

1.1 moves to amend H.F. No., the delete everything amendment
1.2 (AN-A09), as follows:

1.3 Page 71, after line 15, insert:

1.4 "Section 1. Minnesota Statutes 2014, section 115C.09, subdivision 1, is amended to
1.5 read:

1.6 Subdivision 1. **Reimbursable costs.** (a) The board shall provide reimbursement to
1.7 eligible applicants for reimbursable costs.

1.8 (b) The following costs are reimbursable for purposes of this chapter:

1.9 (1) corrective action costs incurred by the applicant and documented in a form
1.10 prescribed by the board, ~~except the costs related to the physical removal of a tank.~~

1.11 Corrective action costs incurred by the applicant include costs for physical removal of
1.12 a tank when the physical removal is part of a corrective action, regardless of whether
1.13 the tank is leaking at the time of removal, and the removal is directed or approved by
1.14 the commissioner;

1.15 (2) costs that the responsible person is legally obligated to pay as damages to third
1.16 parties for bodily injury, property damage, or corrective action costs incurred by a third
1.17 party caused by a release where the responsible person's liability for the costs has been
1.18 established by a court order or court-approved settlement; and

1.19 (3) up to 180 days of interest costs associated with the financing of corrective action
1.20 and incurred by the applicant in a written extension of credit or loan that has been signed by
1.21 the applicant and executed after July 1, 2002, provided that the applicant documents that:

1.22 (i) the interest costs are incurred as a result of an extension of credit or loan from a
1.23 financial institution; and

1.24 (ii) the board has not considered the application within the applicable time frame
1.25 specified in subdivision 2a, paragraph (c).

1.26 Interest costs meeting the requirements of this clause are eligible only when they are
1.27 incurred between the date a complete initial application is received by the board, or the

2.1 date a complete supplemental application is received by the board, and the date that the
2.2 board first notifies the applicant of its reimbursement determination. An application is
2.3 complete when the information reasonably required or requested by the board's staff
2.4 from the applicant has been received by the board's staff. Interest costs are not eligible
2.5 for reimbursement to the extent they exceed two percentage points above the adjusted
2.6 prime rate charged by banks, as defined in section 270C.40, subdivision 5, at the time the
2.7 extension of credit or loan was executed.

2.8 (c) A cost for liability to a third party is incurred by the responsible person when an
2.9 order or court-approved settlement is entered that sets forth the specific costs attributed
2.10 to the liability. Except as provided in this paragraph, reimbursement may not be made
2.11 for costs of liability to third parties until all eligible corrective action costs have been
2.12 reimbursed. If a corrective action is expected to continue in operation for more than one
2.13 year after it has been fully constructed or installed, the board may estimate the future
2.14 expense of completing the corrective action and, after subtracting this estimate from the
2.15 total reimbursement available under subdivision 3, reimburse the costs for liability to third
2.16 parties. The total reimbursement may not exceed the limit set forth in subdivision 3."

2.17 Renumber the sections in sequence and correct the internal references

2.18 Amend the title accordingly