

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1671

4
5 By: Representative Bevis
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7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND THE PETROLEUM STORAGE TANK TRUST FUND
10 ACT PROVISIONS CONTAINED IN TITLE 8, CHAPTER 7 OF THE
11 ARKANSAS CODE OF 1987 ANNOTATED, TO LOWER THE ARKANSAS
12 PETROLEUM STORAGE TANK TRUST FUND DEDUCTIBLES FOR
13 CORRECTIVE ACTION AND THIRD-PARTY COVERAGE."
14

Subtitle

15
16 "AN ACT TO LOWER THE ARKANSAS PETROLEUM
17 STORAGE TANK TRUST FUND DEDUCTIBLES FOR
18 CORRECTIVE ACTION AND THIRD-PARTY
19 COVERAGE."
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Section 8-7-907 (a) is amended to read as
25 follows:

26 "(a) No payment for corrective action shall be paid from the fund until
27 the owner or operator has expended seven thousand five hundred dollars
28 (\$7,500) ~~fifteen thousand dollars (\$15,000)~~ on corrective action for the
29 occurrence, except in cases where the director is using his emergency
30 authority under § 8-7-905(e). It is the intent of the General Assembly that
31 this initial level of expenditure be considered the equivalent of an insurance
32 policy deductible. Owners or operators of underground storage tanks must
33 demonstrate financial responsibility for the seven thousand five hundred
34 dollars (\$7,500) ~~fifteen thousand dollar (\$15,000)~~ deductible for corrective
35 actions."
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1 SECTION 2. Arkansas Code 8-7-908 (a) is hereby amended to read as
 2 follows:

3 "(a) No payment to any owner or operator against whom a third-party
 4 claim is brought for bodily injury or property damage, or both, shall be paid
 5 from the fund until the owner or operator has expended seven thousand five
 6 hundred dollars (\$7,500) ~~fifteen thousand dollars (\$15,000)~~ on third-party
 7 claims for the occurrence, except in cases where the director is using his
 8 emergency authority under § 8-7-905(e). It is the intent of the General
 9 Assembly that this initial level of expenditure be considered the equivalent
 10 of an insurance policy deductible. Owners and operators of underground storage
 11 tanks must demonstrate financial responsibility for the seven thousand five
 12 hundred dollars (\$7,500) ~~fifteen thousand dollar (\$15,000)~~ deductible for
 13 third-party liability costs."
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15 SECTION 3. All provisions of this act of a general and permanent nature
 16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 17 Revision Commission shall incorporate the same in the Code.
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19 SECTION 4. If any provision of this act or the application thereof to
 20 any person or circumstance is held invalid, such invalidity shall not affect
 21 other provisions or applications of the act which can be given effect without
 22 the invalid provision or application, and to this end the provisions of this
 23 act are declared to be severable.
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25 SECTION 5. All laws and parts of laws in conflict with this act are
 26 hereby repealed.
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