



General Assembly

January Session, 2003

**Amendment**

LCO No. 5330

\*SB0089605330SR0\*

Offered by:

SEN. RORABACK, 30<sup>th</sup> Dist.

To: Subst. Senate Bill No. 896

File No. 320

Cal. No. 227

**"AN ACT CONCERNING THE METHOD OF PAYMENT FROM THE UNDERGROUND STORAGE TANK FUND."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subdivision (1) of subsection (c) of section 22a-449l of the  
4 general statutes is repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (c) (1) In order to receive reimbursement of eligible costs for services  
7 commenced after July 1, 1999, and prior to July 1, 2001, a registered  
8 contractor shall on or before December 1, 2001, submit to the  
9 Underground Storage Tank Petroleum Clean-Up Account Review  
10 Board established under section 22a-449d for a disbursement from the  
11 residential underground heating oil storage tank system clean-up  
12 subaccount, all reasonable costs for work commenced prior to July 1,  
13 2001, pursuant to a contract with the owner or the state for the  
14 remediation of a residential underground heating oil storage tank

15 system for the purpose of providing payment for the costs of such  
16 remediation. An owner of a residential underground heating oil  
17 storage tank system shall not be responsible to the registered  
18 contractor or any subcontractor of the registered contractor for any  
19 costs that are eligible for payment from the residential underground  
20 heating oil storage tank system clean-up subaccount over five hundred  
21 dollars. The registered contractor or any subcontractor shall not bill the  
22 owner for any costs eligible for payment from said subaccount over  
23 five hundred dollars unless the contractor or subcontractor enters into  
24 a separate written contract with the owner, on a form prescribed by the  
25 commissioner, authorizing the contractor or subcontractor to bill the  
26 owner more than five hundred dollars and such separate contract  
27 gives the owner the right to cancel such contract up to three days after  
28 entering into it. Such owner shall provide to the review board a  
29 statement confirming the registered contractor has been engaged by  
30 such owner to remove or to replace such residential underground  
31 heating oil storage tank system and perform the remediation and shall  
32 execute an instrument which provides for payment to said account of  
33 any amounts realized by the owner, after any costs of litigation or  
34 attorney's fees have been paid, from a judgment or settlement  
35 regarding any claim for the costs of such remediation made against an  
36 insurance policy or any party. In any service contract entered into  
37 between a registered contractor and an owner for the remediation of a  
38 residential underground heating oil storage tank system, the registered  
39 contractor shall clearly identify all costs, including markup costs, that  
40 are not or may not be eligible for payment from said subaccount."