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CONFERENCE COMMITTEE ON
HB 2105

June 1, 1995 Hearing Room H170
8:45 AM Tape 1

MEMBERS PRESENT:

Rep. Bob Tiernan, Chair
Sen. Ken Baker
Rep. Lonnie Roberts
Sen. Marilyn Shannon
Sen. Dick Springer
Rep. Charles Starr

STAFF PRESENT:

Anne Tweedt, Counsel
Annetta Mullins, Assistant

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE 1, A

010 CHAIR TIERNAN: Calls the meeting to order at 8:55 a.m.

011 ANNE TWEEDT, Counsel: Reviews the Preliminary Staff Measure Summary and
the HB 2105-B6 amendments (EXHIBIT A).

029 REP. ROBERTS: Explains that he wanted the five days to make certain
that if a new employee made an error, the company would have a grace
period. A spill could be the result of a faulty container by the
manufacturer and the shipping company could be blamed for it.

041 MS. TWEEDT: Explains the five-day grace period before penalties would
be enforced would apply unless the violation caused substantial harm to
health and the environment, or unless violations of a like nature by the
shipper occurred within five years preceding the violation in question.

046 MOTION: REP. STARR moves that the House concur in the Senate
amendments dated May 16 and that HB 2105-B be further amended with the HB
2105-B6 amendments and that the bill be repassed.

050 SEN. BAKER: Asks if "substantial" harm was discussed.

052 REP. ROBERTS: Comments he think "substantial" is subjective.

057 MS. TWEEDT: Advises the committee that the PUC would be enforcing
federal regulations, not imposing regulations. A concern was that "harm"
would not be any less subjective than the word "substantial" might be.

063 REP. ROBERTS: Suggests that a note be sent with the bill that we would
like to have a description of what they would generally consider
"substantial" so we will have an idea (of what it means).

071 SEN. SPRINGER: Comments he has no desire for any agency do anything not
necessary to protect public safety and health. Is concerned that
"substantial" is not defined. Suggests language be as "risk of human or
environmental harm".

093 SEN. BAKER: Asked if the House would consider an amendment to take out
"substantial".

094 REP. STARR: Replies he would prefer not to remove "substantial" because
it is still subjective.

099 BOB RUSSELL, Assistant Commissioner, Public Utility Commission:
Comments the PUC is comfortable with the language in the amendments.

109 VOTE: In a roll call vote, SEN. BAKER, REP. ROBERTS, SEN. SHANNON,
REP. STARR AND CHAIR TIERNAN VOTE AYE. SEN. SPRINGER IS EXCUSED.

111 CHAIR TIERNAN: Declares the motion PASSED and the meeting adjourned at
9:02 a.m.

Submitted by, Reviewed by,

Annetta Mullins Anne Tweedt
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - Preliminary Staff Measure Summary and HB 2105-B6 amendments, staff, 5
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