

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 24, 2010  
Date

Committee on Finance.

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

HB10-1329 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, line 1, strike "AND" and substitute "OR" and  
2 strike "THE" and substitute "JULY 1, 2010,".

3 Page 3, strike line 2.

4 Page 3, line 3, strike "TO THIS SECTION," and strike "IMPOSE" and  
5 substitute "PROMULGATE RULES THAT ESTABLISH".

6 Page 6, after line 21 insert:

7 "SECTION 5. 30-20-115, Colorado Revised Statutes, is amended  
8 to read:

9 **30-20-115. Solid wastes disposal site and facility fund - tax -**  
10 **fees.** (1) Any governing body having jurisdiction is authorized to  
11 establish a solid wastes disposal site and facility fund. The governing  
12 body having jurisdiction may levy a solid wastes disposal site and facility  
13 tax, in addition to any other tax authorized by law, on the taxable property  
14 within ~~such~~ A county or municipality, the proceeds of which shall be  
15 deposited to the credit of said fund and appropriated to pay the cost of  
16 land, labor, equipment, and services needed in the operation of solid  
17 wastes disposal sites and facilities and for any other solid wastes  
18 management purpose in or on behalf of that county or municipality. Any  
19 governing body having jurisdiction is also authorized, after a public

1 hearing, to fix, modify, and collect service charges from users of solid  
2 wastes disposal sites and facilities or transfer stations for the purpose of  
3 financing solid wastes management in that county or municipality. In the  
4 event that a countywide solid waste disposal site and facility tax has been  
5 imposed with the consent of a majority of the voters in the county, that  
6 tax may continue to be collected countywide and may accrue to the  
7 county's solid waste disposal site and facility fund, notwithstanding any  
8 subsequent taxes as may be levied by any municipalities within the county  
9 under this section.

10 (2) (a) NOTHING IN SUBSECTION (1) OF THIS SECTION SHALL BE  
11 CONSTRUED TO AUTHORIZE ANY GOVERNING BODY HAVING JURISDICTION  
12 TO COLLECT SERVICE CHARGES FROM USERS OF ANY PRIVATELY OWNED OR  
13 OPERATED SITE AND FACILITY THAT IS FOR THE PRIMARY PURPOSE OF  
14 PROCESSING, RECLAIMING, OR RECYCLING:

15 (I) RECYCLABLE MATERIALS;

16 (II) EXCLUDED SCRAP METAL;

17 (III) AUTO PARTS; OR

18 (IV) SCRAP THAT IS COMPOSED OF WORN OUT METAL OR A METAL  
19 PRODUCT THAT HAS OUTLIVED ITS ORIGINAL USE, COMMONLY REFERRED  
20 TO AS OBSOLETE SCRAP.

21 (b) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO  
22 PROHIBIT ANY GOVERNING BODY HAVING JURISDICTION FROM LEVYING OR  
23 COLLECTING SERVICE CHARGES FROM USERS OF A SOLID WASTES DISPOSAL  
24 SITE AND FACILITY AT WHICH RECYCLING OCCURS."

25 Renumber succeeding section accordingly.

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