

Bill No. CS for SB 2220

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 69, line 10, delete that line

and insert:

Section 56. (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 that, for compensation, provides
4 compressed air for recreational sport diving in this state
5 must ensure that air to be sold is tested quarterly by a
6 laboratory that is certified by either the American Industrial
7 Hygiene Association or the American Association for Laboratory
8 Accreditation and that the results of such tests are provided
9 quarterly to the Department of Health.

10 (4) The Department of Health shall review the test
11 results and if test results meet the department's standards
12 for allowable levels of contaminants, it shall issue a
13 certificate to the vendor of the compressed air so stating. If
14 a sample fails to meet the department's standards for
15 allowable levels of contaminants, it must notify the vendor of
16 the compressed air of that fact.

17 (5) A person may not, for compensation, provide
18 compressed air for recreational sport diving unless that
19 person possesses a currently valid certificate from the
20 Department of Health which evidences that the compressed air
21 meets the department's standards for allowable levels of
22 contaminants established under this section. The certificate
23 must be conspicuously posted in a location where it can
24 readily be seen by any person purchasing such compressed air.

25 (6) The Department of Health shall establish fees
26 adequate to cover its costs of reviewing test results and
27 providing certificates, which fees may not exceed \$50 a year
28 for each premises at which compressed air is provided.

29 (7) It is unlawful for any person to provide, for
30 compensation, compressed air for recreational sport diving in
31 this state:

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1 (a) Without having a currently valid certificate from
2 the Department of Health evidencing that the air meets the
3 department's standards for contaminant levels.

4 (b) After receiving notice from the Department of
5 Health that the person's sample of compressed air has failed
6 to meet the department's standards for contaminant levels,
7 until the Department of Health issues a new certificate.

8 (8) Any person who violates this section is liable
9 for:

10 (a) A civil penalty, not to exceed \$500, determined by
11 the Department of Health; and

12 (b) Any damages resulting from the violation.

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

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

17 (b) Procedures for the submission of test results to
18 the department.

19 (c) Procedures for the issuance of certificates and
20 notices that air fails to meet standards.

21 Section 57. This act shall take effect July 1, 1999,
22 except that section 56 of this act shall take effect January
23 1, 2000.

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 5, lines 14 and 15, delete those lines,

29

30 and insert:

31 Accreditation Program; providing for standards

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1 for compressed air used in recreational sport
2 diving; providing for testing compressed air;
3 providing exemptions; requiring certification
4 for certain persons providing compressed air
5 for compensation; providing penalties;
6 authorizing rules; providing effective dates.
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