

House File 516

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AN ACT

RELATING TO COMPOSITION AND RESPONSIBILITIES OF THE IOWA
COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD.

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

Section 1. NEW SECTION. 424.19 FUTURE REPEAL.

This chapter is repealed effective June 30, 2014.

Sec. 2. Section 455G.4, subsection 1, Code 2003, is
amended by adding the following new paragraph after paragraph
d:

NEW PARAGRAPH. dd. Two owners or operators appointed by
the governor. One of the owners or operators appointed
pursuant to this paragraph shall have been a petroleum systems
insured through the underground storage tank insurance fund or
a successor to the underground storage tank insurance fund and
shall have been an insured through the insurance account of
the comprehensive petroleum underground storage tank fund on
or before October 26, 1990. One of the owners or operators
appointed pursuant to this paragraph shall be self-insured.

Sec. 3. Section 455G.4, subsection 1, unnumbered paragraph
2, Code 2003, is amended to read as follows:

A public member appointed pursuant to paragraph "d" shall
not have a conflict of interest. For purposes of this section
a "conflict of interest" means an affiliation, within the
twelve months before the member's appointment, with the
regulated tank community, or with a person or property and
casualty insurer offering competitive insurance or other means
of financial assurance or which previously offered
environmental hazard insurance for a member of the regulated
tank community.

Sec. 4. Section 455G.4, Code 2003, is amended by adding
the following new subsection:

NEW SUBSECTION. 6. REPORTING. Beginning July 2003, the
board shall submit a written report quarterly to the
legislative council, the chairperson and ranking member of the
committee on natural resources and environment in the senate,
and the chairperson and ranking member of the committee on
environmental protection in the house of representatives
regarding changes in the status of the program including, but
not limited to, the number of open claims by claim type; the
number of new claims submitted and the eligibility status of
each claim; a summary of the risk classification of open
claims; the status of all claims at high-risk sites including
the number of corrective action design reports submitted,
approved, and implemented during the reporting period; total
moneys reserved on open claims and total moneys paid on open
claims; and a summary of budgets approved and invoices paid
for high risk site activities including a breakdown by
corrective action design report, construction and equipment,
implementation, operation and maintenance, monitoring, over
excavation, free product recovery, site reclassification,
reporting and other expenses, or a similar breakdown. In each
report submitted by the board, the board shall include an
estimated timeline to complete corrective action at all
currently eligible high-risk sites where a corrective action
design report has been submitted by a claimant and approved
during the reporting period. The timeline shall include the
projected year when a no further action designation will be
obtained based upon the corrective action activities approved
or anticipated at each claimant site. The timeline shall be
broken down in annual increments with the number or percentage
of sites projected to be completed for each time period. The
report shall identify and report steps taken to expedite
corrective action and eliminate the state's liability for open
claims.

Sec. 5. Section 455G.6, Code 2003, is amended by adding
the following new subsection:

NEW SUBSECTION. 17. The board may adopt rules pursuant to
chapter 17A providing for the transfer of all or a portion of
the liabilities of the board under this chapter.
Notwithstanding other provisions to the contrary, the board,
upon such transfer, shall not maintain any duty to reimburse

3 6 claimants under this chapter for those liabilities
3 7 transferred.

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3 12 CHRISTOPHER C. RANTS
3 13 Speaker of the House

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3 17 MARY E. KRAMER

3 18 President of the Senate

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3 20 I hereby certify that this bill originated in the House and
3 21 is known as House File 516, Eightieth General Assembly.

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3 24 _____
3 25 MARGARET THOMSON

3 26 Chief Clerk of the House

3 27 Approved _____, 2003

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3 30 _____
3 31 THOMAS J. VILSACK

3 32 Governor