

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 10, 2016
Date

Committee on Agriculture, Natural Resources, & Energy.

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

SB16-061 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, after line 14 insert:
 - 2 "(II) ON FEBRUARY 9, 2016, THE SUPREME COURT OF THE UNITED
 - 3 STATES GRANTED A STAY OF EPA'S 111 (d) RULES BASED ON A FINDING
 - 4 THAT IRREPARABLE HARM WOULD RESULT IF THE STAY WAS NOT GRANTED.
 - 5 THE COURT MADE IT CLEAR THAT THE STAY WILL BE EFFECTIVE THROUGH
 - 6 THE COMPLETION OF ANY PROCEEDINGS IN THE SUPREME COURT."
- 7 Renumber succeeding subparagraphs accordingly.
- 8 Page 4, line 1, strike "40-8.7-205" and substitute "24-38.5-110, C.R.S."
- 9 Page 5, line 12, strike everything after "THE" and substitute "STATE
- 10 TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND
- 11 ENOUGH MONEY TO FULLY REMIT ALL AMOUNTS."
- 12 Page 5, strike lines 13 through 27.
- 13 Page 6, strike lines 1 through 4.
- 14 Renumber succeeding C.R.S. section accordingly.
- 15 Page 6, line 16, strike "APPROPRIATE" and substitute "TRANSFER".

1 Page 6, lines 17 and 18, strike "STATIONARY SOURCES CONTROL FUND
2 CREATED IN SECTION 25-7-114.7 (2) (b) (I), C.R.S.," and substitute
3 "GENERAL FUND".

4 Page 6, strike lines 20 through 27.

5 Page 7, strike lines 1 through 14 and substitute:

6 "SECTION 2. In Colorado Revised Statutes, **add** 24-38.5-110 as
7 follows:

8 **24-38.5-110. Ratepayer protection fund.** (1) THE RATEPAYER
9 PROTECTION FUND IS HEREBY CREATED IN THE STATE TREASURY. THE
10 FUND CONSISTS OF MONEY APPROPRIATED TO THE FUND PURSUANT TO
11 SECTION 40-8.7-205 (2), C.R.S. THE STATE TREASURER SHALL CREDIT ALL
12 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
13 MONEY IN THE FUND TO THE FUND.

14 (2) THE PUBLIC UTILITIES COMMISSION SHALL USE THE FUND ONLY
15 TO:

16 (a) REMIT TO UTILITIES THE AMOUNTS REPORTED TO THE
17 COMMISSION AS SPECIFIED IN SECTION 40-8.7-204 (1) (b), C.R.S.; AND

18 (b) COVER ITS DIRECT COSTS IN ADMINISTERING THE RATEPAYER
19 PROTECTION PROGRAM CREATED IN PART 2 OF ARTICLE 8.7 OF TITLE 40,
20 C.R.S., WHICH MUST NOT EXCEED THREE PERCENT OF THE AVERAGE
21 ANNUAL BALANCE OF THE FUND.

22 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
23 COMMISSION FOR THESE PURPOSES."

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