

**CHAPTER 1313****PETROLEUM OVERCHARGE FUND APPROPRIATION***S.F. 2357*

**AN ACT** creating a petroleum overcharge fund in the state treasury and appropriating money from the fund.

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

Section 1. NEW SECTION. 93.15 PETROLEUM OVERCHARGE FUND. There is created as a separate account in the state treasury a petroleum overcharge fund. Notwithstanding section 453.7, interest and earnings on investments from the funds in the petroleum overcharge fund shall be credited to the petroleum overcharge fund. The state of Iowa acting on behalf of itself, its citizens and its political subdivisions accepts any funds awarded or allocated to it, its citizens and political subdivisions as a result of petroleum overcharge cases. The funds shall be deposited in the petroleum overcharge fund and shall be expended only upon appropriation of the general assembly for programs which will benefit citizens who may have suffered economic penalties resulting from the alleged petroleum overcharges. However, petroleum overcharge case funds received pursuant to claims filed on behalf of the state, its institutions, departments, agencies, or any political subdivision shall be deposited in the general fund of the state to be disbursed directly to the appropriate claimants in accordance with federal guidelines and subject to the approval of the attorney general and the executive council. Attorneys' fees and expenses incurred by the state to obtain these funds to be deposited in the petroleum overcharge fund shall be paid by the state comptroller from the petroleum overcharge fund subject to the approval of the attorney general and the executive council.

Sec. 2. **CONTINUATION OF 1983-1984 ENERGY MANAGEMENT PROGRAMS.**

1. There is appropriated from the separate account in the general fund of the state created under 1983 Iowa Acts, chapter 202, section 20, all funds received pursuant to claims filed in petroleum overcharge cases on behalf of the state, its institutions, departments, agencies, or any political subdivision to be disbursed to the appropriate claimants as certified by the attorney general. The remaining moneys in this separate account, after the disbursement provided for in this subsection, shall be transferred on June 30, 1984, to the petroleum overcharge fund as created under section 93.15.

2. Notwithstanding section 8.33, all unencumbered or unobligated money remaining from the funds which were apportioned to this state under Pub. L. No. 97-377 and which were appropriated under 1983 Iowa Acts, chapter 207, sections 3, 4, and 5, and under 1983 Iowa Acts, chapter 202, section 21, is appropriated to the energy policy council to continue the programs established under 1983 Iowa Acts, chapter 207, sections 3, 4, and 5, and under 1983 Iowa Acts, chapter 202, section 21, during the fiscal year beginning July 1, 1984.

Sec. 3. **1984-85 ENERGY MANAGEMENT APPROPRIATIONS.**

1. There is appropriated from the petroleum overcharge fund to the energy policy council for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the funds in the petroleum

overcharge fund, excluding a reserve of five percent of all funds for attorneys' fees and expenses, and which were not appropriated under section 2 of this Act, 1983 Iowa Acts, chapter 207, sections 3, 4, and 5, or 1983 Iowa Acts, chapter 202, section 21. Seventy-five percent of the funds appropriated under this section excluding the reserve for attorneys' fees and expenses and for administrative expenses under subsection 2, shall be used for grants and projects by state government, local governments and school districts for energy management programs in buildings owned or occupied by state or local governmental agencies or school districts. The remaining twenty-five percent of the funds shall be used for weatherization of the homes of low-income residents in this state.

2. Not more than five percent of the appropriation shall be used by the energy policy council for administration of the funds appropriated by this Act.

3. The energy policy council shall use the funds appropriated for state government, local government, and school district energy management according to the following guidelines:

a. The funds may be used for energy conservation improvements, capital expenditures, training for maintenance personnel in energy management, the installation of utility meters to monitor energy use, energy audits and in consultation with state and local agencies and school districts in the area of technical energy management.

b. The funds may be used for grants for state agencies, cities, counties, and school districts.

c. Grants for school districts shall be used to consult in the area of technical energy management.

d. Grants for local governments shall be used to:

(1) Fund maintenance personnel training in energy management developed by or approved by the energy policy council.

(2) Pay for the installation of utility meters to monitor the use of energy in buildings occupied by government agencies.

(3) Pay for energy audits of buildings occupied by government agencies.

(4) Pay for energy conservation improvements in government owned or occupied buildings except hospitals and schools.

e. Grants for cities, counties, and school districts shall not exceed fifty percent of the cost of the project and the application must demonstrate that the local government or school district will provide the required matching money.

f. In approving grants for local governments or school districts, or in approving projects for state agencies, the energy policy council shall give priority to projects which produce the greatest energy conservation benefits relative to the cost of the project. Each grant request shall contain information regarding the projected energy savings.

g. The funds may be used to establish and implement a revolving loan fund for state and local government agencies and school districts to install energy conservation measures. Loans shall be paid back from savings achieved in utility bills due to the installation of energy conservation measures.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in The Manchester Press, a newspaper published in Manchester, Iowa, and in The Cascade Pioneer-Advertiser, a newspaper published in Cascade, Iowa.

Approved May 10, 1984

I hereby certify that the foregoing Act, Senate File 2357 was published in The Manchester Press, Manchester, Iowa on May 23, 1984 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on May 17, 1984.

MARY JANE ODELL, *Secretary of State*