

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1167

That the Senate recede from its amendments as printed on pages 1012 and 1013 of the House Journal and pages 820 and 821 of the Senate Journal and that House Bill No. 1167 be amended as follows:

Page 1, line 4, remove the first "and"

Page 1, line 9, after "program" insert "; and to provide an effective date"

Page 3, line 9, remove the overstrike over "~~and~~" and remove ". The comprehensive plan"

Page 4, line 11, replace "**Communities to adopt**" with "**Community**"

Page 4, line 21, overstrike "under this chapter, whichever are more restrictive" and insert immediately thereafter "if the community has not adopted standards, then the structures must meet the standards set forth in paragraphs 2 and 3"

Page 4, line 23, overstrike "or" and insert immediately thereafter "at least one foot [30.48 centimeters]"

Page 4, line 28, after "than" insert "one foot [30.48 centimeters] above"

Page 5, replace lines 3 through 31 with:

"2. a. Standards adopted by the community for structures in the flood fringe must meet or exceed the following:

- (1) Residential structures must be constructed on fill so that the lowest floor, including basements, is elevated to or above the base flood level unless granted a residential floodproof exception under the national flood insurance program [Pub. L. 90-448; 82 Stat. 572; 42 U.S.C. 4001 et seq.].
- (2) Commercial and industrial structures must be constructed on fill as specified in subdivision a or must be adequately floodproofed up to an elevation no lower than the base flood level. The floodproofing must be in accordance with the standards adopted by the community under the national flood insurance program [Pub. L. 90-448; 82 Stat. 572; 42 U.S.C. 4001 et seq.] or under this chapter, whichever are more restrictive.

b. Communities are encouraged to adopt standards that require residential structures to be constructed so that the lowest floor is elevated to at least one foot [30.48 centimeters] above the base flood level and commercial and industrial structures are constructed so that the lowest floor is elevated to at least one foot [30.48 centimeters]

above the base flood level or the structures are adequately floodproofed up to an elevation no lower than one foot [30.48 centimeters] above the base flood level."

Page 6, remove lines 1 through 3

Page 6, line 7, after "communities" insert "that have residential, commercial, or industrial structures in areas" and remove the overstrike over "~~subject to excessive flooding~~" and insert immediately thereafter ", as determined by the state engineer."

Page 6, line 15, after "**floodways**" insert "**- Exceptions**"

Page 6, line 24, after the underscored period insert "A community may apply to the state engineer for an exemption from this section. The state engineer may grant the exemption if the state engineer determines that the community has the technical hydraulic expertise to determine if the proposed use is in compliance with state and federal law."

SECTION 11. EFFECTIVE DATE. Section 8 of this Act becomes effective on August 1, 2000."

Re-number accordingly