

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 347

AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 13-23-1-3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2011]: **Sec. 3. (a) The department shall establish a training program:**

- (1) on an Internet web site; and**
- (2) that complies with the requirements of the federal Energy Policy Act of 2005 (P.L.109-58).**

(b) The department may use the excess liability trust fund to pay expenses related to the training program established under subsection (a).

SECTION 2. IC 13-23-7-1, AS AMENDED BY P.L.114-2008, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1. (a) Subject to subsection (b), the underground petroleum storage tank excess liability trust fund is established for the following purposes:**

- (1) Assisting owners and operators of underground petroleum storage tanks to establish evidence of financial responsibility as required under IC 13-23-4.**
- (2) Providing a source of money to satisfy liabilities incurred by owners and operators of underground petroleum storage tanks under IC 13-23-13-8 for corrective action.**

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(3) Providing a source of money for the indemnification of third parties under IC 13-23-9-3.

(4) Providing a source of money to pay for the expenses of the department incurred in paying and administering claims against the trust fund. Money may be provided under this subdivision only for those job activities and expenses that consist exclusively of administering the excess liability trust fund.

(5) Providing a source of money to pay for the expenses of the department incurred in inspecting underground storage tanks.

(6) Providing a source of money to pay expenses incurred by the department in establishing and implementing an underground storage tank operator training program:

(A) on an Internet web site; and

(B) that complies with the requirements of the federal Energy Policy Act of 2005.

(b) The combined amount of payments described in subsection (a)(4), ~~and~~ (a)(5), **and (a)(6)** from the underground petroleum storage tank excess liability trust fund in a state fiscal year may not exceed ~~ten~~ **eleven percent (10%) (11%)** of the fund income in the immediately preceding state fiscal year.

SECTION 3. An emergency is declared for this act.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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