

SENATE COMMITTEE OF REFERENCE REPORT

March 25, 2019

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Chair of Committee

Date

Committee on State, Veterans, & Military Affairs.

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

SB19-198 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 3, line 8, strike "**rules.**" and substitute "**rules -**  
2 **repeal.**".

3 Page 3, strike line 9 and substitute:

4 "(1) (a) (I) (A) UNTIL DECEMBER 31, 2019, RETAILERS OF NEW  
5 MOTOR VEHICLE TIRES AND NEW TRAILER TIRES SHALL COLLECT A WASTE  
6 TIRE FEE IN AN AMOUNT TO BE SET BY THE COMMISSION, BY RULE, NOT TO  
7 EXCEED ONE DOLLAR AND FIFTY CENTS ON THE SALE OF EACH NEW TIRE.  
8 THE STATE TREASURER SHALL CREDIT THE REVENUE FROM THE FEE  
9 ASSESSED IN THIS SUBSECTION (1)(a)(I)(A) TO THE WASTE TIRE  
10 ADMINISTRATION, ENFORCEMENT, MARKET DEVELOPMENT, AND CLEANUP  
11 FUND CREATED IN SECTION 30-20-1404.

12 (B) THIS SUBSECTION (1)(a)(I) IS REPEALED, EFFECTIVE JULY 1,  
13 2020.

14 (II) EFFECTIVE JANUARY 1, 2020, AND CONTINUING THROUGH  
15 DECEMBER 31, 2025, retailers of new motor vehicle".

16 Renumber succeeding subparagraphs accordingly.

17 Page 3, line 18, after the period add "THE COMMISSION SHALL SET THE FEE  
18 IN AN AMOUNT THAT IS SUFFICIENT TO:

19 (A) OFFSET THE DEPARTMENT'S DIRECT AND INDIRECT COSTS OF  
20 IMPLEMENTING THIS PART 14, WHICH COSTS MUST NOT EXCEED THE  
21 EQUIVALENT OF FIFTY-FIVE CENTS FOR EACH NEW TIRE SOLD; AND

1 (B) COVER THE REBATE PROGRAM DESCRIBED IN SECTION  
2 30-20-1405."

3 Page 3, strike line 26 and substitute:

4 "(2) (a) ~~Until December 31, 2017~~ FROM JANUARY 1, 2020,  
5 THROUGH DECEMBER 31, 2025, the state treasurer".

6 Page 4, strike line 2 and substitute:

7 "(I) ~~Thirty percent~~ THE PORTION OF THE FEE COLLECTED TO OFFSET  
8 THE COSTS DESCRIBED IN SUBSECTION (1)(a)(III)(A) OF THIS SECTION to  
9 the waste tire administration,".

10 Page 4, strike line 5 and substitute:

11 "(II) ~~Sixty-five percent~~ THE PORTION OF THE FEE COLLECTED TO  
12 COVER THE COSTS DESCRIBED IN SUBSECTION (1)(a)(III)(B) OF THIS  
13 SECTION to the end users fund created".

14 Page 4, line 14, strike "(1)" and substitute "(1), (2) introductory portion,  
15 (2)(l), and (2)(m); and **add** (2)(o)".

16 Page 4, line 20, strike "(2)(a)(I) ~~or (2)(b)~~" and substitute "(2)(a)(I) ~~or~~  
17 (2)(b)".

18 Page 5, line 3, strike "JUNE 30," and substitute "DECEMBER 31,".

19 Page 5, line 5, strike "JULY 1, 2025," and substitute "JANUARY 1, 2026,".

20 Page 5, after line 5 insert:

21 "(2) The department shall use the ~~moneys~~ MONEY in the fund for:

22 (l) Maintaining an online complaint form and processes for law  
23 enforcement, fire departments, and citizens to report potential waste tire  
24 violations; ~~and~~

25 (m) In conjunction with the division of fire prevention and control  
26 in the department of public safety, developing a model fire prevention,  
27 training, and firefighting plan, hiring a consultant to assist in developing  
28 the plan, and reimbursing the division of fire prevention AND CONTROL  
29 for its time spent assisting the department in implementing this ~~paragraph~~

1 ~~(m)~~ SUBSECTION (2)(m); AND  
2 (o) ENCOURAGING WASTE TIRE MARKET DEVELOPMENT."

3 Page 5, line 8, strike "**monthly**" and substitute "**quarterly**".

4 Page 5, strike lines 21 through 23 and substitute:

5 "(b) A WASTE TIRE HAULER OF TIRES IN A RURAL COUNTY IS ONLY  
6 ELIGIBLE FOR REBATES PURSUANT TO THIS SUBSECTION (2) IF THE WASTE  
7 TIRE HAULER IS ALSO AN END USER OR HAS CONTRACTED WITH AN END  
8 USER THAT IS ALSO A WASTE TIRE HAULER."

9 Page 7, strike line 2 and substitute "REQUIREMENT THAT THE  
10 DEPARTMENT:

11 (I) GIVE NOTICE OF THE ANTICIPATED".

12 Page 7, line 4, after "REBATE; insert "AND

13 (II) PAY A PROPORTIONALLY REDUCED REBATE BEGINNING WITH  
14 TIER 1 AND RURAL WASTE TIRE HAULER REBATE RECIPIENTS, CONTINUING  
15 TO TIER 2 REBATE RECIPIENTS, AND ENDING WITH TIER 3 REBATE  
16 RECIPIENTS;"

17 Page 7, line 9, strike "TYPE-B-DERIVED TIRES," and substitute "TYPE-B  
18 TIRE-DERIVED AGGREGATE,"

19 Page 7, line 13, strike "TYPE-A-DERIVED TIRES," and substitute "TYPE-A  
20 TIRE-DERIVED AGGREGATE,"

21 Page 7, line 19, strike "RECOVERY;" and substitute "RECOVERY OR OTHER  
22 CLEAN TECHNOLOGIES AS DEFINED AND APPROVED BY THE COMMISSION BY  
23 RULE;"

24 Page 8, strike lines 10 through 12 and substitute:

25 "(II) ALL FUTURE REBATES PURSUANT TO THIS SECTION AND  
26 GRANTS OF MONEY FROM THE WASTE TIRE ADMINISTRATION,  
27 ENFORCEMENT, MARKET DEVELOPMENT, AND CLEANUP FUND CREATED IN  
28 SECTION 30-20-1404 TO AN APPLICANT THAT KNOWINGLY OR  
29 INTENTIONALLY PROVIDES FALSE INFORMATION TO THE DEPARTMENT  
30 WHEN APPLYING FOR A REBATE OR FOR A GRANT OF MONEY FROM THE  
31 WASTE TIRE ADMINISTRATION, ENFORCEMENT, MARKET DEVELOPMENT,

1 AND CLEANUP FUND."

2 Page 9, strike lines 1 through 3 and substitute:

3 "(9) (a) THE DEPARTMENT MAY ISSUE REBATES AFTER JANUARY 1,  
4 2026, ONLY FOR END USES OCCURRING AND REBATES APPLIED FOR ON OR  
5 BEFORE DECEMBER 31, 2025."

6 Page 9, line 8, strike "2025," and substitute "2026,".

7 Page 9, line 10, strike "2025." and substitute "2026."

8 Page 9, line 25, strike "MONOFILL." and substitute "MONOFILL OR UNLESS  
9 AN EMERGENCY EVENT OF LIMITED DURATION SUCH AS A FIRE OR FLOOD,  
10 AS DEFINED BY THE COMMISSION, HAS OCCURRED."

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