

MAY 1 1989

APPROPRIATIONS CALENDAR

HOUSE FILE 789

BY COMMITTEE ON APPROPRIATIONS

*Gen. Approps.*

*Amend + DO MISS 5-5-89 (p. 200)  
Per Amend. 4152*

(SUCCESSOR TO HF 743)

Passed House, Date 5-2-89 (p. 200) Passed Senate, Date 5/6/89 (p. 2016)

Vote: Ayes 99 Nays 0 Vote: Ayes 44 Nays 4

Approved *Item Vetoed 5/31/89*

*Repassed for 447/ as amended by 4478  
5/6/89 (p. 2632)*

*Repassed as further amended 5/6/89 (p. 2652)  
46-0*

*94-6*

A BILL FOR

1 An Act relating to or making appropriations from the petroleum  
2 overcharge funds for purposes related to energy conservation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 789

1 Section 1. There is appropriated from those funds  
2 designated within the energy conservation trust created in  
3 section 93.11, to the energy and geological resources division  
4 of the department of natural resources for the fiscal biennium  
5 beginning July 1, 1989, and ending June 30, 1991, the  
6 following amounts, or so much thereof as is necessary, for  
7 disbursement under section 93.11 to the following agencies for  
8 the purposes designated:

9 1. To the division of community action agencies of the  
10 department of human rights for qualifying energy conservation  
11 programs for low-income persons, including but not limited to  
12 energy weatherization projects, which target the highest  
13 energy users, and including administrative costs, to be  
14 expended first from the balance of the Warner/Imperial fund,  
15 and the office of hearings and appeals second-stage settlement  
16 fund, and supplemented by the Exxon fund for a total  
17 appropriation not to exceed:

18 ..... \$ 3,000,000

19 2. To the department of natural resources for the  
20 following purposes:

21 a. For deposit in the oil overcharge account of the  
22 groundwater protection fund created pursuant to section  
23 455E.11, subsection 2, paragraph "e", and allocated as  
24 provided, from the Stripper Well fund:

25 ..... \$ 3,300,000

26 b. For the state energy conservation program, from the  
27 Exxon fund:

28 ..... \$ 118,500

29 c. For completion of the energy audits of public schools,  
30 from the Exxon fund:

31 ..... \$ 300,000

32 d. For the energy extension service program, including  
33 \$70,000 to be used to match an equal amount of other public or  
34 private funds for the residential energy extension program at  
35 the Iowa state university of science and technology, from the

1 Exxon fund:

2 ..... \$ 119,700

3 e. For the development of a comprehensive energy manage-  
4 ment program for local governments, for the installation of  
5 cost-effective energy management improvements with matching  
6 moneys of \$550,000 from the energy research and development  
7 fund, from the Exxon fund:

8 ..... \$ 200,000

9 f. For the use of the waste management authority in  
10 implementing a solid waste disposal grant program which  
11 reflects the groundwater protection Act's preferred option of  
12 reducing the volume of waste being landfilled by demonstrating  
13 composting technologies using biodegradable plastic bags and  
14 yard waste. The program shall establish a minimum of one  
15 project at a large solid waste disposal project and a minimum  
16 of two projects at small solid waste disposal projects from  
17 the Stripper Well fund:

18 ..... \$ 200,000

4152-19 g. For the implementation of a competitive grant program  
20 to provide weatherization assistance to low-income nonprofit  
21 housing organizations, from the Exxon fund:

22 ..... \$ 500,000

4149-23 h. For the establishment and implementation of not less  
24 than five projects concerning the demonstration and  
25 educational aspects of the Big Springs project and the  
26 integrated farm management project. A minimum of five of the  
27 projects shall be implemented in geographically distinct areas  
28 of the state from the Stripper Well fund:

29 ..... \$ 600,000

4152-30 Sec. 2. There is appropriated an amount up to five  
4152-31 percent, but not to exceed \$300,000, of the allowable  
32 petroleum overcharge money appropriated for the fiscal year  
33 beginning July 1, 1989, and ending June 30, 1990, to be used  
34 for administration of the petroleum overcharge programs.

35 Sec. 3. The energy fund disbursement council created in

1 section 93.11, subsection 3, is authorized to extend reversion  
2 dates, if necessary, for prior appropriations of petroleum  
3 overcharge funds in Iowa Acts 1986 and 1987.

