COMMITTEE ON ENERGY, ENVIRONMENT AND NATURAL RESOURCES

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2636

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Laws 2004, chapter 273, section 9, as amended by Laws 2013, chapter 244, section 4 and Laws 2014, chapter 14, section 5, is amended to read:

Sec. 9. Underground storage tank assurance account; termination of eligibility; nonliability

Notwithstanding any other law:

1. From and after June 30, 2006, only Releases of a regulated substance that are reported before July 1, 2006 as provided in section 49-1004, Arizona Revised Statutes, are subject to coverage for corrective action costs from the underground storage tank assurance account.

2. An application for reimbursement for or direct payment of eligible reasonable and necessary costs from the underground storage tank assurance account shall be filed with the department of environmental quality no later than 5:00 p.m. on December 31, 2015.

3. An application for preapproval made pursuant to section 49-1052, subsection I, Arizona Revised Statutes, or section 49-1053, Arizona Revised Statutes, shall be filed with the department of environmental quality no later than 5:00 p.m. on December 31, 2014.

4. Any application made or expense incurred after December 31, 2015 is not eligible for coverage from the underground storage tank assurance account and all such claims are extinguished.

5. The department of environmental quality is not required to take any action on an application for coverage, reimbursement or payment from the underground storage tank assurance account or on an application for preapproval until a new revised underground storage tank corrective action program is effective."
6. If the underground storage tank assurance account does not have sufficient monies to pay all ELIGIBLE claims SUBMITTED, THE DEPARTMENT OF ENVIRONMENTAL QUALITY MAY DEFER PAYMENT ON OTHERWISE ELIGIBLE CLAIMS UNTIL THERE ARE SUFFICIENT MONIES IN THE UNDERGROUND STORAGE TANK ASSURANCE ACCOUNT. IF THE UNDERGROUND STORAGE TANK ASSURANCE ACCOUNT DOES NOT HAVE SUFFICIENT MONIES FOR ALL ELIGIBLE CLAIMS by the date of the termination of the account as otherwise provided by law, any claims unpaid on the date of termination of the account are extinguished without regard to whether those claims were eligible for coverage from the account.

6. THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE UNDERGROUND STORAGE TANK ASSURANCE ACCOUNT ARE NOT LIABLE FOR AND MAY NOT PAY ANY CLAIMS FROM THIRD PARTIES ALLEGING PERSONAL INJURY OR PROPERTY DAMAGE CAUSED BY RELEASES FROM UNDERGROUND STORAGE TANKS.

Sec. 2. Laws 2004, chapter 273, section 14, as amended by Laws 2013, chapter 244, section 5, is amended to read:

Sec. 14. Effective date

Section 7 of this act, relating to the repeal of title 49, chapter 6, articles 2 and 3, Arizona Revised Statutes, is effective December 31, 2015.

Amend title to conform and, as so amended, it do pass

FRANKLIN M. PRATT
Chairman