

CHAPTER 297**ENERGY EFFICIENCY MEASURES***S.F. 419*

AN ACT relating to energy efficiency and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 18.115, subsection 4, Code 1989, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. In conjunction with the requirements of section 18.3, subsection 1, effective January 1, 1990, the state vehicle dispatcher, and any other state agency purchasing motor vehicles for other than law enforcement purposes, shall each year purchase new passenger automobiles such that the average fuel efficiency for the fleet of new passenger automobiles purchased in that year by the state vehicle dispatcher is not less than two miles per gallon under the average fuel economy standard for the automobiles' model year as established by the United States secretary of transportation under 15 U.S.C. § 2002. This paragraph does not apply to automobiles purchased for law enforcement purposes. The group of comparable automobiles within the total fleet purchased by the state vehicle dispatcher, or any other state agency purchasing motor vehicles for other than law enforcement purposes, shall have an average fuel efficiency rating not less than two miles per gallon under the average fuel economy rating for that model year for that class of comparable automobiles as defined in 40 C.F.R. § 315-82. As used in this paragraph, "fuel economy" means the average number of miles traveled by an automobile per gallon of gasoline consumed as determined by the United States environmental protection agency administrator in accordance with 26 U.S.C. § 4064(c).

NEW UNNUMBERED PARAGRAPH. The state vehicle dispatcher shall annually report the average combined fuel economy for all new motor vehicles purchased by classification (passenger automobiles, enforcement automobiles, vans, and light trucks) no later than January 31 of each year to the department of management and the energy and geological resources division of the department of natural resources. As used in this paragraph, "combined fuel economy" means the combined fuel economy as defined in 40 C.F.R. § 600.002.

Sec. 2. Section 93.7, Code 1989, is amended by adding the following new subsection immediately following subsection 1:

NEW SUBSECTION. 1A. Identify a state facility in the state to be used as a marketing tool to promote energy conservation by providing a showcase for the department to demonstrate energy efficiency.

Sec. 3. **NEW SECTION. 93.13A ENERGY CONSERVATION MEASURES IDENTIFIED.**

The state, state agencies, political subdivisions of the state, schools, area education agencies, and area schools shall identify and implement, through energy audits and engineering analyses, all energy conservation measures identified for which financing is made available by the department to the entity. The energy conservation measure financings shall be supported through payments from energy savings.

Sec. 4. **NEW SECTION. 262.69A PURCHASE OF FUEL EFFICIENT AUTOMOBILES.**

Institutions under the control of the state board of regents shall purchase only new automobiles which have at least the fuel economy required for purchase of new automobiles by the state vehicle dispatcher under section 18.115, subsection 4. This section does not apply to automobiles purchased for law enforcement purposes.

Sec. 5. **NEW SECTION. 303.81A PURCHASE OF ENERGY EFFICIENCY PACKAGES.**

The public broadcasting division of the department of cultural affairs may use the state of Iowa facilities improvement corporation to purchase energy efficiency packages for its ultra-high frequency transmitters.

Sec. 6. NEW SECTION. 364.23 ENERGY EFFICIENT LIGHTING REQUIRED.

All city-owned exterior flood lighting, including but not limited to, street and security lighting, shall be replaced when worn-out exclusively with high pressure sodium lighting or lighting with equivalent or better energy efficiency as approved in rules adopted by the utilities board within the utilities division of the department of commerce.

Sec. 7. NEW SECTION. 364.24 TRAFFIC LIGHT SYNCHRONIZATION.

After July 1, 1992, all cities with more than three traffic lights within the corporate limits shall establish a traffic light synchronization program for energy efficiency in accordance with rules adopted by the state department of transportation. The state department of transportation shall adopt rules required by this section by July 1, 1990.

Sec. 8. Section 474.5, Code 1989, is amended to read as follows:

474.5 RULES, FORMS AND SERVICE.

1. The utilities board may from time to time make or amend such general its rules or orders as may be necessary for the preservation of order and the regulation of proceedings before it, including forms of notice and the service thereof, which shall conform as nearly as may be to those in use in the courts of the state.

2. The utilities board shall adopt rules approving the types of city-owned or utility-owned lighting which shall be used in providing energy efficient exterior lighting under sections 364.23 and 476.62.

