

Bill No. HB 2125, 2nd Eng.

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Sullivan moved the following amendment:

Senate Amendment (with title amendment)

On page 68, between lines 27 and 28,

insert:

Section 57. (1) The Department of Health shall establish maximum allowable levels for contaminants in compressed air used for recreational sport diving in this state. In developing the standards, the department must take into consideration the levels of contaminants allowed by the Grade "E" Recreational Diving Standards of the Compressed Gas Association.

(2) The standards prescribed under this section do not apply to:

(a) Any person providing compressed air for his or her own use.

(b) Any governmental entity using a governmentally owned compressed air source for work related to the governmental entity.

(c) Foreign registered vessels upon which a compressor

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1 is used to provide compressed air for work related to the
2 operation of the vessel.

3 (3) A person or entity that, for compensation,
4 provides compressed air for recreational sport diving in this
5 state, including compressed air provided as part of a dive
6 package of equipment rental, dive boat rental, or dive boat
7 charter, must ensure that the compressed air is tested
8 quarterly by a laboratory that is accredited by either the
9 American Industrial Hygiene Association or the American
10 Association for Laboratory Accreditation and that the results
11 of such tests are provided quarterly to the Department of
12 Health. In addition, the person or entity must post the
13 certificate issued by the laboratory accredited by the
14 American Industrial Hygiene Association or the American
15 Association for Laboratory Accreditation in a conspicuous
16 location where it can readily be seen by any person purchasing
17 compressed air.

18 (4) The Department of Health shall maintain a record
19 of all quarterly test results provided under this section.

20 (5) It is a misdemeanor of the second degree for any
21 person or entity to provide, for compensation, compressed air
22 for recreational sport diving in this state, including
23 compressed air provided as part of a dive package of equipment
24 rental, dive boat rental, or dive boat charter, without:

25 (a) Having received a valid certificate issued by a
26 laboratory accredited by the American Industrial Hygiene
27 Association or the American Association for Laboratory
28 Accreditation which certifies that the compressed air meets
29 the standards for contaminant levels established by the
30 Department of Health.

31 (b) Posting the certificate issued by a laboratory

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1 accredited by the American Industrial Hygiene Association or
2 the American Association for Laboratory Accreditation in a
3 conspicuous location where it can readily be seen by persons
4 purchasing compressed air.

5 (6) The department shall adopt rules necessary to
6 carry out the provisions of this section, which must include:

7 (a) Maximum allowable levels of contaminants in
8 compressed air used for sport diving.

9 (b) Procedures for the submission of test results to
10 the department.

11 (7) This section shall take effect January 1, 2000.

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13 (Redesignate subsequent sections.)

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 On page 5, line 10, following the semicolon

19

20 insert:

21 requiring the Department of Health to establish
22 standards for compressed air used in
23 recreational sport diving; providing that
24 certain persons and entities are exempt from
25 compliance with such standards; providing for
26 testing compressed air; requiring that test
27 results be provided to the department;
28 requiring that persons or entities selling
29 compressed air post a certificate of testing in
30 a conspicuous location; providing a penalty;
31 authorizing rules;