

3/23/95 Not Resound
S- 4/5/95 Do Pass

MAR 14 1995

Place On Calendar

HOUSE FILE 425

BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 231)

Passed House, Date 3/23/95 (p. 947) Passed Senate, Date 4/10/95 (p. 1094)
Vote: Ayes 98 Nays 0 Vote: Ayes 50 Nays 0
Approved April 17, 1995

A BILL FOR

1 An Act repealing air toxics fees.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

HF 425

1 Section 1. Section 455B.133B, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. An air contaminant source fund is created in the office
4 of the treasurer of state under the control of the department.
5 Moneys received from the fees assessed pursuant to ~~sections~~
6 ~~455B.133A~~ and section 455B.133, subsection 8, shall be
7 deposited in the fund. ~~Moneys collected pursuant to section~~
8 ~~455B.133, subsection 8~~ in the fund shall be used solely to
9 defray the costs related to the permit, monitoring, and
10 inspection program, including the small business stationary
11 source technical and environmental compliance assistance
12 program required pursuant to the federal Clean Air Act
13 Amendments of 1990, sections 502 and 507, Pub. L. No. 101-549.
14 Notwithstanding section 8.33, any unexpended balance in the
15 fund at the end of each fiscal year shall be retained in the
16 fund. Notwithstanding section 12C.7, any interest and
17 earnings on investments from money in the fund shall be
18 credited to the fund.

19 Sec. 2. Section 455B.133B, subsection 2, Code 1995, is
20 amended by striking the subsection.

21 Sec. 3. Section 455B.517, subsection 4, paragraph b, Code
22 1995, is amended by striking the paragraph.

23 Sec. 4. Section 455B.133A, Code 1995, is repealed.

24 EXPLANATION

25 This bill repeals the temporary air toxics fee imposed
26 under section 455B.133A. The temporary fee is an annual fee
27 of \$25 per ton of hazardous air pollutants included in Title
28 III of the federal Clean Air Act Amendments of 1990 and is
29 based upon air emission as reported or estimated by the source
30 in the previous calendar year. Current law states that the
31 fee is to be imposed until such time as the operating permit
32 fee is established by rule of the environmental protection
33 commission and approved by the United States environmental
34 protection agency under section 502(b) of the federal Clean
35 Air Act Amendments of 1990.

*Teig-Chair
Hahn
Burnett*

HSB 231

ENVIRONMENTAL PROTECTION

INTRODUCED BY
SF / HF 425
HOUSE FILE 425

**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 repealing air toxics fees.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Section 1. Section 455B.133B, subsection 1, Code 1995, is amended to read as follows:

1. An air contaminant source fund is created in the office of the treasurer of state under the control of the department. Moneys received from the fees assessed pursuant to sections 455B.133A and section 455B.133, subsection 8, shall be deposited in the fund. Moneys collected pursuant to section 455B.133, subsection 8, in the fund shall be used solely to defray the costs related to the permit, monitoring, and inspection program, including the small business stationary source technical and environmental compliance assistance program required pursuant to the federal Clean Air Act Amendments of 1990, sections 502 and 507, Pub. L. No. 101-549. Notwithstanding section 8.33, any unexpended balance in the fund at the end of each fiscal year shall be retained in the fund. Notwithstanding section 12C.7, any interest and earnings on investments from money in the fund shall be credited to the fund.

Sec. 2. Section 455B.133B, subsection 2, Code 1995, is amended by striking the subsection.

Sec. 3. Section 455B.517, subsection 4, paragraph b, Code 1995, is amended by striking the paragraph.

Sec. 4. Section 455B.133A, Code 1995, is repealed.

EXPLANATION

This bill repeals the temporary air toxics fee imposed under section 455B.133A. The temporary fee is an annual fee of \$25 per ton of hazardous air pollutants included in Title III of the federal Clean Air Act Amendments of 1990 and is based upon air emission as reported or estimated by the source in the previous calendar year. Current law states that the fee is to be imposed until such time as the operating permit fee is established by rule of the environmental protection commission and approved by the United States environmental protection agency under section 502(b) of the federal Clean Air Act Amendments of 1990.

Sec. 3. Section 455B.517, subsection 4, paragraph b, Code 1995, is amended by striking the paragraph.

Sec. 4. Section 455B.133A, Code 1995, is repealed.

HOUSE FILE 425

AN ACT

REPEALING AIR TOXICS FEES.

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

Section 1. Section 455B.133B, subsection 1, Code 1995, is amended to read as follows:

1. An air contaminant source fund is created in the office of the treasurer of state under the control of the department. Moneys received from the fees assessed pursuant to sections 455B.133A and section 455B.133, subsection 8, shall be deposited in the fund. Moneys collected pursuant to section 455B.133, subsection 8, in the fund shall be used solely to defray the costs related to the permit, monitoring, and inspection program, including the small business stationary source technical and environmental compliance assistance program required pursuant to the federal Clean Air Act Amendments of 1990, sections 502 and 507, Pub. L. No. 101-549. Notwithstanding section 8.33, any unexpended balance in the fund at the end of each fiscal year shall be retained in the fund. Notwithstanding section 12C.7, any interest and earnings on investments from money in the fund shall be credited to the fund.

Sec. 2. Section 455B.133B, subsection 2, Code 1995, is amended by striking the subsection.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 425, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 17, 1995

TERRY E. BRANSTAD
Governor