

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture & Natural Resources.

SB23-270 be amended as follows:

1 Amend printed bill, page 4, strike lines 3 through 8 and substitute:

2 "(A) STABILIZING THE BANKS OR SUBSTRATE OF A NATURAL
3 STREAM WITH HARD, BIOENGINEERED, OR NATURAL MATERIALS THAT,
4 UNDER LESS THAN EXTREME FLOW CONDITIONS, ALLOW WATER TO FLOW
5 DOWNSTREAM, DO NOT CAUSE THE WATER LEVEL TO EXCEED THE
6 ORDINARY HIGH WATER MARK, AND MAY INCIDENTALLY INCREASE
7 SURFACE AREA OF THE NATURAL STREAM;"

8 Page 5, lines 7 and 8, strike "DROUGHT RESILIENCE;"

9 Page 8, after line 14 insert:

10 "(I) CREATES A PRESUMPTION OF INJURY FOR ANY ACTIVITY THAT
11 DOES NOT MEET THE DEFINITION OF A MINOR STREAM RESTORATION
12 ACTIVITY PURSUANT TO SUBSECTION (9)(b)(I) OF THIS SECTION;"

13 Renumber succeeding subparagraphs accordingly.

14 Page 9, strike lines 10 through 12 and substitute:

15 "**SECTION 3. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2024 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor."

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