

SB031_L.005

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Local Government and Energy.

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

SB09-031 be amended as follows:

1 Amend proposed committee amendment, (SB031_L.001), page 7, line 13,
2 strike "CREDITED" and substitute "TRANSFERRED";

3 strike line 14 and substitute the following:

4 "THE PETROLEUM STORAGE TANK FUND CREATED IN SECTION 8-20.5-103,
5 C.R.S.";

6 line 15, strike "SECTION 25-17-202 (1) (a) (V), C.R.S.";

7 strike line 17 and substitute the following:

8 "THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT FOR THE";

9 strike lines 31 through 33 and substitute the following:

10 "SECTION 2. 8-20-206.5 (1) (a), (1) (b), and (1) (c), Colorado
11 Revised Statutes, are amended to read:

12 **8-20-206.5. Environmental response surcharge - liquefied**
13 **petroleum gas inspection fund - definitions.** (1) (a) Every first
14 purchaser of odorized liquefied petroleum gas, every manufacturer of fuel
15 products who manufactures such products for sale within Colorado or
16 who ships such products from any point outside of Colorado to a
17 distributor within Colorado, and every distributor who ships such
18 products from any point outside of Colorado to a point within Colorado



1 shall pay to the executive director of the department of revenue, on or
2 before the twenty-fifth day of each calendar month, either ~~twenty-five~~
3 ~~dollars per~~ THE SURCHARGE SPECIFIED IN PARAGRAPH (b) OR (c) OF THIS
4 SUBSECTION (1) FOR EACH tank truckload of fuel products delivered
5 during the previous calendar month for sale or use in Colorado or the fee
6 for odorized liquefied petroleum gas as specified in paragraph (d) of this
7 subsection (1), whichever is applicable. Such payment shall be made on
8 forms prescribed and furnished by the executive director. The provisions
9 of this section shall not apply to fuel that is especially prepared and sold
10 for use in aircraft or railroad equipment or locomotives.

11 (b) In the event the available ~~fund~~ balance in the petroleum
12 storage tank fund is greater than twelve million dollars, ~~no~~ A surcharge OF
13 ELEVEN DOLLARS shall be imposed, but if the available ~~fund~~ balance in
14 the fund is less than:

15 (I) Twelve million dollars, the fee imposed by paragraph (a) of
16 this subsection (1) shall be ~~fifty~~ SIXTY-SIX dollars per tank truckload;

17 (II) Six million dollars, the fee imposed shall be ~~seventy-five~~
18 EIGHTY-SIX dollars per tank truckload;

19 (III) Three million dollars, the fee imposed shall be one hundred
20 ELEVEN dollars per tank truckload.

21 (c) Notwithstanding paragraph (b) of this subsection (1), on and
22 after July 1, 2012, if the available ~~fund~~ balance in the petroleum storage
23 tank fund is greater than eight million dollars, ~~no~~ A surcharge OF ELEVEN
24 DOLLARS PER TANK TRUCKLOAD shall be imposed, but if the available
25 ~~fund~~ balance in the fund is less than eight million dollars, ~~the fee imposed~~
26 ~~by paragraph (a) of this subsection (1) shall be twenty-five dollars per~~
27 ~~tank truckload~~ A SURCHARGE OF THIRTY-SIX DOLLARS PER TANK
28 TRUCKLOAD SHALL BE IMPOSED.

29 **SECTION 3.** 8-20.5-103, Colorado Revised Statutes, is amended
30 BY THE ADDITION OF A NEW SUBSECTION to read:

31 **8-20.5-103. Petroleum storage tank fund - creation - rules -**
32 **repeal.** (1.5) OF THE MONEYS CREDITED TO THE PETROLEUM STORAGE
33 TANK FUND AS SURCHARGE FEES PURSUANT TO SECTION 8-20-206.5 (1) (b)
34 OR (1) (c), ELEVEN DOLLARS OF EACH FEE SHALL BE TRANSFERRED TO THE



- 1 CLEAN TECHNOLOGY DISCOVERY EVALUATION CASH FUND CREATED IN
- 2 SECTION 24-48.5-111 (5), C.R.S."

- 3 Renumber succeeding section accordingly.

- 4 Page 8, strike lines 1 through 14.

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