

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 575

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE JURISDICTION OF THE PUBLIC UTILITIES COMMISSION; AMENDING SECTION 61-113, IDAHO CODE, TO DELETE THE PUBLIC UTILITIES COMMISSION'S JURISDICTION OVER VESSELS ENGAGED IN THE TRANSPORTATION OF PERSONS AND PROPERTY IN IDAHO; REPEALING SECTIONS 61-126, 61-127 AND 61-128, IDAHO CODE, RELATING TO VESSELS, WHARFINGERS AND WAREHOUSEMEN; AND AMENDING SECTION 61-129, IDAHO CODE, TO DELETE REFERENCE TO WHARFINGER AND TO MAKE A TECHNICAL CORRECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 61-113, Idaho Code, be, and the same is hereby amended to read as follows:

61-113. COMMON CARRIER. The term "common carrier" when used in this act includes+

~~1. Every~~ railroad corporation, street railroad corporation, express corporation, dispatch, sleeping car, dining car, drawing room car, freight line, refrigerator, oil, stock, fruit, car loaning, car renting, car loading and every other car corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating for compensation within this state.

~~2. Every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever owning, controlling, operating or managing any vessel regularly engaged in the transportation of persons or property for compensation upon the waters of this state.~~

~~The term "common carrier" when hereafter used in this act, shall be construed to mean both classes in this section specified, unless otherwise stated.~~

SECTION 2. That Sections [61-126](#), [61-127](#) and [61-128](#), Idaho Code, be, and the same are hereby repealed.

SECTION 3. That Section 61-129, Idaho Code, be, and the same is hereby amended to read as follows:

61-129. PUBLIC UTILITY. The term "public utility" when used in this act includes every common carrier, ~~pipe line~~ pipeline corporation, gas corporation, electrical corporation, telephone corporation, ~~and~~ and water corporation, ~~and wharfinger~~, as those terms are defined in this chapter and each thereof is hereby declared to be a public utility and to be subject to the jurisdiction, control and regulation of the commission and to the provisions of this act: provided, that the term "public utility" as used in this act shall cover cases both where the service is performed and the commodity delivered directly to the public or some portion thereof, and where the service is performed or the commodity delivered to any corporation

1 or corporations, or any person or persons, who in turn, either directly or
2 indirectly or mediately or immediately, performs the services or delivers
3 such commodity to or for the public or some portion thereof.