

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 4, 2010
Date

Committee on State, Veterans, & Military Affairs.

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

HB10-1328 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 12, strike "IMPROVEMENTS" and
2 substitute "IMPROVEMENTS, INCLUDING ENERGY EFFICIENCY
3 IMPROVEMENTS AND RENEWABLE ENERGY IMPROVEMENTS,".
- 4 Page 3, line 20, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,
5 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY
6 IMPROVEMENTS,".
- 7 Page 4, line 5, strike "IMPROVEMENTS" and substitute "IMPROVEMENT".
- 8 Page 4, line 12, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,
9 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY
10 IMPROVEMENTS,".
- 11 Page 4, line 22, strike "IMPROVEMENTS" and substitute "IMPROVEMENT".
- 12 Page 5, line 16, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,
13 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY
14 IMPROVEMENTS,".
- 15 Page 8, line 16, after "MORE" insert "ON-SITE".
- 16 Page 9, line 8, strike "APPLICATION" and substitute "APPLICATION, WHICH
17 NOTES THE EXISTENCE OF ANY FIRST PRIORITY MORTGAGE OR DEED OF

1 TRUST ON THE ELIGIBLE REAL PROPERTY AND THE IDENTITY OF THE
2 HOLDER THEREOF,".

3 Page 9, line 12, strike "PROPERTY; AND" and substitute "PROPERTY.
4 WITHIN THIRTY DAYS OF A PERSON'S SUBMISSION OF AN APPLICATION TO
5 THE DISTRICT, THE DISTRICT SHALL PROVIDE WRITTEN NOTICE TO THE
6 HOLDER OF ANY FIRST PRIORITY MORTGAGE OR DEED OF TRUST ON THE
7 ELIGIBLE REAL PROPERTY THAT THE PERSON IS PARTICIPATING IN THE
8 DISTRICT.".

9 Page 12, line 18, strike "THREE" and substitute "FIVE".

10 Page 12, line 23, strike "AND".

11 Page 12, after line 26 insert:

12 "(D) ONE MEMBER WHO REPRESENTS THE ENERGY EFFICIENCY
13 INDUSTRY; AND

14 (E) ONE MEMBER WHO REPRESENTS LOCAL GOVERNMENTS;".

15 Page 14, line 11, strike "FIVE" and substitute "SIX".

16 Page 14, line 14, strike "FIVE" and substitute "SIX".

17 Page 18, line 9, strike "RENEWABLE" and substitute "NEW".

18 Page 18, line 15, strike "SHALL NOT".

19 Page 18, line 16, strike "CHARGE AN APPLICATION FEE." and substitute
20 "MAY CHARGE PROGRAM APPLICATION FEES.".

21 Page 20, line 5, strike "IF DEEMED NECESSARY BY THE BOARD, MONITOR"
22 and substitute "MONITOR".

23 Page 20, line 7, strike "PAYMENT, AND" and substitute "PAYMENT IF
24 DEEMED NECESSARY BY THE BOARD,"

25 Page 20, line 8, strike "PROGRAM." and substitute "PROGRAM, MONITOR
26 THE TOTAL NUMBER OF PROGRAM PARTICIPANTS, THE TOTAL AMOUNT PAID
27 TO CONTRACTORS, THE NUMBER OF JOBS CREATED BY THE PROGRAM, THE

1 NUMBER OF DEFAULTS BY PROGRAM PARTICIPANTS, AND THE TOTAL
2 LOSSES FROM THE DEFAULTS, AND CALCULATE THE TOTAL AMOUNT OF
3 BONDS ISSUED BY THE DISTRICT. ON OR BEFORE MARCH 1, 2011, AND ON
4 OR BEFORE EACH SUBSEQUENT MARCH 1, THE DISTRICT SHALL REPORT TO
5 THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE
6 GENERAL ASSEMBLY, OR ANY SUCCESSOR COMMITTEES REGARDING THE
7 INFORMATION OBTAINED AS REQUIRED BY THIS PARAGRAPH (g).".

8 Page 20, line 11, after "FACTORS," insert "INCLUDING BUT NOT LIMITED TO
9 CREDIT REPORTS, CREDIT SCORES, AND LOAN-TO-VALUE RATIOS,".

10 Page 24, line 24, strike "THE WHOLE OF THE UNPAID PRINCIPAL" and
11 substitute "INSTALLMENTS".

12 Page 25, line 2, strike "SALE; BUT THE DISTRICT SHALL, WHENEVER
13 FEASIBLE," and substitute "SALE. THE DISTRICT SHALL".

14 Page 25, line 4, strike "MAKING SUCH A DECLARATION," and substitute
15 "DECLARING THE WHOLE OF THE UNPAID PRINCIPAL DUE AND COLLECTIBLE
16 IMMEDIATELY,".

17 Page 28, line 12, strike "TWO HUNDRED FIFTY" and substitute "EIGHT
18 HUNDRED".

19 Page 33, after line 5 insert:

20 **"32-20-110. Repeal of article - inapplicable if the district has**
21 **outstanding bond obligations.** (1) EXCEPT AS OTHERWISE PROVIDED IN
22 SUBSECTION (2) OF THIS SECTION, THIS ARTICLE IS REPEALED, EFFECTIVE
23 JANUARY 1, 2016.

24 (2) IN ACCORDANCE WITH SECTION 32-20-108 (8), THIS ARTICLE
25 SHALL NOT BE REPEALED AS PROVIDED IN SUBSECTION (1) OF THIS SECTION
26 IF THE DISTRICT HAS ISSUED BONDS THAT HAVE NOT BEEN REPAID IN FULL
27 AS OF JANUARY 1, 2016. HOWEVER, THE DISTRICT SHALL NOT ACCEPT ANY
28 NEW APPLICATION FOR THE PROGRAM OR ISSUE ANY ADDITIONAL BONDS
29 ON OR AFTER JANUARY 1, 2016.".

30 Page 33, line 9, strike "**Financial and**" and substitute "**Periodic**".

1 Page 33, strike lines 11 through 14 and substitute "**- reports.** NO LATER
2 THAN JUNE 30, 2014, AND NO LATER THAN JUNE 30 OF EVERY FIFTH YEAR
3 THEREAFTER, THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE
4 CONDUCTED A PERFORMANCE AUDIT OF THE COLORADO NEW ENERGY".

5 Page 33, line 18, strike "AN ANNUAL" and substitute "A".

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