

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 349, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be **AMENDED** as follows:

- 1 Page 1, line 2, delete the effective date "[EFFECTIVE UPON
2 PASSAGE]" and insert the effective date "[EFFECTIVE JANUARY
3 1, 1999 (RETROACTIVE)]".
- 4 Page 2, delete lines 19 through 25, begin a new line single block
5 indented and insert:
- 6 **"(2) A person who:**
- 7 **(A) does not own or lease, directly or indirectly, the facility**
8 **or business at which the underground storage tank is**
9 **located;**
- 10 **(B) does not participate in the management of the facility**
11 **or business described in clause (A); and**
- 12 **(C) is engaged only in:**
- 13 **(i) filling;**
14 **(ii) gauging; or**
15 **(iii) filling and gauging;**
- 16 **the product level in the course of delivering fuel to an**
17 **underground storage tank.**
- 18 SECTION 2. [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]

1 **IC 13-11-2-148(e), as amended by this act, shall not be construed**
2 **to affect any litigation filed before January 1, 1999."**

3 Renumber all SECTIONS consecutively.
 (Reference is to SB 349 as printed January 29, 1999.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Senator Gard, Chairperson