provides lodging and meals for guests, in which the host or hostess resides and in which no more than two guest families are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel or motel, does not require reservations and serves food only to overnight guests.

Sec. 2. **NEW SECTION. 170A.16 EXEMPTION.**

This chapter does not apply to bed and breakfast homes as defined in section 170A.2.

Sec. 3. **NEW SECTION. 170B.20 EXEMPTION.**

This chapter does not apply to bed and breakfast homes as defined in section 170A.2.

Approved April 8, 1986

CHAPTER 1042
LOTTERY TICKETS AND OPERATIONS
H.F. 2197

AN ACT relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date.

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

Section 1. Section 99B.1, Code 1985, is amended by adding the following new subsection: