

House Amendment to  
Senate File 2289

S-5074

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,>