

Amendments to Senate Bill No. 288
3rd Reading Copy

Requested by Representative Ken Peterson

For the House Judiciary Committee

Prepared by David Niss
March 23, 2009 (7:32am)

1. Page 2, line 22 through page 3, line 1.

Following: "(1)" on line 22

Strike: remainder of line 22 through page 3, line 1

Insert: "If a person who is not the applicant or the permittee of an energy development project contests the prospective or retrospective issuance of a permit before the board of environmental review, before a court through judicial review of an order of the board, or through any other civil action, and the dispute cannot be immediately resolved, the board or court shall, unless security for damages has already been required pursuant to 27-19-306, require a written undertaking to be given by the person challenging the issuance of the permit.

(2) The undertaking required pursuant to subsection (1) is subject to the amounts, purposes, procedures, and limitations provided for in 27-19-306(2) through (4)."

2. Page 15, lines 24 through 30.

Following: "UNDERTAKING."

Strike: remainder of line 24 through line 30

Insert: "(1) If a person who is not the applicant or the permittee of an energy development project contests the prospective or retrospective issuance of a permit before a court in a civil action and the action cannot be immediately resolved, the court shall, unless security for damages has already been required pursuant to 27-19-306, require a written undertaking to be given by the person challenging the issuance of the permit.

(2) The undertaking required pursuant to subsection (1) is subject to the amounts, purposes, procedures, and limitations provided for in 27-19-306(2) through (4)."

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