

January 29, 1951.
Public Utilities.

House File 248
By COOKSEY.

Passed House, Date
Vote: Ayes..... Nays.....
Passed Senate, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to repeal section thirty-nine point thirteen (39.13), Code 1950, relating to the selection and tenure of Iowa commerce commissioners, and amending chapter four hundred seventy-four (474), Code 1950, relating to the Iowa state commerce commission, so as to provide for the appointment of commerce commissioners, and to enlarge the jurisdiction of the commission to include all public utilities.

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

1 Section 1. Section thirty-nine point thirteen (39.13),
2 Code 1950, is hereby repealed.

1 Sec. 2. Section four hundred seventy-four point one
2 (474.1), Code 1950, is amended by adding after the word
3 "corporation" in line five (5), the words "or in any other
4 public utility falling within the jurisdiction of this
5 chapter".

1 Sec. 3. Section four hundred seventy-four point two
2 (474.2), Code 1950, is amended by adding at the end thereof
3 the following new provision: "The commissioners shall be
4 appointed by the governor by and with the consent of the
5 Senate, for terms of four (4) years. The salaries of the
6 commissioners shall be ten thousand dollars (\$10,000.00)

7 per annum apiece.”.

1 Sec. 4. Section four hundred seventy-four point ten
2 (474.10), Code 1950, is amended by striking out the words
3 “except street railroads” in line eight (8); and by striking
4 out the words “except in cities and towns” in line eleven (11);
5 by striking out the comma following the word “power” in line
6 eleven (11), and inserting in lieu thereof a period, followed
7 by the words “It shall also have general jurisdiction of the
8 manufacture, conveyance, transportation and sale of gas (natural,
9 manufactured, or mixture of both); of every telephone and
10 telegraph line lying within the state which is not regulated
11 by the Interstate Commerce Commission; and of the furnishing
12 or distribution of water for domestic, commercial or public
13 uses.”

1 Sec. 5. Section four hundred seventy-four point twelve
2 (474.12), Code 1950, is amended by inserting after the word
3 “railroad” in line three (3), the following words: “and public
4 utility”; by striking the word “its” in lines three (3) and
5 five (5), and by inserting in lieu thereof in each place the
6 word “their”; by inserting after the word “bridges” in line
7 four (4), the words “and lines”; by inserting after the word
8 “and” in line four (4), the word “other”; by inserting after
9 the word “company” in line eight (8), the words “or other
10 public utility”; by inserting after the last word in the
11 section “unsafe.”, the following new words: “The commission
12 shall enforce its orders as made herein by appropriate

13 injunctive relief.”.

1 Sec. 6. Section four hundred seventy-four point fourteen
2 (474.14), Code 1950, is amended by inserting after the word
3 “corporation” in line two (2), the words “or other public
4 “utility”; by striking out the word “its” in line three (3),
5 in line seven (7), in line ten (10), in line twelve (12), in
6 line twenty-five (25), and by inserting therein in each place
7 the word “their”; by inserting after the word “road” in line
8 six (6), the words “or lines”; by inserting after the word
9 “thereof” in line nine (9), the words “or any other equipment”;
10 by inserting after the word “passengers” in line eleven (11),
11 the words “or for conducting gas, steam, power, telephone and
12 telegraph messages, or any other thing within the contemplation
13 of the chapter”; by inserting after the word “road” in line
14 twelve (12), the words “or lines”; by inserting after the
15 word “company” in line twenty-five (25), the words “or other
16 public utility”.

1 Sec. 7. Section four hundred seventy-four point fifteen
2 (474.15), Code 1950, is amended by adding after the word
3 “company” in line two (2), the words “or public utility”;
4 by adding after the word “railroad” in line four (4), the words
5 “or lines”; by adding after the word “station” in line five
6 (5), the words “fixtures or other equipment”; by striking out
7 the words “of railroad” in line six (6); by adding after the
8 word “depot” in line seven (7), the words “station, or other
9 equipment”; by adding after the word “company” in line sixteen

10 (16), the words "or public utilities"; by striking out the
11 word "its" in line sixteen (16), and to substitute in lieu
12 thereof the word "their"; by adding after the word "agency"
13 in line twenty (20), the words "lines, or other equipment".

