

Amendments to House Bill No. 431
3rd Reading Copy

Requested by Senator Mike Wheat

For the Senate Local Government Committee

Prepared by Leanne Kurtz
March 24, 2005 (11:01am)

1. Page 3, line 24 through page 4, line 7.

Strike: subsection (2) in its entirety

Insert: "(2) If the improvements are the construction of sanitary sewers, the protests may be overruled by a unanimous vote of the board if:

(a) the improvements are ordered by the department of environmental quality or the federal environmental protection agency; or

(b) the governing body makes written findings after a public hearing and public comment, based on evidence in the record, that the proposed improvements protect public health or the environment, mitigate harm to the public health or environment, and are achievable under current technology."

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