

6720-2000

SENATE FILE 483

BY HOLDEN, COLEMAN, TIEDEN,
JENSEN, and WALDSTEIN

FILED MAR 19 1985

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act abolishing the energy policy council, transferring
2 some of the functions and employees of the energy policy
3 council to other state agencies, and providing for an
4 effective date.

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

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87 483

1 Section 1. NEW SECTION. 18.17 PETROLEUM OVERCHARGE FUND.

2 A petroleum overcharge fund is created as a separate
3 account in the state treasury. Notwithstanding section 453.7,
4 interest and earnings on investments from the funds in the
5 petroleum overcharge fund shall be credited to the petroleum
6 overcharge fund. The state acting on behalf of itself, its
7 citizens and its political subdivisions accepts any funds
8 awarded or allocated to it, its citizens and political
9 subdivisions as a result of petroleum overcharge cases. The
10 funds shall be deposited in the petroleum overcharge fund and
11 shall be expended only upon appropriation of the general
12 assembly for programs which will benefit citizens who may have
13 suffered economic penalties resulting from the alleged
14 petroleum overcharges. However, petroleum overcharge case
15 funds received pursuant to claims filed on behalf of the
16 state, its institutions, departments, agencies, or any
17 political subdivision shall be deposited in the general fund
18 of the state to be disbursed directly to the appropriate
19 claimants in accordance with federal guidelines and subject to
20 the approval of the attorney general and the executive
21 council. Attorneys' fees and expenses incurred by the state
22 to obtain these funds to be deposited in the petroleum
23 overcharge fund shall be paid by the state comptroller from
24 the petroleum overcharge fund subject to the approval of the
25 attorney general and the executive council.

26 Sec. 2.

27 1. Effective July 1, 1985, the duties and functions of the
28 energy policy council regarding the operation of the low-
29 income home energy assistance program are transferred from the
30 energy policy council to the Iowa commerce commission.

31 2. Effective July 1, 1985, the administration of the
32 weatherization assistance program currently being operated by
33 the energy policy council is transferred to the Iowa
34 department of human services.

35 3. Effective January 1, 1986 the following programs

1 currently being administered by the energy policy council are
2 transferred to the department of general services:

3 a. The energy measures and energy audits grant programs
4 for schools and hospitals and buildings owned by units of
5 local government and public care institutions.

6 b. The oil overcharge refunds program.

7 c. The technical assistance and energy conservation
8 programs including grant programs for schools and hospitals
9 and for buildings owned by units of local government and
10 public care institutions.

11 4. The personnel of the energy policy council required to
12 implement the programs transferred in sections 1 through 3
13 shall be transferred to the respective state agency when the
14 functions are transferred. Other personnel of the energy
15 policy council shall be terminated as employees of the state
16 unless the employees are hired in other positions within state
17 government.

18 5. All rules, forms, orders, and directives adopted by and
19 in effect for the energy policy council at the time of the
20 transfer of the program for which the rules, forms, orders,
21 and directives were adopted or issued, shall continue to be
22 valid and enforceable as rules, forms, orders, and directives
23 of the state agency to which the program was transferred until
24 amended, supplemented, or repealed by action of the agency to
25 which the program was transferred.

26 Sec. 3. Section 323A.2, subsection 1, paragraph c, Code
27 1985, is amended by striking the paragraph.

28 Sec. 4. Section 556.18, subsection 3, Code 1985, is
29 amended to read as follows:

30 3. After July 1, 1983, the treasurer of state shall credit
31 all funds received under section 556.4, after a proportional
32 amount has been deducted for the trust fund under subsection 1
33 and any costs have been deducted under subsection 2, to the
34 energy-research-and-development petroleum overcharge fund
35 created under section ~~93-14~~ 18.17.

1 Sec. 5. Section 805.8, subsection 8, Code 1985, is amended
2 by striking the subsection.

3 Sec. 6. Chapter 93, Code 1985, is repealed.

4 Sec. 7. Sections 1 and 3 through 6 of this Act are
5 effective January 1, 1986.

6 EXPLANATION

7 This bill abolishes the energy policy council and transfers
8 some of its functions and employees necessary to implement
9 those functions to other state agencies. Some functions will
10 be transferred on July 1, 1985. Other functions will be
11 transferred on January 1, 1986. Chapter 93 in which the
12 energy policy council is created is repealed on January 1,
13 1986.

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