4 Sec. 4. Section 93.14, Code 1989, is amended by adding the  
5 following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH: The energy fund disbursement  
7 council created in section 93.11, subsection 3, will oversee  
8 and approve the expenditure of funds in the energy research  
9 and development fund.

10 Sec. 5. 1986 Iowa Acts, chapter 1249, section 4, un-  
11 numbered paragraph 1, as amended by 1987 Iowa Acts, chapter  
12 230, section 8, and 1988 Iowa Acts, chapter 1281, section 6,  
13 is amended to read as follows:

14 There is appropriated from the funds available in the  
15 energy conservation trust, established in section 93.11, for  
16 the fiscal period beginning July 1, 1986, and ending June 30,  
17 ~~1989~~ 1990, to ~~the-energy-and-geological-resources-division-of~~  
18 the department of natural resources for disbursement under  
19 section 93.11, the following amounts, or so much thereof as is  
20 necessary, to be used for the purposes designated consistent  
21 with the expressed legislative intent of this Act:

22 EXPLANATION

23 This bill makes appropriations from the various petroleum  
24 overcharge funds to the department of natural resources. The  
25 date for expenditure of funds originally appropriated in the  
26 1986 Iowa Acts is extended to June 30, 1990.

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HOUSE FILE 789

S-4152

- 1 Amend House File 789, as passed by the House, as
- 2 follows:
- 3 1. Page 2, by striking lines 19 through 22, and
- 4 inserting the following:
- 5 "g. For the implementation of a competitive grant
- 6 program to provide weatherization assistance to low-
- 7 income individuals, from the Exxon fund:
- 8 .....
- 9 ..... \$ 250,000
- 10 h. For the continuation of energy conservation
- 11 measures to group residences operated by nonprofit
- 12 organizations serving low-income persons and for the
- 13 continuation of the partnership in low-income
- 14 residential retrofit program, from the Stripper Well
- 15 fund:
- 16 .....
- 17 ..... \$ 500,000".
- 18 2. Page 2, by inserting after line 29, the
- 19 following:
- 20 "i. For the development of the energy planning
- 21 data base aspects of the natural resource geographic
- 22 information system required by section 455E.8,
- 23 subsection 6, in conjunction with the department of
- 24 transportation, from the Exxon and Stripper Well
- 25 funds:
- 26 .....
- 27 ..... \$ 750,000".
- 28 3. Page 2, line 31, by striking the figure
- 29 "300,000" and inserting the following: "200,000".
- 30 4. By relettering as necessary.

By COMMITTEE ON APPROPRIATIONS  
JOE WELSH, Chairperson

S-4152 FILED MAY 5, 1989  
*Adopted 5/6 (p. 2016)*

## HOUSE FILE 789

S-4149

1 Amend House File 789, as passed by the House, as  
2 follows:  
3 1. Page 2, by striking lines 23 through 28, and  
4 inserting the following:  
5 "h. For the establishment and implementation of  
6 not less than five model farm demonstration project  
7 areas, in geographically distinct portions of the  
8 state. The projects shall be located in southeast,  
9 south-central, southwest, northwest, and north-central  
10 portions of the state. The projects shall be designed  
11 to enhance the profitability and decrease the  
12 environmental impacts of row crop production, and to  
13 develop on-farm demonstration and education programs  
14 involving farms concentrated in a project area, such  
15 as the Big Spring demonstration project does in  
16 northeast Iowa. An advisory group shall assist the  
17 energy and geological resources division of the  
18 department of natural resources in the project design  
19 and implementation, with representation consisting of  
20 the directors of the soil conservation division of the  
21 department of agriculture and land stewardship, and  
22 the cooperative extension service. From the Stripper  
23 Well fund:".

By JIM RIORDAN

S-4149 FILED MAY 5, 1989

*Adopted 5/6 (p. 2014)*

HOUSE FILE 789

4478

Amend the Senate amendment, H-4471, to House File 789, as amended, passed, and reprinted by the House, as follows:

1. Page 1, by striking lines 3 through 8, and inserting the following:

"\_\_\_\_\_. Page 2, line 22, by striking the figure "500,000" and inserting the following: "300,000"."

