

Senate File 2289

H-8199

1 Amend Senate File 2289, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 6, after line 33 by inserting:

4 <4. Promulgate rules necessary to carry out the provisions
5 of this chapter, subject to review in accordance with
6 chapter 17A. Rules promulgated by the governor pursuant to a
7 proclamation issued under section 473.8 shall not be subject
8 to review or a public hearing as required in chapter 17A;
9 however, authority rules for implementation of the governor's
10 proclamation are subject to the requirements of chapter 17A.>

11 2. Page 7, after line 9 by inserting:

12 <Sec. _____. Section 473.8, subsection 1, Code 2024, is
13 amended to read as follows:

14 1. If the ~~authority by resolution determines~~ director
15 makes a determination the health, safety, or welfare of the
16 people of this state is threatened by an actual or impending
17 acute shortage of usable energy, ~~it shall transmit the~~
18 ~~resolution~~ the director shall provide the determination to
19 the governor together with ~~its recommendation~~ the director's
20 recommendations on the declaration of an emergency by the
21 governor and recommended actions, if any, to be undertaken.
22 Within thirty days of the date of the ~~resolution~~ determination
23 by the director, the governor may issue a proclamation of
24 emergency which shall be filed with the secretary of state.
25 The proclamation shall state the facts relied upon and the
26 reasons for the proclamation.

27 Sec. _____. Section 473.8, subsection 2, paragraph a,
28 subparagraph (6), Code 2024, is amended to read as follows:

29 (6) Accept the delegation of the authority for other
30 mandatory measures as allowed ~~by~~ under the federal Emergency
31 Energy Conservation Act of 1979, Pub. L. No. 96-102, as
32 amended.

33 Sec. _____. Section 473.10, Code 2024, is amended to read as
34 follows:

35 **473.10 Reserve required.**

1 1. If the ~~authority~~ director or the governor finds that
2 an impending or actual shortage or distribution imbalance of
3 liquid fossil fuels may cause hardship or pose a threat to the
4 health and economic well-being of the people of the state or a
5 significant segment of the state's population, the ~~authority~~
6 ~~or the~~ governor may authorize the director to operate a liquid
7 fossil fuel set-aside program as provided in [subsection 2](#).

8 2. Upon authorization by ~~the authority or~~ the governor
9 the director may require a prime supplier to reserve a
10 specified fraction of the prime supplier's projected total
11 monthly release of liquid fossil fuel in Iowa. The director
12 may release any or all of the fuel required to be reserved
13 by a prime supplier to end-users or to distributors for
14 release through normal retail distribution channels to retail
15 customers. However, the specified fraction required to be
16 reserved shall not exceed three percent for propane, aviation
17 fuel and residual oil, and five percent for motor gasoline,
18 heating oil, and diesel oil.

19 3. The ~~authority~~ director shall periodically review and
20 may terminate the operation of a set-aside program authorized
21 by the ~~authority~~ director under [subsection 1](#) when the
22 ~~authority~~ director finds that the conditions that prompted the
23 authorization no longer exist. The governor shall periodically
24 review and may terminate the operation of a set-aside program
25 authorized by the governor under [subsection 1](#) when the governor
26 finds that the conditions that prompted the authorization no
27 longer exist.

28 4. The authority shall adopt rules to implement this
29 section.>

30 3. Page 7, line 10, after <Sections> by inserting <473.7,>

LATHAM of Franklin