

CHAPTER 11

VICTIMS OF INTERNATIONAL TERRORISM

S.F. 251

AN ACT relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 912.5, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 5. To or for the benefit of a resident of this state who is a victim of an act of terrorism as defined in 18 U.S.C. § 2331, which occurred outside of the United States.

Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 31, 1997

CHAPTER 12

OZONE TRANSPORT ASSESSMENT GROUP

H.F. 309

AN ACT relating to review and oversight of actions of the ozone transport assessment group.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **FINDINGS.** The general assembly finds and declares all of the following:

1. The federal Clean Air Act, 42 U.S.C. § 7401 et seq., as amended by the federal Clean Air Act Amendments of 1990, Pub. L. No. 101-549, contains a comprehensive regulatory scheme for the control of emissions from mobile and stationary sources.

2. Ozone and other air pollutants have declined substantially during the past twenty-five years throughout the United States due to the implementation of the federal Clean Air Act, and additional air quality improvements will result as the federal Clean Air Act Amendments of 1990 are implemented.

3. The northeast ozone transport commission, established in 42 U.S.C. § 7511c, in an effort to remedy the serious ozone nonattainment conditions prevailing in urbanized areas of the northeastern United States, has proposed emission control requirements for stationary and mobile sources more stringent than those applicable to states outside of the northeast ozone transport region, including a petition to the United States environmental protection agency concerning low-emitting vehicle emission control requirements and a memorandum of understanding concerning stationary source emission control requirements.

4. The northeast ozone transport commission's initiatives, together with other local emission control actions, will help northeastern states to attain the national ambient air quality standard for ozone established by the United States environmental protection agency.

5. In response to concerns raised by certain northeastern states about the interstate transport of ozone, the United States environmental protection agency has convened the ozone

transport assessment group, involving representatives from the original twelve northeastern states in the ozone transport region and representatives from twenty-five states to the west and south of the northeast ozone transport region, including Iowa, to consider means to reduce the atmospheric transport of ozone.

6. The ozone transport assessment group will develop recommendations in 1997 for emission control actions in states outside of the northeast ozone transport region that may form the basis for United States environmental protection agency enforcement actions under the federal Clean Air Act, including the preparation and submission of state implementation plans calling for control actions in Iowa not specifically mandated by the federal Clean Air Act Amendments of 1990.

7. Computer modeling studies prepared by the ozone transport assessment group indicate all of the following:

a. Ozone nonattainment is caused predominantly by local emission sources in densely populated urbanized areas.

b. Emissions originating in Iowa do not contribute significantly to the nonattainment of ozone standards in other states or regions.

8. Emission controls for stationary and mobile sources under consideration by the ozone transport assessment group for states outside the northeast ozone transport region are more stringent and more costly than those mandated by the federal Clean Air Act Amendments of 1990, and could impair the competitiveness of businesses and industries in Iowa with negligible environmental benefits and with adverse effects on employment and income in Iowa.

9. The emission control requirements under consideration by the ozone transport assessment group could impede economic development, to the detriment of the well-being of the citizens of Iowa and its economy.

10. Legislative oversight of proposed actions of the ozone transport assessment group, and related actions of the United States environmental protection agency directly or indirectly affecting the citizens and economy of Iowa, is in the public interest.

Sec. 2. OZONE TRANSPORT ASSESSMENT GROUP DECISION MAKING.

1. The director of the department of natural resources shall provide periodic reports on progress in the ozone transport assessment group decision-making process to the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection if the general assembly is in session, and to the legislative council if the general assembly is not in session. The director shall also submit any ozone transport assessment group decisions or recommendations, together with an explanation thereof, as expeditiously as is practicable to the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection for review if the general assembly is in session, and to the legislative council if the general assembly is not in session.

2. If the general assembly is in session, within a reasonable amount of time following receipt of the ozone transport assessment group decisions or recommendations, the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection may convene public hearings to receive comments from agencies of government and other interested parties on the prospective impact of the decisions or recommendations on this state's economy and the environment, including the impact on energy use, environment, economic development, utility costs and rates, transportation fuel costs, and industrial competitiveness. If the general assembly is not in session, the legislative council may convene public hearings for the same purposes.

Sec. 3. STATE IMPLEMENTATION PLAN.

1. Upon publication by the United States environmental protection agency of a notice of proposed rulemaking to require states to submit state implementation plan revisions or upon the issuance of a request by the United States environmental protection agency for submission of a state implementation plan for Iowa related to ozone attainment, the director

of the department of natural resources shall notify the senate standing committee on natural resources and environment, the house of representatives standing committee on environmental protection, and the administrative rules review committee of the request or notice if the general assembly is in session. If the general assembly is not in session, the director shall notify the legislative council and the administrative rules review committee. The director shall also provide the committees or the legislative council and the administrative rules review committee with copies of any state implementation plan prepared by the department pursuant to such a request or notice not less than sixty days prior to the submission of the state implementation plan to the United States environmental protection agency.

2. Within a reasonable amount of time following receipt of the state implementation plan, if the general assembly is in session, the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection shall convene public hearings to receive comments from agencies of government and other interested parties on the prospective impact of the state implementation plan on this state's economy and environment, including impacts on energy use, the environment, economic development, utility costs and rates, transportation fuel costs, and industrial competitiveness. If the general assembly is not in session, the legislative council may convene public hearings for the same purposes.

3. The department shall not implement the state implementation plan through the use of emergency rules adopted under section 17A.4, subsection 2, or made effective under section 17A.5, subsection 2.

4. In the absence of a recommendation or other act of the general assembly, or of the legislative council if the general assembly is not in session, endorsing the state implementation plan, the director shall not submit to the United States environmental protection agency any state implementation plan related to ozone transport which would impose emission controls in Iowa more stringent than necessary for Iowa to demonstrate attainment with any national ambient air quality standard for ozone, unless all of the following can be shown:

a. Emissions from other than natural sources located within the state of Iowa contribute significantly to nonattainment of an ozone standard in another state.

b. Technically feasible emission reductions in such other nonattaining state would not permit the nonattaining state to demonstrate attainment and maintenance of an ozone standard.

c. Technically and economically feasible emission reductions in the state of Iowa will significantly benefit or enable a nonattaining state to achieve the ozone standard.

Approved March 31, 1997

CHAPTER 13

REGISTRATION AND ACCREDITATION REQUIREMENTS FOR POSTSECONDARY SCHOOLS

H.F. 320

AN ACT increasing the exceptions to the registration requirements for postsecondary schools, and eliminating an exemption for nondegree specialty vocational training programs from the accreditation requirement for postsecondary schools.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 261B.3A, Code 1997, is amended to read as follows: