

**FORTY-SEVENTH LEGISLATURE
FIRST SESSION, 2005**

March 18, 2005

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 417, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, as amended as follows:

1. On page 1, line 22, through page 2, line 24, strike Section 2 in its entirety.
2. Renumber the succeeding sections accordingly.
3. On page 3, line 9, after "a" strike the remainder of the line, strike lines 10 and 11 and strike line 12 through the period and insert in lieu thereof "housing environment composed of alternative construction methods and utility systems that do not require fossil fuels."
4. On page 3, line 14, strike "inherent provision of on-site" and insert in lieu thereof "production of".
5. On page 3, line 17, strike "inherent".
6. On page 3, line 20, strike "inherent".
7. On page 3, line 21, after the semicolon insert "and".
8. On page 3, line 22, after the paragraph indicator "(4)" strike the remainder of the line and strike lines 23 and 24 and insert in lieu thereof "recycled materials;".
9. On page 4, line 2, after "test" strike the remainder of the line and strike line 3 and insert in lieu thereof "methods, concepts or inventions in furtherance of sustainable development goals;".
10. On page 4, lines 6 and 7, strike "greater than five acres but less than two hundred acres" and insert in lieu thereof "two acres or less in size".
11. On page 4, line 11, after "existing" insert "state and".

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12. On page 4, line 18, after "rules" strike the remainder of the line and strike line 19 and insert in lieu thereof "that the permittee and the research are required to comply with as well as those from which the permittee and the research are specifically exempted."

13. On page 5, line 11, after "that" insert "are not practicable for the specific sustainable development testing site and".

14. On page 5, line 15, strike "the laws," and insert in lieu thereof "specific".

15. On page 7, line 24, strike "Section 4" and insert in lieu thereof "Section 3".

16. On page 8, line 24, strike "from which" and insert in lieu thereof "otherwise applicable to".

17. On page 9, line 1, strike "are exempt" and insert in lieu thereof "but, if applicable, from which the permittee's sustainable development research is exempt".

18. On page 9, line 7, strike "another" and insert in lieu thereof "up to an additional".

19. On page 9, line 11, after the comma strike the remainder of the line and strike lines 12 through 15 and insert in lieu thereof "shall adhere to all applicable laws and rules except those specifically exempted in the permit;"

20. On page 9, lines 16 through 20, strike Subsection B in its entirety.

21. On page 10, lines 17 through 22, strike Subsection F in its entirety.

22. Reletter subsections to coincide with these amendments.

23. On page 11, line 6, strike "Section 4" and insert in lieu thereof "Section 3".

24. On page 12, lines 6 through 11, strike Subsection B in its entirety and insert in lieu thereof the following subsection:

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"B. the owner or subsequent owner enters into an agreement with the planning commission to bring the area within the sustainable development testing site into compliance with all federal, state and local laws that would be applicable to the site in the absence of a testing site permit."

25. On page 12, between lines 11 and 12, insert the following new section:

"Section 8. PROMULGATION OF RULES.--The regulation and licensing department shall define a new category of rules applicable to sustainable development testing sites and promulgate rules for the category. The rules shall be designed to facilitate and encourage sustainable development research while maintaining levels of safety and environmental protection equivalent to those required by rules applicable to areas that are not within sustainable development testing sites."

26. Renumber the succeeding section accordingly.

Respectfully submitted,

Joseph Cervantes, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 9 For 2 Against
Yes: 9
No: Marquardt, Youngberg
Excused: None
Absent: None