

For the purpose of this section, "loans" means loans, leases, or alternative financing arrangements.

Sec. 4. Section 93.15, Code 1985, is amended to read as follows:

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.

Moneys in the fund may also be used for payments to school districts and area schools for the cost of energy audits under section 279.44.

Approved May 2, 1986

CHAPTER 1168

HEALTH CARE FACILITY LICENSING PENALTIES

H.F. 2423

AN ACT relating to the monetary penalties for violation of the health care facilities' licensing law.

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

Section 1. Section 135C.36, subsection 1, Code 1985, is amended to read as follows:

1. A Class I violation is one which presents an imminent danger or a substantial probability of resultant death or physical harm to the residents of the facility in which the violation occurs. A physical condition or one or more practices in a facility may constitute a Class I violation. A Class I violation shall be abated or eliminated immediately unless the department determines that a stated period of time, specified in the citation issued under section 135C.40, is required to correct the violation. A licensee ~~shall be~~ is subject to a penalty of not less than ~~five hundred two thousand~~ nor more than ~~five ten~~ thousand dollars for each Class I violation for which the licensee's facility is cited.

Approved May 2, 1986