1 Sec. 8. Section four hundred seventy-four point sixteen
2 (474.16), Code 1950, is amended by adding after the word
3 "agency" in line four (4), the words "lines, or other equipment";
4 by adding after the word "company" in line fifteen (15), the
5 words "or public utility".

1 Sec. 9. Section four hundred seventy-four point seventeen
2 (474.17), Code 1950, is amended by adding after the word "company"
3 in line nine (9), the words "or public utility".

1 Sec. 10. Section four hundred seventy-four point eighteen
2 (474.18), Code 1950, is amended by adding after the word
3 "carriers" in lines four (4) and seventeen (17), the words
4 "and public utilities".

1 Sec. 11. Section four hundred seventy-four point twenty
2 (474.20), Code 1950, is amended by adding after the word
3 "carrier" in lines three (3) and twelve (12), the words "or
4 public utility".

1 Sec. 12. Section four hundred seventy-four point twenty-
2 two (474.22), Code 1950, is amended by adding after the word
3 "tariff" in line five (5), the words "or other rate"; by adding
4 after the word "company" in line six (6), the words "or
5 public utility"; by adding after the word "railroad" in line
6 seven (7), the words "or public utility"; by adding after the

7 word "corporation" in lines twenty-six (26) and thirty-one (31),
8 the words "association or organization"; by adding after the
9 word "railroad" in line thirty-two (32), the words "or public
10 utility".

1 Sec. 13. Section four hundred seventy-four point twenty-
2 three (474.23), Code 1950, is amended by adding after the word
3 "company" in lines four (4) and five (5), the words "or public
4 utility".

1 Sec. 14. Section four hundred seventy-four point twenty-
2 four (474.24), Code 1950, is amended by adding after the word
3 "railroads" in line six (6), the words "and public utilities";
4 by adding after the word "corporation" in line eleven (11),
5 the words "or public utility"; by striking out the words "of
6 road" in line eleven (11); by adding after the word "railroad"
7 in line fourteen (14), the words "public utility"; by inserting
8 after the word "railroad" in line fourteen (14), a comma.

1 Sec. 15. Section four hundred seventy-four point twenty-
2 five (474.25), Code 1950, is amended by adding after the word
3 "company" in lines ten (10) and sixteen (16), the words "or
4 public utility".

1 Sec. 16. Section four hundred seventy-four point twenty-
2 six (474.26), Code 1950, is amended by adding after the word
3 "railroads" in line five (5), the words "and public utilities";
4 by adding after the word "railroad" in line eight (8), the words
5 "or public utility".

1 Sec. 17. Section four hundred seventy-four point twenty-

2 seven (474.27), Code 1950, is amended by adding after the word
3 “railroad” in line seven (7), the words “or public utility”.

1 Sec. 18. Section four hundred seventy-four point twenty-
2 eight (474.28), Code 1950, is amended by adding after the word
3 “railroad” in lines two (2) and nine (9), the words “or public
4 utility”.

1 Sec. 19. Section four hundred seventy-four point thirty
2 (474.30), Code 1950, is amended by inserting a comma after the
3 word “railroad” in line two (2).

1 Sec. 20. Section four hundred seventy-four point twenty-
2 nine (474.29), Code 1950, is amended by adding after the word
3 “carrier” in line two (2), the words “or public utility”.

1 Sec. 21. Section four hundred seventy-four point thirty-
2 one (474.31), Code 1950, is amended by adding after the word
3 “carriers” in line four (4), the words “and public utilities”;
4 by adding after the word “freight” in line six (6), the words
5 “or the conveyance of power, gas, water, passengers, or any
6 other thing contemplated by this chapter”.

1 Sec. 22. Section four hundred seventy-four point thirty-
2 two (474.32), Code 1950, is amended by adding after the word
3 “carrier” in line one (1), the words “or public utility”; by
4 adding after the word “business” in line three (3), the words
5 “or any other business within the meaning of this chapter”.

