

## REPORT OF STANDING COMMITTEE – Senate Commerce and Energy

MR. PRESIDENT:

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration **SB 104, which was reconsidered** and returns the same with the recommendation that said bill be amended as follows:

104A

On page 2, line 6, of the Introduced bill, delete "Entitlement to a first lien, as provided for in this section, does not extend to a contractor or subcontractor, who furnishes skill, labor, services, or materials, for the development, improvement, operation, or repair of a public highway or roadway, if the development, improvement, operation, or repair is undertaken principally for the benefit of a private entity that is not the owner of the abutting property." and insert " The owner of real property upon which a county highway or road has been constructed, improved, maintained, or repaired is not liable for the cost of the project, and no lien under chapter 44-9 may be attached to the real property as security for payment of the costs, unless the real property owner agreed in writing to pay all or a portion of the cost of the project."

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration **SB 151** and returns the same with the recommendation that said bill be amended as follows:

151B

On page 3, line 14, of the Introduced bill, after "forbidden" insert ", or any pole or tower used for any of the purposes in this subdivision, whether enclosed or marked with a sign or not"

On page 3, line 23, of the Introduced bill, after "gas" delete ". The term does not include gas transmission pipeline property that is not completely enclosed, posted, and maintained by the natural gas utility"

On page 3, line 32, of the Introduced bill, delete "Natural resources exploration, mining, or production equipment, refined product storage, or distribution facility" and insert " Oil and gas locations, facilities, and equipment, including temporary drilling rigs, permanent oil and gas product facilities, and artificial lift equipment"

On page 3, line 34, of the Introduced bill, delete " including a central operation office, cable head end, cable node, cellular telephone tower site, or a transmission facility for a federally licensed radio or television antenna system" and insert " infrastructure or equipment involved in the carriage of essential communications services for both wired and wireless communications, switching, routing, repeater/amplifier equipment or other electronic equipment, macro and micro wireless towers using federally licensed spectrum, video head end equipment, and satellite communications receiver or transmission equipment"

On page 9, line 27, of the Introduced bill, after "supply;

(c) Gas" insert " service"

On page 9, line 28, of the Introduced bill, delete "Power" and insert "Electric service"

On page 9, line 28, of the Introduced bill, after "Gas;

(d) Power;" insert " or"

On page 9, line 29, of the Introduced bill, after "service;" delete " or"

On page 9, line 30, of the Introduced bill, after "or" delete "(f) Critical infrastructure facility; or

(3) Interferes with, inhibits, impedes, or prevents the construction, maintenance, or repair of communications, public transportation, a utility service, or a critical infrastructure facility;

"

On page 10, line 5, of the Introduced bill, after "felony." insert "Any person who by any means interferes with, inhibits, impedes, or prevents the construction, operation, maintenance, or repair of communications, public

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transportation, water supply, gas, electric, or other utility service, or a critical infrastructure facility is guilty of a Class 1 misdemeanor.

Any person who by any means, knowingly, interferes with, inhibits, impedes, or prevents the construction, operation, maintenance, or repair of communications, public transportation, water supply, gas, electric, or other utility service, or a critical infrastructure facility is guilty of a Class 6 felony.

"

On page 10, line 6, of the Introduced bill, after "the " insert "construction, "

On page 10, line 6, of the Introduced bill, delete " or" and insert a comma

On page 10, line 6, of the Introduced bill, after "maintenance" insert ", or repair"

On page 10, line 11, of the Introduced bill, after "22-34-28" insert ", or"

On page 10, line 11, of the Introduced bill, after "22-34-30" delete ", or 22-34-32"

On page 10, line 13, of the Introduced bill, after "23A-28C." delete "Section 6. That a NEW SECTION be added:

"

On page 10, line 14, of the Introduced bill, after "added:" delete "Conspiracy--Fines."

On page 10, line 14, of the Introduced bill, after "added:

Conspiracy--Fines." delete "

If a person, whether natural or legal, is found to be a conspirator in the violation of § 22-34-28, 22-34-30, or 22-35-5, the conspirator may be punished, in addition to other penalties, by a fine up to ten times the amount of any fine otherwise authorized under § 22-3-8."

151C

On page 3, line 12, of the Introduced bill, delete "or " and insert "and "

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration **HB 1109 and 1131** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,  
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/s/ JIM STALZER  
Jim Stalzer, Chair