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

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

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

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

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

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

474.2 Certain persons barred from office.

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

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

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

EXPLANATION

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

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

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

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

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