

3/14/83

Education
Gallagher, Chair
Wells
Taylor

MAR 14 1983

SENATE FILE 405

BY BRUNER

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

A BILL FOR

1 An Act relating to utility costs of school districts, to
2 provide for establishment of an excess utility costs
3 reserve fund, and to make an appropriation and provide
4 for a tax levy.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 405

1 Section 1. NEW SECTION. 442.44 ELIGIBILITY FOR UTILITY
2 FUNDS. The board of a school district that meets all of the
3 following conditions is eligible to establish an excess utility
4 costs reserve fund under section 442.45.

5 1. Informs the energy policy council by January 1, 1984
6 that it will conduct class A energy audits on all school
7 buildings in the district that contain twenty thousand square
8 feet or more by July 1, 1985 or has already completed the
9 audits.

10 2. By July 1, 1985 establishes a building energy management
11 program pursuant to rules adopted by the energy policy council.

12 3. By July 1, 1987 has completed or commences implementing
13 energy conservation capital improvement measures recommended
14 by the audit that:

15 a. Provide for the recovery of the costs of implementation
16 over five years or less.

17 b. In the aggregate can be financed by a one-time property
18 tax levy of twenty-seven cents per thousand dollars of assessed
19 valuation on the taxable property in the school district.
20 The board may certify an amount not exceeding twenty-seven
21 cents per thousand dollars of assessed value to the board
22 of supervisors who shall levy the tax on taxable property
23 in the district. The receipts of the tax shall be placed
24 in the schoolhouse fund and used to implement the energy
25 conservation capital improvement measures recommended by the
26 class A energy audit.

27 c. Are appropriate for the school district. The board
28 shall file with the energy policy council a statement listing
29 any energy conservation measures recommended by the class
30 A energy audit that are inappropriate for implementation and
31 the reasons they are inappropriate.

32 Sec. 2. NEW SECTION. 442.45 EXCESS UTILITY COSTS RESERVE
33 FUND. For the year commencing July 1, 1984 a school district
34 meeting the conditions under section 442.44 may certify to
35 the state comptroller that it wishes to add to its district

1 cost an increase in its allowable growth equal to one-half
2 percent times the state cost per pupil for that year. The
3 money obtained from the additional allowable growth shall
4 be credited to the district's excess utility cost reserve
5 fund and may be expended only under the conditions established
6 in section 442.46. Districts receiving the additional
7 allowable growth under this section, shall use a state percent
8 of growth for the school year beginning July 1, 1985 that
9 is one-half percent less than the state percent of growth
10 calculated by the state comptroller for that school year.

11 A school district using additional allowable growth under
12 this section shall establish an excess utility cost reserve
13 fund.

14 Sec. 3. NEW SECTION. 442.46 EXCESS UTILITY COST RESERVE
15 FUND EXPENDITURES.

16 1. As used in this section:

17 a. "Utility consumption" means the consumption of energy
18 for heating, cooling, and lighting of school buildings.

19 b. "Utility consumption standard" means the amount of
20 utility consumption required by a school district in an average
21 heating year.

22 c. "Base year utility cost" means the cost of providing
23 that average consumption in the year immediately prior to
24 the budget year.

25 d. "Budget year consumption standard" means the amount
26 of utility consumption required by a school district in the
27 budget year.

28 e. "Allowable budget year utility cost" means the cost
29 of providing the budget year consumption standard service
30 during the budget year or the actual utility expenditure by
31 the school district for that year, whichever is less.

32 2. The energy policy council shall establish for each
33 district meeting the requirements of sections 442.44 and
34 442.45 a utility consumption standard based upon the district's
35 past energy consumption, energy conservation capital

1 improvement measures implemented, and anticipated future
2 utility consumption for an average utility consumption year.

3 3. For the school year beginning July 1, 1984 and each
4 succeeding year, the energy policy council shall determine
5 a base year utility cost for each school district that meets
6 the requirements of sections 442.44 and 442.45.

7 4. By March 1, 1985 and March 1 of each succeeding year,
8 the energy policy council shall determine an allowable budget
9 year consumption standard and allowable budget year utility
10 cost for the current budget year, reflecting the severity
11 of the winter and the need for heating that year and its
12 effect on utility consumption and costs.

13 5. Annually, a school district is eligible to use moneys
14 from its excess utility cost reserve fund in an amount equal
15 to the difference between the district's allowable budget
16 year utility cost and the school district's base year utility
17 cost multiplied by one hundred percent plus the state percent
18 of growth for the budget year.

19 Sec. 4. NEW SECTION. 442.47 RECOMMENDATIONS. The energy
20 policy council shall make recommendations to the general
21 assembly and the governor for changes in the method of
22 determining utility costs and utility consumption standards
23 for school districts and for supplementing the moneys in the
24 excess utility costs reserve funds of the school districts.

25 Sec. 5. NEW SECTION. 442.48 RULES. The energy policy
26 council shall adopt rules, pursuant to chapter 17A, to
27 implement sections 442.44 through 442.47.

28 EXPLANATION

29 This bill provides a method for school districts to receive
30 funds for additional utility costs. The district must first
31 submit to a class A energy audit of its buildings and provide
32 for implementation of the energy conservation measures
33 recommended in the audit. A formula for determining additional
34 utility costs is established and provision is made for school
35 districts to receive additional allowable growth and place

1 the additional moneys in an excess utility cost reserve fund
2 that can be used to pay additional utility costs.

3 It calls for recommendations from the energy policy council
4 to the general assembly and the governor for supplementing
5 moneys in the funds and for determining the additional utility
6 costs.

7 It allows districts to levy a one-time tax of twenty-seven
8 cents per thousand dollars of assessed valuation to implement
9 energy conservation measures.

10 The bill adds sections 442.44 through 442.48 to the Code
11 and makes internal references to those sections.

12 The bill takes effect July 1 following its enactment.

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