2. Page 1, by striking lines 9 through 15, and inserting the following:

"h. For the implementation of a competitive grant program to provide weatherization assistance for energy conservation resources to group residences operated by nonprofit organizations serving low-income persons, from the Exxon fund:

..... \$ 200,000".

3. Page 1, by inserting before line 16, the following:

"\_\_\_\_\_. For the continuation of energy conservation measures to group residences operated by nonprofit organizations serving low-income persons and for the continuation of the partnership in low-income residential retrofit program, from the Exxon fund:

..... \$ 103,000".

4. Page 1, line 45, by striking the figure "750,000" and inserting the following: "500,000".

5. Page 1, by striking lines 46 and 47.

6. Page 1, by inserting before line 46, the following:

"Sec. \_\_\_\_\_. Of the \$1,000,000 appropriated to the department of natural resources for energy conservation grants and contracts to be used to fund cost-effective and environmentally sound energy conservation and renewable resource projects which meet the guidelines of one or more of the five energy programs specified in Pub. L. No. 97-377, § 155, 96 Stat. 1830, 1919 (1982), pursuant to 1987 Iowa Acts, chapter 230, section 1, from the Exxon account, \$103,000 shall revert to the energy conservation trust."

By KNAPP of Dubuque  
SCHRADER of Marion

H-4478 FILED MAY 6, 1989

ADOPTED (p. 2632)

SENATE AMENDMENT TO HOUSE FILE 789

H-4471

1 Amend House File 789, as passed by the House, as  
2 follows:

3 1. Page 2, by striking lines 19 through 22, and  
4 inserting the following:

5 "g. For the implementation of a competitive grant  
6 program to provide weatherization assistance to low-  
7 income individuals, from the Exxon fund:

8 ..... \$ 250,000

9 h. For the continuation of energy conservation  
10 measures to group residences operated by nonprofit  
11 organizations serving low-income persons and for the  
12 continuation of the partnership in low-income  
13 residential retrofit program, from the Stripper Well  
14 fund:

15 ..... \$ 500,000".

16 2. Page 2, by striking lines 23 through 28, and  
17 inserting the following:

18 "i. For the establishment and implementation of  
19 not less than five model farm demonstration project  
20 areas, in geographically distinct portions of the  
21 state. The projects shall be located in southeast,  
22 south-central, southwest, northwest, and north-central  
23 portions of the state. The projects shall be designed  
24 to enhance the profitability and decrease the  
25 environmental impacts of row crop production, and to  
26 develop on-farm demonstration and education programs  
27 involving farms concentrated in a project area, such  
28 as the Big Spring demonstration project does in  
29 northeast Iowa. An advisory group shall assist the  
30 energy and geological resources division of the  
31 department of natural resources in the project design  
32 and implementation, with representation consisting of  
33 the directors of the soil conservation division of the  
34 department of agriculture and land stewardship, and  
35 the cooperative extension service. From the Stripper  
36 Well fund:".

37 3. Page 2, by inserting after line 29, the  
38 following:

39 "j. For the development of the energy planning  
40 data base aspects of the natural resource geographic  
41 information system required by section 455E.8,  
42 subsection 6, in conjunction with the department of  
43 transportation, from the Exxon and Stripper Well  
44 funds:

45 ..... \$ 750,000".

46 4. Page 2, line 31, by striking the figure  
47 "300,000" and inserting the following: "200,000".

48 5. By renumbering, relettering, or redesignating  
49 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-4471 FILED MAY 6, 1989

CONCURRED AS AMENDED *by 4478 (p. 2632)*



HOUSE AMENDMENT TO SENATE AMENDMENT TO  
HOUSE FILE 789

S-4182

1 Amend the Senate amendment, H-4471, to House File  
2 789, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 1, by striking lines 3 through 8, and  
5 inserting the following:

6 "\_\_\_\_\_. Page 2, line 22, by striking the figure  
7 "500,000" and inserting the following: "300,000"."

8 2. Page 1, by striking lines 9 through 15, and  
9 inserting the following:

10 "h. For the implementation of a competitive grant  
11 program to provide weatherization assistance for  
12 energy conservation resources to group residences  
13 operated by nonprofit organizations serving low-income  
14 persons, from the Exxon fund:

15 ..... \$ 200,000".