Sec. 9. Section 476.1A, unnumbered paragraph 2, Code 1989, is amended to read as follows:

However, sections 476.20, 476.21, 476.41 through 476.44, 476.51, 476.56, 476.62, and 476.66 and chapters 476A and 478, to the extent applicable, apply to such electric utilities.

Sec. 10. Section 476.1B, subsection 1, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. Enforcement of section 476.62.

Sec. 11. Section 476.52, unnumbered paragraph 1, Code 1989, is amended to read as follows:

It is the policy of this state that a public utility shall operate in an efficient manner. If the board determines in the course of a proceeding conducted under section 476.3 or 476.6 that a utility is operating in an inefficient manner, or is not exercising ordinary, prudent management, or in comparison with other utilities in the state the board determines that the utility is performing in a less beneficial manner than other utilities, the board may reduce the level of profit or adjust the revenue requirement for the utility to the extent the board believes appropriate to provide incentives to the utility to correct its inefficient operation. If the board determines in the course of a proceeding conducted under section 476.3 or 476.6 that a utility is operating in such an extraordinarily efficient manner that tangible financial benefits result to the ratepayer, the board may increase the level of profit or adjust the revenue requirement for the utility. In making its determination under this section, the board may also consider a public utility's pursuit of energy efficiency programs. The board shall adopt rules for determining the level of profit or the revenue requirement adjustment that would be appropriate.

Sec. 12. NEW SECTION. 476.62 ENERGY EFFICIENT LIGHTING REQUIRED.

All public utility-owned exterior flood lighting, including but not limited to street and security lighting, shall be replaced when worn-out exclusively with high pressure sodium lighting or lighting with equivalent or better energy efficiency as approved in rules adopted by the board.

Sec. 13. NEW SECTION. 476.63 ENERGY CONSERVATION AND EFFICIENCY PROGRAMS.

The division shall consult with the energy and geological resources division of the department of natural resources in the development and implementation of public utility energy conservation and efficiency programs.

Sec. 14. Section 478A.7, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 4. Notwithstanding subsection 1, commencing January 1, 1990, a person may sell or offer for sale in this state a decorative gas lamp manufactured after December 31, 1978, if the utilities board within the utilities division of the department of commerce determines, after notice and an opportunity for interested persons to comment at an oral presentation, that the sale or offer for sale of decorative gas lamps does not violate the public interest.

Sec. 15. **PILOT PROJECT — SUMMER FOUR-DAY WORK WEEK.** The director of the department of personnel shall conduct a pilot project during the summer months of 1989 and 1990 wherein state employees in a selected office area or areas shall work four ten-hour days per week rather than five eight-hour days per week. The director of the department of personnel shall report on the results of the pilot project to the governor and the general assembly by January 1, 1991. The report shall include findings on the energy savings which resulted from the pilot project as well as estimates of the energy savings which would result from statewide application of a state employee four ten-hour day work week during summer months. The report shall include the director's findings on the extent in which a state employee four ten-hour day work week could be adopted statewide as well as findings on the effects the four ten-hour day work week had on state employee morale and work efficiency.

Sec. 16. **STUDY — TELECOMMUTING DEMONSTRATION.** The director of the department of personnel shall in a study identify state employees who could telecommute one or more days during the work week. The director of the department of personnel shall report on the results of the study to the governor and the general assembly by January 15, 1990. The report shall identify those positions in state government where the employees could telecommute one or more days during their work week and estimate the resulting energy savings if such a plan were implemented. The report shall also include a statement as to the effects telecommuting would have on state employee morale and work efficiency as well as an estimate of any start-up costs which would be incurred by the state.

As used in this section, "telecommute" means to conduct work at the employee's residence through the use of computer terminals.

Sec. 17. Section 15 of this Act and this section, being deemed of immediate importance, take effect upon enactment.

Approved June 3, 1989

CHAPTER 298

STATE BUDGETARY MATTERS INCLUDING CAPITAL PROJECTS AND EQUIPMENT LEASING

S.F. 546

AN ACT relating to budgetary matters by creating a legislative capital projects committee to review proposed capital projects and requires the governor to establish criteria for evaluating and funding the projects; requiring the use of the most recent estimate of the revenue estimating conference in the budget process; establishing a coordinated leasing program; requiring notification to the department of management and appropriations committees of any request for or loss of federal or nonstate funds; and extending the lottery.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 2.45, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 4. The legislative capital projects committee which shall be composed of ten members appointed as follows: