

House Study Bill 244

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ENVIRONMENTAL PROTECTION BILL
BY CHAIRPERSON GREINER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to composition and responsibilities of the Iowa
2 comprehensive petroleum underground storage tank fund board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2321HC 80
5 tm/pj/5

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1 1 Section 1. NEW SECTION. 424.19 FUTURE REPEAL.
1 2 This chapter is repealed effective June 30, 2014.
1 3 Sec. 2. Section 455G.4, subsection 1, Code 2003, is
1 4 amended by adding the following new paragraph after paragraph
1 5 d:
1 6 NEW PARAGRAPH. dd. One owner or operator appointed by the
1 7 governor who has been a petroleum systems insured through the
1 8 underground storage tank insurance fund or a successor to the
1 9 underground storage tank insurance fund and was an insured
1 10 through the insurance account of the comprehensive petroleum
1 11 underground storage tank fund on or before October 26, 1990.
1 12 Sec. 3. Section 455G.4, subsection 1, unnumbered paragraph
1 13 2, Code 2003, is amended to read as follows:
1 14 A public member appointed pursuant to paragraph "d" shall
1 15 not have a conflict of interest. For purposes of this section
1 16 a "conflict of interest" means an affiliation, within the
1 17 twelve months before the member's appointment, with the
1 18 regulated tank community, or with a person or property and
1 19 casualty insurer offering competitive insurance or other means
1 20 of financial assurance or which previously offered
1 21 environmental hazard insurance for a member of the regulated
1 22 tank community.
1 23 Sec. 4. Section 455G.6, Code 2003, is amended by adding
1 24 the following new subsection:
1 25 NEW SUBSECTION. 17. a. Notwithstanding any other
1 26 provision to the contrary, the board may enter into an
1 27 agreement with a successor to the underground storage tank
1 28 insurance board to transfer any portion or all of the
1 29 responsibilities of the board under sections 455G.9 and
1 30 455G.21 as agreed upon by the board and a successor to the
1 31 underground storage tank insurance board.
1 32 b. Notwithstanding any other provision to the contrary,
1 33 the board, upon a transfer of responsibilities pursuant to
1 34 paragraph "a", shall not be liable under this chapter for any
1 35 of the responsibilities transferred.
2 1 c. The board shall report to the legislative council by
2 2 the fifteenth of each month, beginning in July 2003, regarding
2 3 the progress of the transfer of responsibilities pursuant to
2 4 paragraph "a". On or before January 15, 2004, the board shall
2 5 prepare a report for submission to the chairperson and ranking
2 6 member of the natural resources and environment committee in
2 7 the senate and the chairperson and ranking member of the
2 8 environmental protection committee in the house of
2 9 representatives detailing the dollar amount and number of
2 10 sites for which responsibility has been transferred as of
2 11 December 31, 2003.

EXPLANATION

2 12 This bill relates to issues related to the Iowa
2 13 comprehensive petroleum underground storage tank fund board
2 14 and repeals Code chapter 424 effective June 30, 2014. Code
2 15 chapter 424 relates to the environmental protection charge on
2 16 petroleum diminution.
2 17 The bill adds one new member to the board. The new member
2 18 is appointed by the governor and is an owner or operator who
2 19 has been a petroleum systems insured through the underground
2 20 storage tank insurance fund or a successor to the underground
2 21 storage tank insurance fund and was an insured through the
2 22 storage tank insurance fund and was an insured through the

2 23 insurance account of the comprehensive petroleum underground
2 24 storage tank fund on or before October 26, 1990.
2 25 Currently, two public members of the board are subject to a
2 26 conflict of interest provision. The bill amends the conflict
2 27 of interest provision to make it only apply to the two public
2 28 members, and not apply to the two owners or operators that are
2 29 added to the board under the bill.
2 30 The bill allows the board to enter into an agreement with a
2 31 successor to the underground storage tank insurance board to
2 32 transfer any portion or all of the responsibilities of the
2 33 Iowa comprehensive petroleum underground storage tank fund
2 34 board regarding the remedial program and the marketability
2 35 fund. The bill provides that, upon the transfer, the board
3 1 shall not be liable for any of the responsibilities
3 2 transferred. The bill establishes reporting requirements for
3 3 the board relating to the transfer of responsibilities under
3 4 the bill.
3 5 LSB 2321HC 80
3 6 tm/pj/5.1