16 3. Page 1, by inserting before line 16, the  
17 following:

18 "\_\_\_\_\_. For the continuation of energy conservation  
19 measures to group residences operated by nonprofit  
20 organizations serving low-income persons and for the  
21 continuation of the partnership in low-income  
22 residential retrofit program, from the Exxon fund:

23 ..... \$ 103,000".

24 4. Page 1, line 45, by striking the figure "750,000"  
25 and inserting the following: "500,000".

26 5. Page 1, by striking lines 46 and 47.

27 6. Page 1, by inserting before line 28, the  
28 following:

29 "Sec. \_\_\_\_\_. Of the \$1,000,000 appropriated to the  
30 department of natural resources for energy conservation  
31 grants and contracts to be used to fund cost-effective  
32 and environmentally sound energy conservation and  
33 renewable resource projects which meet the guidelines  
34 of one or more of the five energy programs specified in  
35 Pub. L. No. 97-377, § 155, 96 Stat. 1830, 1919  
36 (1982), pursuant to 1987 Iowa Acts, chapter 230, section  
37 1, from the Exxon account, \$103,000 shall revert to the  
38 energy conservation trust."

RECEIVED FROM THE HOUSE

S-4182 FILED MAY 6, 1989

CONCURRED (j. 2052)



# OFFICE OF THE GOVERNOR

STATE CAPITOL

DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD  
GOVERNOR

May 31, 1989

The Honorable Elaine Baxter  
Secretary of State  
State Capitol Building  
L O C A L

Dear Madam Secretary:

I hereby transmit House File 789, an act relating to or making appropriations from the petroleum overcharge funds for purposes related to energy conservation.

House File 789 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 1, subsection 2, paragraph i; and Section 2, in its entirety. These provisions in House File 789 first deappropriate \$103,000 from the highly successful partnership in low income residential retrofit program and then reappropriate it to the same program. This inconsistency was apparently inadvertent and legislators we have consulted with have requested this item veto to avoid causing confusion in the operation of the retrofit program. My disapproval of both of these sections will allow the current low income retrofit program to continue without interruption.

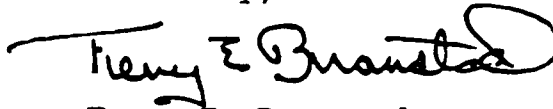
House File 789 continues several very worthwhile energy conservation programs and provides important funding for at least five model farm demonstration projects similar to the Big Spring project in Northeast Iowa. These projects will give Iowans from throughout the state an opportunity to examine the effect of fertilizers, pesticides and insecticides on the quality of our groundwater. These projects will also help document the importance of improved management of the application of these chemicals on our water quality.

The Honorable Elaine Baxter  
May 31, 1989  
Page 2

Another important provision in House File 789 appropriates \$200,000 for a solid waste grant program to demonstrate composting technologies using biodegradable plastic bags and yard waste. At least one project at a large solid waste disposal project and at least two projects at small solid waste disposal projects are to be funded. This research is a positive step toward enhancing the use of biodegradable plastic products as part of our solid waste control strategy.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 789 are hereby approved as of this date.

Sincerely,



Terry E. Branstad  
Governor

TEB/ps

cc: Secretary of the Senate  
Chief Clerk of the House

*Item Vetoed*

HOUSE FILE 789

AN ACT

RELATING TO OR MAKING APPROPRIATIONS FROM THE PETROLEUM  
OVERCHARGE FUNDS FOR PURPOSES RELATED TO ENERGY CONSERVATION.

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

Section 1. There is appropriated from those funds designated within the energy conservation trust created in section 93.11, to the energy and geological resources division of the department of natural resources for the fiscal biennium beginning July 1, 1989, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, for disbursement under section 93.11 to the following agencies for the purposes designated:

- 1. To the division of community action agencies of the department of human rights for qualifying energy conservation programs for low-income persons, including but not limited to energy weatherization projects, which target the highest energy users, and including administrative costs, to be expended first from the balance of the Warner/Imperial fund, and the office of hearings and appeals second-stage settlement fund, and supplemented by the Exxon fund for a total appropriation not to exceed:  
..... \$ 3,000,000

