

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 16, 2022

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB22-1104 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 5 strike lines 7 through 10.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 5, strike lines 22 and 23 and substitute "MUNICIPALLY OWNED
4 UTILITY, A POWER AUTHORITY ESTABLISHED PURSUANT TO SECTION
5 29-1-204 (1), OR A COOPERATIVE ELECTRIC ASSOCIATION, AS DEFINED IN
6 SECTION 40-9.5-102 (1), THAT HAS VOTED TO EXEMPT ITSELF FROM THE
7 "PUBLIC UTILITIES LAW", ARTICLES 1 TO 7 OF TITLE 40, PURSUANT TO
8 SECTION 40-9.5-103."
- 9 Page 5, line 25, strike "**resources.**" and substitute "**resources -
10 coordination with division of parks and wildlife.**"
- 11 Page 6, strike lines 4 through 27.
- 12 Strike page 7.
- 13 Page 8, strike lines 1 through 5.
- 14 Renumber succeeding subsections accordingly.
- 15 Page 8, line 15, after "REQUIREMENTS;" add "AND".
- 16 Page 8, strike line 16.
- 17 Reletter succeeding subparagraph accordingly.

1 Page 8, after line 26 insert:

2 "(3) IN THE DESIGN AND CONSTRUCTION OF A POWERLINE TRAIL,
3 A PUBLIC ENTITY SHALL CONSULT AND COORDINATE WITH THE DIVISION OF
4 PARKS AND WILDLIFE TO MINIMIZE ADVERSE IMPACTS TO:

- 5 (a) STATE AND FEDERALLY LISTED SPECIES; AND
6 (b) SPECIES AND HABITATS OF CONSERVATION CONCERN."

7 Renumber succeeding subsection accordingly.

8 Page 9, strike line 6 and substitute "TITLE 24;

9 (c) REQUIRES A TRANSMISSION PROVIDER TO ALLOW A POWERLINE
10 TRAIL OR ANY OTHER FACILITY ON ITS TRANSMISSION CORRIDOR;

11 (d) REQUIRES A PUBLIC OR PRIVATE LANDOWNER WHOSE
12 PROPERTY IS ADJACENT TO OR INCLUSIVE OF A TRANSMISSION CORRIDOR
13 TO ALLOW PUBLIC ACCESS TO ANY PORTION OF THE LANDOWNER'S
14 PROPERTY;

15 (e) LIMITS THE PROTECTIONS PROVIDED TO TRANSMISSION
16 PROVIDERS UNDER SECTION 29-7.5-105; AND".

17 Reletter succeeding paragraph accordingly.

18 Page 9, line 16, strike "(12)" and substitute "(11)".

19 Page 9, line 19, strike "(4)" and substitute "(3)".

20

21 Page 10, line 15, strike "(11)" and substitute "(10)".

22 Page 10, line 17, strike "(12)" and substitute "(11)".

23 Page 10, line 19, strike "SITE OR EXPAND A" and substitute "SITE A NEW
24 TRANSMISSION LINE OR EXPAND AN EXISTING".

25 Page 10, line 24, strike "(4)" and substitute "(3)".

26 Page 10, strike lines 26 and 27 and substitute "LOCAL GOVERNMENT OF
27 THE POTENTIAL FOR THE CONSTRUCTION OF A POWERLINE TRAIL UNDER
28 SUBSECTION (6)(a) OF THIS SECTION IF:".

29 Page 11, line 25, strike "(4)" and substitute "(3)".

** ** ** ** **