

Sec. 3. Section 455G.21, subsection 2, paragraph a, Code 2001, is amended to read as follows:

a. The innocent landowners fund shall be established as a separate fund in the state treasury under the control of the board. The innocent landowners fund shall include any moneys recovered pursuant to cost recovery enforcement under section 455G.13. Notwithstanding section 455G.1, subsection 2, benefits for the costs of corrective action ~~shall~~ may be provided to the owner of a petroleum-contaminated property, or an owner or operator of an underground storage tank located on the property, who is not otherwise eligible to receive benefits under section 455G.9 due to the date on which the release causing the contamination was reported or the date the claim was filed. An owner of a petroleum-contaminated property, or an owner or operator of an underground storage tank located on the property, shall be eligible for payment of ~~total~~ corrective action costs subject to copayment requirements under section 455G.9, subsection 4. The board may adopt rules conditioning receipt of benefits under this paragraph to those petroleum-contaminated properties which present a higher degree of risk to the public health and safety or the environment and may adopt rules providing for denial of benefits under this paragraph to a person who did not make a good faith attempt to comply with the provisions of this chapter. This paragraph does not confer a legal right to an owner of petroleum-contaminated property, or an owner or operator of an underground storage tank located on the property, for receipt of benefits under this paragraph.

Sec. 4. Section 455G.2, subsection 17, Code 2001, is amended to read as follows:

17. "Precorrective action value" means the ~~assessed value of the tank site immediately prior to the discovery of a petroleum release~~ purchase price of the tank site paid by the owner after October 26, 1990.

Approved April 18, 2001

CHAPTER 52

BIODIESEL FUEL REVOLVING FUND

S.F. 465

AN ACT creating a fund for the use of the state department of transportation to purchase soydiesel fuel for use in its vehicles and providing an effective date.

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

Section 1. NEW SECTION. 307.20 BIODIESEL FUEL REVOLVING FUND.

1. A biodiesel fuel revolving fund is created in the state treasury. The biodiesel fuel revolving fund shall be administered by the department and shall consist of moneys received from the sale of EPA credits banked by the department on the effective date of this Act, moneys appropriated by the general assembly, and any other moneys obtained or accepted by the department for deposit in the fund. Moneys in the fund are appropriated to and shall be used by the department for the purchase of biodiesel fuel for use in department vehicles. The department shall submit an annual report not later than January 31 to the members of the general assembly and the legislative fiscal bureau, of the expenditures made from the fund during the preceding fiscal year. Section 8.33 does not apply to any moneys in the fund and, notwithstanding section 12C.7, subsection 2, earnings or interest on moneys deposited in the fund shall be credited to the fund.

2. A department motor vehicle operating on biodiesel fuel shall be affixed with a brightly visible sticker that notifies the traveling public that the motor vehicle uses biodiesel fuel.

3. For purposes of this section the following definitions apply:

a. "Biodiesel fuel" means soydiesel fuel as defined in section 159A.2.

b. "EPAAct credit" means a credit issued pursuant to the federal Energy Policy Act (EPAAct), 42 U.S.C. § 13201 et seq.

Sec. 2. 2000 Iowa Acts, chapter 1018, sections 2 and 3, are repealed.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 19, 2001

CHAPTER 53

COMPENSATION OF SCHOOL BOARD MEMBERS

H.F. 294

AN ACT relating to contracts and compensation that benefit a member of the board of directors of a school district.

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

Section 1. Section 277.27, Code 2001, is amended to read as follows:

277.27 QUALIFICATION.

A member of the board shall, at the time of election or appointment, be an eligible elector of the corporation or subdistrict. Notwithstanding any contrary provision of the Code, a member of the board of directors of a school district shall not receive compensation directly from the school board unless the compensation is for part-time or temporary employment and does not exceed the limitation set forth in section 279.7A.

Sec. 2. Section 279.7A, Code 2001, is amended to read as follows:

279.7A INTEREST IN PUBLIC CONTRACTS PROHIBITED — EXCEPTION.

A member of the board of directors of a school corporation shall not have an interest, direct or indirect, in a contract for the purchase of goods, including materials and profits, and the performance of services for the director's school corporation. A contract entered into in violation of this section is void. This section does not apply to contracts for the purchase of goods or services which benefit a director, or to compensation for part-time or temporary employment which benefits a director, if the benefit to the director does not exceed two thousand five hundred dollars in a fiscal year, and contracts made by a school board, upon competitive bid in writing, publicly invited and opened.

Approved April 19, 2001