

SENATE COMMITTEE OF REFERENCE REPORT

	February 20, 2014
Chairman of Committee	Date

Committee on Agriculture, Natural Resources, & Energy.

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

SB14-093 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, line 11, strike "ALL OTHER APPLICABLE LAWS  
2 AND".

3 Page 2, strike line 12.

4 Page 5, line 24, after "town" insert "THAT OWNS ELECTRIC POWER  
5 PRODUCING OR DISTRIBUTION FACILITIES".

6 Page 6, strike lines 11 and 12 and substitute "CONSTITUTION.".

7 Amend printed bill, Page 6, before line 13 insert:

8 "SECTION 6. In Colorado Revised Statutes, **add** 38-5-109 as  
9 follows:

10 **38-5-109. Siting of pipelines that transport hazardous liquids**  
11 **- assistance of department of local affairs - definitions.** (1) FOR  
12 PURPOSES OF THIS SECTION:

13 (a) "HAZARDOUS LIQUIDS" MEANS:

14 (I) PETROLEUM OR A PETROLEUM PRODUCT;

15 (II) NONPETROLEUM FUEL, INCLUDING BIOFUEL, THAT IS  
16 FLAMMABLE, TOXIC, OR CORROSIVE OR WOULD BE HARMFUL TO THE  
17 ENVIRONMENT IF RELEASED IN SIGNIFICANT QUANTITIES; OR

18 (III) A SUBSTANCE THAT THE FEDERAL SECRETARY OF  
19 TRANSPORTATION DECIDES MAY POSE AN UNREASONABLE RISK TO LIFE OR

1 PROPERTY WHEN TRANSPORTED BY A PIPELINE IN A LIQUID STATE, EXCEPT  
2 FOR LIQUEFIED NATURAL GAS.

3 (b) "PIPELINE" MEANS A PIPE WITH A NOMINAL DIAMETER OF SIX  
4 INCHES OR MORE THAT IS DESIGNED TO TRANSPORT HAZARDOUS LIQUIDS,  
5 BUT DOES NOT INCLUDE A PIPE DESIGNED TO TRANSPORT A HAZARDOUS  
6 LIQUID BY GRAVITY OR A PIPE DESIGNED TO TRANSPORT OR STORE A  
7 HAZARDOUS LIQUID WITHIN A REFINING, STORAGE, OR MANUFACTURING  
8 FACILITY.

9 (2) IF A PIPELINE COMPANY OR ANY OTHER PERSON OR ENTITY  
10 SEEKS APPROVAL FOR SITING OF A PIPELINE, AND THE COUNTY OR  
11 MUNICIPALITY THAT HAS JURISDICTION OVER THE PROPOSED ROUTE DOES  
12 NOT HAVE THE FINANCIAL OR STAFF RESOURCES TO THOROUGHLY  
13 EVALUATE THE CURRENT AND FUTURE SAFETY RISKS OF SITING THE  
14 PIPELINE AS REQUESTED, THE COUNTY OR MUNICIPALITY SHALL SEEK  
15 PROFESSIONAL ASSISTANCE IN EVALUATING SUCH RISKS. THE PERSON OR  
16 ENTITY SEEKING APPROVAL FOR THE SITING OF THE PIPELINE SHALL PAY  
17 THE COSTS OF SUCH PROFESSIONAL ASSISTANCE. THE COUNTY OR  
18 MUNICIPALITY MAY REQUEST THAT THE DEPARTMENT OF LOCAL AFFAIRS  
19 HELP IT TO IDENTIFY PERSONS WHO CAN RENDER SUCH PROFESSIONAL  
20 ASSISTANCE. THE DEPARTMENT SHALL PROVIDE SUCH HELP TO ANY SUCH  
21 COUNTY OR MUNICIPALITY UPON REQUEST AND WITHIN ITS EXISTING  
22 APPROPRIATIONS. NO LATER THAN JULY 1, 2014, THE DEPARTMENT SHALL  
23 NOTIFY THE GOVERNING BODY OF EACH COUNTY AND MUNICIPALITY IN  
24 THIS STATE OF THE REQUIREMENTS OF THIS SUBSECTION (2)."

25 Renumber succeeding section accordingly.

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