

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0091.01 Bob Lackner

**HOUSE BILL 10-1052**

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**HOUSE SPONSORSHIP**

**Solano,**

**SENATE SPONSORSHIP**

**Newell,**

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**House Committees**

Transportation & Energy

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE RECYCLING RESOURCES ECONOMIC OPPORTUNITY**  
102 **FUND, AND, IN CONNECTION THEREWITH, EXTENDING THE LIFE**  
103 **OF THE FUND.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

**Section 2** of the bill eliminates the July 1, 2010, repeal date for the existing statutory section creating the solid waste user fee.

**Section 3** of the bill eliminates the July 1, 2010, repeal date for the existing statutory section creating the recycling resources economic

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

opportunity fund.

**Section 4** of the bill eliminates the July 1, 2010, repeal date for the existing statutory section creating the recycling resources economic opportunity program.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds, determines, and declares that:

4 (a) The recycling resources economic opportunity program in the  
5 Colorado department of public health and environment, hereinafter cited  
6 as "RREOP", has generated both environmental and economic benefits  
7 to the state. Specifically, the recycling resources economic opportunity  
8 fund, hereinafter referred to as the "fund", has successfully distributed  
9 grants of approximately two million six hundred thousand dollars in the  
10 prior two years to local governments and businesses throughout the state  
11 to assist in the development of recycling infrastructure. Communities that  
12 have benefited from the grant program include Aurora, Boulder,  
13 Centennial, Commerce City, Creede, Denver, Dillon, Dolores, Durango,  
14 Eaton, Fort Collins, Fruita, Grand Junction, Greeley, Holyoke, Julesberg,  
15 Kiowa, Lakewood, Milner, Sterling, Telluride, and Westcliffe.

16 (b) The RREOP helps existing businesses make use of recycled  
17 materials generated in the state and provides markets for recycled  
18 material and increased recycling in the state. The fund contributes to job  
19 growth in recycling and should be continued. As a result of these  
20 investments, sixty-three new permanent jobs have been created. Jobs  
21 created through recycling efforts require the full spectrum of labor  
22 positions, from low to highly skilled. In addition, for state fiscal year  
23 2009, data shows that the one million three hundred seventy-six thousand

1 dollars in grant payments made for that year has been reinvested in the  
2 state's economy in the form of payments to contractors, engineers,  
3 consultants, and other service providers and has been used to purchase  
4 equipment and materials.

5 (c) The fund should be continued because recycling:

6 (I) Saves energy and reduces pollution by reducing the need for  
7 extracting and transporting natural resources;

8 (II) Allows for the reuse of materials and limits the use of finite  
9 resources, thereby conserving such resources for future generations;

10 (III) Contributes to the sustainability of the planet's resources; and

11 (IV) Is shown to reduce the generation of greenhouse gases and  
12 contributes to the preservation of natural resources such as forests that are  
13 directly related to the control of greenhouse gases through carbon  
14 sequestration.

15 (d) Colorado lags behind other states in state moneys expended on  
16 recycling. Only within the past two years has a state agency been charged  
17 with any responsibility for tracking or supporting recycling efforts within  
18 the state.

19 (e) Private businesses, local governments, and nonprofit entities  
20 currently make recycling collection available to some residents and  
21 businesses, thereby contributing to the state's overall waste diversion.  
22 However, many rural areas within the state are unable to support  
23 recycling programs without assistance because of the costs associated  
24 with the collection and transport of the materials. The fund should be  
25 continued because it will continue to assist local governments, especially  
26 in smaller communities, in establishing recycling programs and related  
27 infrastructure.

1 (f) The provisions of House Bill 10-1052, enacted in 2010, will  
2 assist the state in achieving its potential in the recycling of discarded  
3 materials, materially advance economic development and job growth, and  
4 help to preserve the state's natural beauty.

5 **SECTION 2.** 25-16-104.5 (6), Colorado Revised Statutes, is  
6 amended to read:

7 **25-16-104.5. Solid waste user fee - imposed - rate - direction**  
8 **- legislative declaration - repeal.** (6) This section is repealed, effective  
9 ~~July 1, 2010~~ JULY 1, 2017.

10 **SECTION 3. Repeal.** 25-16.5-106.5 (5), Colorado Revised  
11 Statutes, is repealed as follows:

12 **25-16.5-106.5. Recycling resources economic opportunity fund**  
13 **- creation.** (5) ~~This section is repealed, effective July 1, 2010.~~

14 **SECTION 4. Repeal.** 25-16.5-106.7 (8), Colorado Revised  
15 Statutes, is repealed as follows:

16 **25-16.5-106.7. Recycling resources economic opportunity**  
17 **program - grants - loans - definitions.** (8) ~~This section is repealed,~~  
18 ~~effective July 1, 2010.~~

19 **SECTION 5. Specified effective date.** This act shall take effect  
20 July 1, 2010.

21 **SECTION 6. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.