

1 AMENDMENT TO SENATE BILL 699

2 AMENDMENT NO. _____. Amend Senate Bill 699 as follows:

3 on page 4, by replacing lines 8 through 34 with the
4 following:

5 "(f) Any ditches, drains, track, rails, poles, wires,
6 pipe line, or other equipment located, placed, or constructed
7 upon, under, or along a State highway with the consent of the
8 appropriate State highway authority under this Section shall,
9 upon written notice by the appropriate State highway
10 authority, be subject to removal, relocation, or modification
11 at no expense to the appropriate State highway authority when
12 and as deemed necessary by the appropriate State highway
13 authority for highway or highway safety purposes. If, within
14 60 days after receipt of such written notice, arrangements
15 are not made satisfactory to the appropriate State highway
16 authority for such removal, relocation, or modification, the
17 appropriate State highway authority may remove, relocate, or
18 modify such ditches, drains, track, rails, poles, wires, pipe
19 line, or other equipment and bill the owner thereof for the
20 total cost of such removal, relocation, or modification. The
21 appropriate State highway authority shall determine the terms
22 of payment of those costs provided that all costs billed by
23 the appropriate State highway authority shall not be made

1 payable over more than a 5 year period from the date of
2 billing. This paragraph shall not be construed to prohibit
3 the appropriate State highway authority from paying any part
4 of the cost of removal, relocation, or modification where
5 such payment is otherwise provided for by State or federal
6 statute or regulation. If 90 days after written notice was
7 given, the ditches, drains, track, rails, poles, pipe line,
8 or other equipment have not been removed, relocated, or
9 modified to the satisfaction of the appropriate highway
10 authority, the owner of the drains, track, rails, poles, pipe
11 line, or other equipment located along the highway is in
12 breach of the written consent and is subject to liquidated
13 damages of not more than \$500 per day."; and

14 on page 5, by deleting lines 1 through 9.