

House File 2247 - Introduced

HOUSE FILE 2247

BY STAED

A BILL FOR

- 1 An Act relating to the Iowa utilities board, including
- 2 the number of members, the terms of the members, and
- 3 restrictions on membership.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 474.1, subsection 1, Code 2020, is
2 amended to read as follows:

3 1. a. A utilities division is created within the department
4 of commerce. The policymaking body for the division is the
5 utilities board which is created within the division. The
6 board is composed of ~~three~~ five members appointed by the
7 governor and subject to confirmation by the senate, not more
8 than ~~two~~ three of whom shall be from the same political party.
9 Each member appointed shall serve for ~~six-year~~ five-year
10 staggered terms beginning and ending as provided by section
11 69.19. Vacancies shall be filled for the unexpired portion of
12 the term in the same manner as full-term appointments are made.

13 b. A person appointed as a member of the board shall be
14 professionally qualified by relevant experience in public
15 utility regulation.

16 c. All appointments of board members made pursuant to this
17 section shall comply with sections 69.16, 69.16A, and 69.16C.

18 d. To the greatest extent possible, the members of the board
19 shall represent diverse geographic areas of the state.

20 Sec. 2. Section 474.2, Code 2020, is amended to read as
21 follows:

22 **474.2 Certain persons barred from office.**

23 1. No person in the employ of any common carrier or other
24 public utility, or owning any bonds, stock, or property in
25 any public utility shall be eligible to hold the office of
26 utilities board member or chief operating officer of the
27 utilities board. The entering into the employ of any common
28 carrier or other public utility or the acquiring of any stock
29 or other interest in any common carrier or other public utility
30 by such member or chief operating officer after appointment
31 shall disqualify the member or chief operating officer to hold
32 or perform the duties of the office.

33 2. a. No person who has served in a statewide elected
34 office or as a member of the general assembly shall be eligible
35 to hold the office of utilities board member until two years

1 after the termination of such service.

2 b. No person who has been a candidate for public office
3 shall be eligible to hold the office of utilities board member
4 until two years after the general election for that office.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill relates to the Iowa utilities board, including the
9 number of members, the terms of the members, and restrictions
10 on membership.

11 The bill expands the size of the board from three members
12 to five members. Current law provides that not more than two
13 members of the board shall be from the same political party.
14 The bill modifies this provision to provide that not more than
15 three members of the board shall be from the same political
16 party. In addition, the bill reduces the term of board members
17 from six years to five years.

18 The bill requires a person appointed as a member of the board
19 to be professionally qualified by relevant experience in public
20 utility regulation. The bill also requires appointments to
21 the board to be subject to Code section 69.16, which provides
22 for the bipartisan composition of appointive boards; Code
23 section 69.16A, which provides for gender balance on appointive
24 boards; and Code section 69.16C, which provides for minority
25 representation on appointive boards. The bill additionally
26 provides that members of the board shall represent diverse
27 geographic areas of this state to the greatest extent possible.

28 The bill places restrictions on whom the governor may
29 appoint to the board. The bill provides that no person who
30 has served in statewide elected office or as a member of the
31 general assembly shall be eligible until two years after the
32 termination of such service. The bill also provides that no
33 person who has been a candidate for public office shall be
34 eligible until two years after the general election for that
35 office.