

PROPOSED AMENDMENT
SENATE AMENDMENTS TO S.B. 1349
(Reference to printed bill)

- 1 Page 1, line 4, strike "instrument" insert "agreement"
- 2 Line 5, after the semicolon insert "enforcement:"
- 3 Line 6, strike "INSTRUMENT" insert "AGREEMENT"
- 4 Line 9, strike "ACKNOWLEDGED AND"
- 5 Line 10, after "LOCATED" insert "BY THE DEVELOPER OR BUILDER, WHICHEVER IS PARTY
- 6 TO THE AGREEMENT WITH THE WATER UTILITY"
- 7 Line 11, strike "INSTRUMENT" insert "AGREEMENT"
- 8 Line 17, after "AGREEMENT" insert "AND THE REPAYMENT SCHEDULE"
- 9 Line 18, after "PURCHASER" insert "AND HOW THOSE COSTS WILL BE IMPOSED ON THE
- 10 PURCHASER"
- 11 Between lines 18 and 19, insert:
- 12 "5. IF THE COST IS TO BE INCLUDED IN FUTURE UTILITY RATES,
- 13 APPROXIMATELY WHEN THOSE COSTS WILL BE INCORPORATED INTO THE UTILITY RATES.
- 14 6. IF THE WATER UTILITY SYSTEM IS TO BE CONSTRUCTED IN PHASES, A
- 15 DESCRIPTION OF WHAT WILL BE INCLUDED IN EACH PHASE AND THE TIMELINE OF THE
- 16 COMPLETE CONSTRUCTION PLAN.
- 17 C. IN ADDITION TO ANY OTHER RIGHTS, REMEDIES AND PENALTIES THAT MAY
- 18 EXIST AT LAW OR IN EQUITY, THE FAILURE TO COMPLY WITH THIS SECTION
- 19 CONSTITUTES AN UNLAWFUL PRACTICE UNDER SECTION 44-1522. THE ATTORNEY GENERAL
- 20 SHALL INVESTIGATE AND TAKE APPROPRIATE ACTION AS PRESCRIBED IN TITLE 44,
- 21 CHAPTER 10, ARTICLE 7."
- 22 Reletter to conform
- 23 Line 29, after "POST" insert "AND ANNUALLY UPDATE"
- 24 Line 33, after "YEARS" insert "IN CAPITAL, OPERATING AND MAINTENANCE"

1 Page 1, line 35, strike "RESIDENTIAL"; after "RATEPAYER" insert "USING THE WATER

2 UTILITY'S CURRENT APPROVED RATE OF RETURN"

3 Line 37, after "BUILDER" insert "OR ANY INVESTORS"

4 Line 38, strike "OR" insert a comma

5 Line 39, after "BUILDER" insert "OR INVESTOR"

6 Between lines 41 and 42, insert:

7 "B. IF A WATER UTILITY FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS
8 SECTION, THE CORPORATION COMMISSION MAY IMPOSE A PENALTY OF UP TO FIVE
9 THOUSAND DOLLARS PER VIOLATION. ANY PENALTIES COLLECTED PURSUANT TO THIS
10 SUBSECTION SHALL BE DEPOSITED, PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE
11 STATE GENERAL FUND."

12 Reletter to conform

13 Amend title to conform

DON SHOOTER

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C: mjh