

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 487 be amended to read as follows:

- 1 Page 2, line 42, delete "pipelines and".
- 2 Page 3, delete lines 19 through 22.
- 3 Page 3, line 25, delete "11.6." and insert "**11.5.**".
- 4 Page 4, line 35, delete "association" and insert "**person responsible**
- 5 **for the excavation or demolition**".
- 6 Page 4, line 36, after "site" insert "**of the proposed excavation or**
- 7 **demolition to the association for inclusion**".
- 8 Page 6, line 12, strike "If the notice required by this section is by
- 9 telephone,".
- 10 Page 6, line 12, after "telephone," delete "the" and insert "The".
- 11 Page 6, line 13, after "notice" insert "**required by this section**".
- 12 Page 6, line 21, delete "pipeline or".
- 13 Page 6, line 26, delete "is" and insert "**may be**".
- 14 Page 6, line 35, delete "is" and insert "**may be**".
- 15 Page 8, line 19, delete "7:00" and insert "7".
- 16 Page 8, line 20, delete "6:00" and insert "6".
- 17 Page 8, line 21, delete "6:00" and insert "6".
- 18 Page 8, line 22, delete "7:00" and insert "7".
- 19 Page 8, line 23, delete "7:00" and insert "7".
- 20 Page 8, line 26, reset in roman "in two (2)".
- 21 Page 8, line 27, delete "not more than three (3)".
- 22 Page 9, delete lines 41 through 42, begin a new paragraph and
- 23 insert:
- 24 "**(f) This subsection applies if all of the following occur:**
- 25 **(1) An operator of a pipeline facility is required to supply**
- 26 **information, including facility locate markings, under**
- 27 **subsection (a) to a person responsible for an excavation or**
- 28 **demolition.**
- 29 **(2) The operator of the pipeline facility fails to supply the**
- 30 **information described in subdivision (1).**
- 31 **(3) The operator's pipeline facility is damaged during the**

- 1 excavation or demolition for which the operator was required
2 to supply the information described in subdivision (1).
3 **The operator of the pipeline facility may be subject to a civil**
4 **penalty in an amount recommended by the advisory committee and**
5 **approved by the commission, not to exceed one thousand dollars**
6 **(\$1,000)."**
- 7 Page 10, delete lines 1 through 14.
8 Page 10, line 22, delete "is" and insert "**may be**".
9 Page 10, line 24, after "(\$10,000)." insert "**This subsection does not**
10 **apply to a person that moves, removes, damages, or otherwise**
11 **alters a facility locate marking as part of the excavation or**
12 **demolition for which the facility locate markings were supplied."**
- 13 Page 11, line 3, delete "is" and insert "**may be**".
14 Page 11, delete line 28.
15 Page 11, line 29, delete "(2)" and insert "**(1)**".
16 Page 11, line 30, delete "(3)" and insert "**(2)**".
17 Page 11, line 30, delete "an underground" and insert "**a pipeline**".
18 Page 11, line 32, delete "is" and insert "**may be**".
19 Page 11, line 34, delete "one" and insert "**ten**".
20 Page 11, line 34, delete "(\$1,000)." and insert "**(\$10,000)."**
21 Page 11, line 40, reset in roman "operator".
22 Page 11, line 41, reset in roman "of the facility".
23 Page 11, line 41, after "facility" insert "**and the**".
24 Page 12, line 8, reset in roman "operator".
25 Page 12, line 8, after "operator" insert "**and the**".
26 Page 12, line 11, delete ", **consistent with industry practice,**".
27 Page 13, line 5, delete "shall recommend" and insert "**may do the**
28 **following:**
- 29 **(1) Require the person to participate in an education or**
30 **training program.**
- 31 **(2) Recommend"**
- 32 Page 13, line 6, after "penalty" insert "**for the violation**".
33 Page 13, line 6, beginning with "The" begin a new line blocked left.
34 Page 13, between lines 8 and 9, begin a new paragraph and insert:
35 **"(h) The advisory committee shall develop and implement**
36 **education and training programs for persons the advisory**
37 **committee determines have violated this chapter. A program**
38 **developed by the advisory committee under this subsection is**
39 **subject to the review and approval of the commission."**

- 1 Page 13, line 9, delete "(h)" and insert "(i)".
- 2 Page 13, line 9, after "recommendation" insert "**for a civil penalty**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 487 as printed February 10, 2009.)

Senator CHARBONNEAU