Governor item vetoed: Section 1, § 2(i);  
Section 2

2. To the department of natural resources for the following purposes:

- a. For deposit in the oil overcharge account of the groundwater protection fund created pursuant to section 455E.11, subsection 2, paragraph "e", and allocated as provided, from the Stripper Well fund:  
..... \$ 3,300,000
- b. For the state energy conservation program, from the Exxon fund:  
..... \$ 118,500
- c. For completion of the energy audits of public schools, from the Exxon fund:  
..... \$ 300,000
- d. For the energy extension service program, including \$70,000 to be used to match an equal amount of other public or private funds for the residential energy extension program at the Iowa state university of science and technology, from the Exxon fund:  
..... \$ 119,700
- e. For the development of a comprehensive energy management program for local governments, for the installation of cost-effective energy management improvements with matching moneys of \$550,000 from the energy research and development fund, from the Exxon fund:  
..... \$ 200,000
- f. For the use of the waste management authority in implementing a solid waste disposal grant program which reflects the groundwater protection Act's preferred option of reducing the volume of waste being landfilled by demonstrating composting technologies using biodegradable plastic bags and yard waste. The program shall establish a minimum of one project at a large solid waste disposal project and a minimum of two projects at small solid waste disposal projects from the Stripper Well fund:  
..... \$ 200,000

g. For the implementation of a competitive grant program to provide weatherization assistance to low-income nonprofit housing organizations, from the Exxon fund:

..... \$ 300,000

h. For the implementation of a competitive grant program to provide weatherization assistance for energy conservation resources to group residences operated by nonprofit organizations serving low-income persons, from the Exxon fund:

..... \$ 200,000

i. For the continuation of energy conservation measures to group residences operated by nonprofit organizations serving low-income persons and for the continuation of the partnership in low-income residential retrofit program, from the Exxon fund:

..... \$ 103,000

j. For the establishment and implementation of not less than five model farm demonstration project areas, in geographically distinct portions of the state. The projects shall be located in southeast, south-central, southwest, northwest, and north-central portions of the state. The projects shall be designed to enhance the profitability and decrease the environmental impacts of row crop production, and to develop on-farm demonstration and education programs involving farms concentrated in a project area, such as the Big Spring demonstration project does in northeast Iowa. An advisory group shall assist the energy and geological resources division of the department of natural resources in the project design and implementation, with representation consisting of the directors of the soil conservation division of the department of agriculture and land stewardship, and the cooperative extension service. From the Stripper Well fund:

..... \$ 600,000

k. For the development of the energy planning data base aspects of the natural resource geographic information system required by section 455E.8, subsection 6, in conjunction with

the department of transportation, from the Exxon and Stripper Well funds:

..... \$ 500,000

Sec. 2. Of the \$1,000,000 appropriated to the department of natural resources for energy conservation grants and contracts to be used to fund cost-effective and environmentally sound energy conservation and renewable resource projects which meet the guidelines of one or more of the five energy programs specified in Pub. L. No. 97-377, § 155, 96 Stat. 1830, 1919 (1982), pursuant to 1987 Iowa Acts, chapter 230, section 1, from the Exxon account, \$103,000 shall revert to the energy conservation trust.

*Iowa Veterans*

Sec. 3. There is appropriated an amount up to five percent, but not to exceed \$300,000, of the allowable petroleum overcharge money appropriated for the fiscal year beginning July 1, 1989, and ending June 30, 1990, to be used for administration of the petroleum overcharge programs.

Sec. 4. The energy fund disbursement council created in section 93.11, subsection 3, is authorized to extend reversion dates, if necessary, for prior appropriations of petroleum overcharge funds in Iowa Acts 1986 and 1987.

Sec. 5. Section 93.14, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The energy fund disbursement council created in section 93.11, subsection 3, will oversee and approve the expenditure of funds in the energy research and development fund.

Sec. 6. 1986 Iowa Acts, chapter 1249, section 4, unnumbered paragraph 1, as amended by 1987 Iowa Acts, chapter 230, section 8, and 1988 Iowa Acts, chapter 1281, section 6, is amended to read as follows:

There is appropriated from the funds available in the energy conservation trust, established in section 93.11, for the fiscal period beginning July 1, 1986, and ending June 30, ~~1989~~ 1990, to ~~the energy and geological resources division of~~

the department of natural resources for disbursement under section 93.11, the following amounts, or so much thereof as is necessary, to be used for the purposes designated consistent with the expressed legislative intent of this Act:

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DONALD D. AVENSON  
Speaker of the House

---

JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 789, Seventy-third General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 31, 1989

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TERRY E. BRANSTAD  
Governor