

See Corrected Copy

HOUSE FILE 2531
BY COMMITTEE ON ENERGY
AND ENVIRONMENTAL
PROTECTION

FEB 21 1990

Place On Calendar

(SUCCESSOR TO HF 2137)

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

A BILL FOR

1 An Act to require a business, as a condition of the receipt of
2 state financial assistance for economic development purposes,
3 to meet certain requirements relating to federal and state
4 environmental protection laws and the disposal of solid and
5 hazardous waste.

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

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HF 2531

1 Section 1. Section 15A.1, Code 1989, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. In addition to the requirements of
4 subsection 2, a state agency shall not provide a grant, loan,
5 or other financial assistance to a private person or on behalf
6 of a private person unless the business for whose benefit the
7 financial assistance is to be provided establishes, to the
8 satisfaction of the state agency, all of the following:

9 a. The business has not violated a federal or state
10 environmental protection statute, regulation, or rule within
11 the previous five years and has corrected or is correcting any
12 environmentally threatening or harmful practice for which a
13 warning or complaint was received from the appropriate federal
14 or state agency. The state agency may disregard, for purposes
15 of this paragraph, a violation of a federal or state
16 environmental protection statute, regulation, or rule if the
17 state agency determines that the violation was of a nature
18 that was not threatening or harmful to the environment and has
19 not been repeated.

20 b. If the business generates solid or hazardous waste,
21 that the business conducts in-house audits and management
22 plans to reduce the amount of the waste and to safely dispose
23 of the waste. For purposes of this paragraph, a business may,
24 in lieu of conducting in-house audits, authorize the waste
25 management authority of the department of natural resources or
26 the Iowa waste reduction center established under section
27 268.4 to provide the audits.

28 EXPLANATION

29 The bill provides that before a state agency may provide
30 state grants, loans, or other financial assistance for
31 economic development to or on behalf of a business, the
32 business must establish that it has not violated federal or
33 state environmental protection laws, has corrected
34 environmentally harmful practices, and if the business
35 generates solid or hazardous waste, that it conducts either

1 in-house audits or has the Iowa waste reduction center or
2 waste management authority do the audits of the disposal of
3 the waste and has waste management plans to reduce the amount
4 and to safely dispose of the waste.

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FEB 21 1990

Place On Calendar

HOUSE FILE 2531
BY COMMITTEE ON ENERGY
AND ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HF 2137)

Passed House, Date 3/5/90 (p. 958) Passed Senate, Date 3/16/90 (p. 1135)

Vote: Ayes 69 Nays 25 Vote: Ayes 45 Nays 1

Approved March 30, 1990

motion to reconsider lost (p. 551)

*Repassed House 3/20/90 (p. 1262)
70-20*

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5 or other financial assistance to a private person or on behalf
6 of a private person unless the business for whose benefit the
7 financial assistance is to be provided establishes, to the
8 satisfaction of the state agency, all of the following:

9 a. The business has not violated a federal or state
10 environmental protection statute, regulation, or rule within
11 the previous five years and has corrected or is correcting any
12 environmentally threatening or harmful practice for which a
13 warning or complaint was received from the appropriate federal
14 or state agency. The state agency may disregard, for purposes
15 of this paragraph, a violation of a federal or state
16 environmental protection statute, regulation, or rule if the
17 state agency determines that the violation was of a nature
18 that was not threatening or harmful to the environment and has
19 not been repeated or if the state agency determines that the
20 violation was the result of a breakdown in equipment or
21 facility and was corrected within a reasonable time or will be
22 corrected within a reasonable time.

23 b. If the business generates solid or hazardous waste,
24 that the business conducts in-house audits and management
25 plans to reduce the amount of the waste and to safely dispose
26 of the waste. For purposes of this paragraph, a business may,
27 in lieu of conducting in-house audits, authorize the waste
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HOUSE FILE 2531

S-5453

1 Amend House File 2531, as passed by the House, as
2 follows:

3 1. Page 1, line 7, by striking the word
4 "establishes" and inserting the following: "meets".

5 2. Page 1, by striking lines 9 through 22 and
6 inserting the following:

7 "a. The business makes a report detailing the
8 circumstances of its violations, if any, of a federal
9 or state environmental protection statute, regulation,
10 or rule within the previous five years. The state
11 agency shall take into consideration before allowing
12 financial assistance this report of the business."

By COMMITTEE ON ENVIRONMENT AND
ENERGY UTILITIES
PAT DELUHERY, Chairperson

Adopted 3/16 (J. 1135)

S-5453 FILED MARCH 12, 1990

SENATE AMENDMENT TO HOUSE FILE 2531

H-5744

1 Amend House File 2531, as passed by the House, as
2 follows:

3 1. Page 1, line 7, by striking the word
4 "establishes" and inserting the following: "meets".

5 2. Page 1, by striking lines 9 through 22 and
6 inserting the following:

7 "a. The business makes a report detailing the
8 circumstances of its violations, if any, of a federal
9 or state environmental protection statute, regulation,
10 or rule within the previous five years. The state
11 agency shall take into consideration before allowing
12 financial assistance this report of the business."

RECEIVED FROM THE SENATE

H-5744 FILED MARCH 19, 1990

Adopted by House 3/30 (J. 1261)