

1-14-97 Nat. Res
& Environment
S. 2/27/97 Amend/Do Pass

FILED JAN 14 1997 S-3094

SENATE FILE 17 47-97 Referred Back
BY RIFE Nat. Res. & Env.

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

A BILL FOR

1 An Act relating to liability for costs associated with a response
2 by the state to a hazardous condition.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

S.F. 17

1 Section 1. Section 455B.392, subsection 1, Code 1997, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. e. The reasonable costs incurred by the
4 state as a result of responding to or at the scene of a
5 hazardous condition caused by that person, whether or not
6 cleanup of a hazardous substance occurs.

7 EXPLANATION

8 This bill provides that a person having control over a
9 hazardous substance is strictly liable for costs incurred by
10 the state in responding to a hazardous condition caused by
11 that person, whether or not cleanup of a hazardous substance
12 occurs.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 17

S-3094

- 1 Amend Senate File 17 as follows:
- 2 1. Page 1, line 3, by striking the words "by the"
- 3 and inserting the following: "by".
- 4 2. Page 1, line 4, by striking the word "state"
- 5 and inserting the following: "a volunteer fire
- 6 department".
- 7 3. Title page, line 2, by striking the words "the
- 8 state" and inserting the following: "a volunteer fire
- 9 department".

By COMMITTEE ON NATURAL RESOURCES
AND ENVIRONMENT
MERLIN E. BARTZ, Chairperson

S-3094 FILED FEBRUARY 27, 1997

SENATE FILE 17

S-3249

- 1 Amend Senate File 17 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "reasonable" the following: "and actual".
- 4 2. Page 1, line 3, by striking the words "by the"
- 5 and inserting the following: "by".
- 6 3. Page 1, line 4, by striking the word "state"
- 7 and inserting the following: "emergency response
- 8 units".
- 9 4. Title page, line 2, by striking the words "the
- 10 state" and inserting the following: "emergency
- 11 response units".

By JAMES BLACK

S-3249 FILED MARCH 26, 1997