

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1397

5 By: Representative Leding
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE PETROLEUM STORAGE TANK TRUST FUND
9 ACT; TO CLARIFY THE LAW REGARDING THE PAYMENT OF
10 CONSULTANTS FOR THE PURCHASE OF EQUIPMENT NEEDED TO
11 UNDERTAKE CORRECTIVE ACTION; TO PROVIDE THAT A
12 TRANSFER DOES NOT AFFECT POTENTIAL LIABILITY FOR THE
13 PAYMENT OF DAMAGES TO A THIRD PARTY; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO AMEND THE PETROLEUM STORAGE TANK TRUST
19 FUND ACT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 8-7-905(d), concerning the purposes for
25 which funds in the Petroleum Storage Tank Trust Fund may be expended, is
26 amended to add an additional subdivision to read as follows:

27 (6) To reimburse a consultant under § 8-7-907(k) for the
28 purchase of equipment needed to undertake corrective action.
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30 SECTION 2. Arkansas Code § 8-7-907(k)(3), concerning payments to
31 consultants for purchasing equipment needed to undertake corrective action,
32 is amended to read as follows:

33 (3) The eligibility for payment of a consultant ~~shall apply~~
34 applies only to ~~subdivision (k)(1) of this section~~ this subsection.
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36 SECTION 3. Arkansas Code § 8-7-908(h)(2), concerning the transfer of



1 eligibility for payment of third-party claims, is amended to read as follows:

2 (2) A transfer under subdivision (h)(1) of this section ~~shall~~
3 does not affect the potential liability of the owner or operator for
4 ~~undertaking any required corrective action~~ payment of compensatory damages to
5 a third party.

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8 **APPROVED: 03/14/2013**
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