1 Sec. 23. Section four hundred seventy-four point thirty-
2 three (474.33), Code 1950, is amended by inserting after the
3 word “carrier” in line two (2), the words “or public utility”.

1 Sec. 24. Section four hundred seventy-four point thirty-
2 four (474.34), Code 1950, is amended by adding after the word
3 “carrier” in line six (6), line nine (9), line eleven (11),
4 line thirteen (13), and line twenty-three (23), the words
5 “or public utility”.

1 Sec. 25. Section four hundred seventy-four point thirty-
2 five (474.35), Code 1950, is amended by adding after the word
3 “carrier” in lines six (6) and seven (7), and line thirteen (13),
4 the words “or public utility”.

1 Sec. 26. Section four hundred seventy-four point thirty-
2 six (474.36), Code 1950, is amended by adding after the word
3 “carrier” in lines three (3), eight (8), and thirteen (13),
4 the words “or utility”.

1 Sec. 27. Section four hundred seventy-four point thirty-
2 seven (474.37), Code 1950, is amended by adding after the word
3 “carrier” in lines one (1), five (5), and twelve (12), the
4 words “or public utility”; by adding after the word “railroad”
5 in line seven (7), the words “or other line”.

1 Sec. 28. Section four hundred seventy-four point thirty-
2 eight (474.38), Code 1950, is amended by adding after the word
3 “carrier” in line four (4), the words “or public utility”.

1 Sec. 29. Section four hundred seventy-four point forty-
2 one (474.41), Code 1950, is amended by adding after the word
3 “carrier” in lines three (3) and eight (8) and nine (9), the
4 words “or public utility”.

1 Sec. 30. Section four hundred seventy-four point forty-

2 three (474.43), Code 1950, is amended by adding after the word
3 “carrier” in lines three (3), six (6), and nine (9), the words
4 “or public utility”; by adding after the word “railway” in
5 line eight (8), the words “or other lines”.

1 Sec. 31. Section four hundred seventy-four point forty-
2 six (474.46), Code 1950, is amended by adding after the word
3 “railroad” in line two (2), the words “or public utility”;
4 by adding after the word “road” in line four (4), the words
5 “or line”

1 Sec. 32. Section four hundred seventy-four point forty-
2 seven (474.47), Code 1950, is amended by inserting at the end
3 thereof the following new provision: “The commission shall
4 also require such other reports as may by it be deemed
5 necessary to carry out the requirements of this chapter.”.

1 Sec. 33. Section four hundred seventy-four point forty-
2 eight (474.48), Code 1950, is amended by adding after the word
3 “carriers” in line seven (7), the words “or utility’s”.

1 Sec. 34. Section four hundred seventy-four point forty-
2 nine (474.49), Code 1950, is amended by adding after the word
3 “carriers” in line five (5), the words “or public utilities”;
4 by adding after the word “road” in line six (6), the words
5 “or line”; by adding after the word “transportation” in line
6 six (6), the words “or conveyance”.

1 Sec. 35. Section four hundred seventy-four point fifty
2 (474.50), Code 1950, is amended by adding after the word
3 “provisions” in line three (3), the words “of this chapter

4 or”.

1 Sec. 36. Section four hundred seventy-four point fifty-
2 two (474.52), Code 1950, is amended by adding after the word
3 “railway” in lines two (2) and three (3), the words “or public
4 utility”.

1 Sec. 37. Section four hundred seventy-four point fifty-
2 three (474.53), Code 1950, is amended by adding after the word
3 “systems” in line six (6), the words “of public utilities and”;
4 by striking out the word “railroad” in line twelve (12); by
5 inserting after the word “tonnage” in subsection eleven (11),
6 the words “or load”; by inserting after the word “road” in
7 subsection eleven (11), the words “or line”.

EXPLANATION OF H. F. 248

The purpose of this bill is to change the selection of the commerce commissioners from elective to appointive, and to raise the salaries to insure the continued high caliber of the commissioners. The purpose of the bill is also to enlarge the jurisdiction of the commerce commission to bring all utilities within public regulation. It is believed that utilities are affected with a public interest and ought, therefore, to be subject to public regulation.