

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1391

Page 1, line 12, remove the underscored comma

Page 1, line 13, remove "approve, and disallow"

Page 1, line 23, remove the overstrike over "~~Administrator means the manager of the state fire and tornado fund.~~"

Page 1, line 24, remove the overstrike over "~~3.~~"

Page 2, line 1, replace "3" with "4"

Page 2, line 2, overstrike "4." and insert immediately thereafter "5." and overstrike "taken to" and insert immediately thereafter "required by the department to"

Page 2, line 8, overstrike "5." and insert immediately thereafter "6."

Page 2, line 10, overstrike "6." and insert immediately thereafter "7."

Page 2, line 11, overstrike "7." and insert immediately thereafter "8."

Page 2, line 12, overstrike "8." and insert immediately thereafter "9."

Page 2, line 14, overstrike "9." and insert immediately thereafter "10."

Page 2, line 16, overstrike "10." and insert immediately thereafter "11."

Page 2, line 20, overstrike "11." and insert immediately thereafter "12."

Page 2, line 24, overstrike "12." and insert immediately thereafter "13."

Page 2, line 29, overstrike "13." and insert immediately thereafter "14."

Page 3, remove line 31

Page 4, line 1, replace "14" with "15"

Page 4, line 2, after "action" insert "or a person who suffers bodily injury caused by a petroleum release"

Page 4, line 6, remove "There is established a petroleum release compensation board to assist the"

Page 4, remove lines 7 and 8

Page 4, line 9, remove "effective date of this Act." and remove the overstrike over "~~advisory~~"

Page 4, line 10, replace "one" with "three", remove the overstrike over "~~are~~", and remove "is"

Page 4, line 21, remove the overstrike over "~~sixty-two dollars and fifty cents per diem~~" and remove "compensation as may be"

Page 4, line 22, remove "established by rule"

Page 4, line 27, remove the overstrike over "~~administrator~~", remove "commissioner", and remove "The"

Page 4, line 28, remove "commissioner may appoint an administrator to assist in the administration of the fund."

Page 4, line 29, remove the overstrike over "~~administrator~~", remove "commissioner", and remove the overstrike over "~~keep the board~~"

Page 4, line 30, remove the overstrike over "~~apprised of the fund's general operations~~" and remove "assist and advise the commissioner"

Page 4, line 31, replace "quarter" with "half"

Page 5, line 1, replace "commissioner" with "administrator"

Page 5, line 2, replace "that" with "by the administrator which"

Page 5, line 5, replace "commissioner" with "administrator"

Page 5, line 6, replace "commissioner" with "administrator" and after the second underscored period insert "The claimant or the administrator may appeal the board's decision to the commissioner."

Page 5, line 11, remove the overstrike over "~~administrator~~" and remove "commissioner"

Page 5, line 16, replace "commissioner" with "administrator"

Page 9, line 7, remove the overstrike over "~~administrator~~" and remove "commissioner"

Page 9, line 13, remove the overstrike over "~~administrator~~" and remove "commissioner"

Page 9, line 24, replace "commissioner" with "fund"

Page 9, line 28, remove "its preleak value or to"

Page 9, line 29, replace ", whichever is less, and includes compensation from the fund for tort or" with "."

3. The fund shall reimburse the tank owner, operator, or dealer for bodily injuries to a third party caused by a petroleum release if the provisions of subdivisions a, b, c, and d of subsection 1 were met at the time the release was discovered in an amount determined by:

Page 9, remove line 30

Page 10, line 2, after "matter" insert "in a proceeding in which the fund has been made a party"

Page 10, line 3, after "parties" insert "in a proceeding in which the fund has been made a party"

Page 10, line 7, replace "3" with "4" and remove "preleak"

Page 10, line 10, replace "4" with "5"

Page 10, line 13, replace "5" with "6"

Page 10, after line 16, insert:

"7. The fund shall reimburse the department for all costs, attorneys' fees, and other legal expenses relating to administrative and adjudicative proceedings under this chapter and any subsequent legal proceeding. Any monies reimbursed must be deposited in the department's operating fund in the state treasury and must be spent subject to appropriation by the legislative assembly."

Page 14, line 15, remove the overstrike over "~~administrator~~" and remove "commissioner"

Page 14, line 22, remove the overstrike over "~~administrator~~" and remove "commissioner"

Page 14, line 29, after the underscored period insert "The administrator may investigate the purchase of insurance that reimburses an owner or operator for property damage claims by third parties other than claims for costs of corrective action."

Renumber accordingly