

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 2, 2004  
Date

Committee on Health, Environment, Welfare, & Institutions.

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

HB04-1182 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike lines 8 and 9 and substitute the  
2 following:

3 "(1) "BOARD" MEANS THE STATE BOARD OF HEALTH IN THE  
4 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.";

5 strike line 18 and substitute the following:

6 "STRUCTURES, AND VEHICLES.";

7 line 21, strike "DEPARTMENT" and substitute "BOARD";

8 strike line 22 and substitute the following:

9 "SHALL PROMULGATE RULES THAT SHALL BE APPROVED BY A JOINT  
10 RESOLUTION OF THE GENERAL ASSEMBLY PRIOR TO IMPLEMENTATION THAT  
11 ESTABLISH STATEWIDE STANDARDS";

12 line 23, strike "DRUG LABORATORIES." and substitute "LABORATORIES  
13 USED TO MANUFACTURE METHAMPHETAMINE.";

- 1 line 24, strike "REFLECT" and substitute "CONSIDER".
- 2 Page 3, line 1, after "DEPARTMENT", insert "OF PUBIC HEALTH AND  
3 ENVIRONMENT";
- 4 line 8, after "PROPERTY,", insert "OR WHEN AN ILLEGAL DRUG  
5 LABORATORY USED TO MANUFACTURE METHAMPHETAMINE IS OTHERWISE  
6 DISCOVERED AND THE PROPERTY OWNER HAS RECEIVED NOTICE,";
- 7 line 10, strike "DEPARTMENT" and substitute "BOARD";
- 8 strike lines 11 through 20 and substitute the following:

9           "(2) ONCE A PROPERTY OWNER HAS MET THE CLEANUP STANDARDS  
10 ESTABLISHED BY THE BOARD, AS EVIDENCED BY A TEST PERFORMED BY A  
11 CERTIFIED INDUSTRIAL HYGIENIST AND A COPY OF THE RESULTS PROVIDED  
12 TO THE GOVERNING BODY HAVING JURISDICTION OVER THE AREA WHERE  
13 THE PROPERTY IS LOCATED, COMPLIANCE WITH THE STANDARDS SHALL  
14 ESTABLISH IMMUNITY FOR THE PROPERTY OWNER FROM A SUIT FOR  
15 ALLEGED HEALTH-BASED CIVIL ACTIONS BROUGHT BY ANY FUTURE  
16 OWNER, RENTER, OR OTHER PERSON WHO OCCUPIES SUCH PROPERTY IN  
17 WHICH THE ALLEGED CAUSE OF THE INJURY IS THE EXISTENCE OF THE  
18 ILLEGAL DRUG LABORATORY USED TO MANUFACTURE  
19 METHAMPHETAMINE."

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