

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 13, 2013
Date

Committee on Transportation & Energy.

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

HB13-1103 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 5, strike "**revenue.**" and substitute
2 "**revenue - repeal.** (1) (a)".

3 Page 2, line 11, strike "tax, AND EXCEPTING THOSE" and substitute "tax.".

4 Page 2, strike lines 12 and 13 and substitute:

5 (b) THIS SUBSECTION (1) IS REPEALED EFFECTIVE UPON THE
6 RECEIPT BY THE REVISOR OF STATUTES OF THE WRITTEN NOTICE FROM THE
7 DIRECTOR OF THE PUBLIC UTILITIES COMMISSION REQUIRED PURSUANT TO
8 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

9 (2) (a) ON MARCH 1 OF EACH YEAR, THE PUBLIC UTILITIES
10 COMMISSION SHALL FURNISH THE EXECUTIVE DIRECTOR OF THE
11 DEPARTMENT OF REVENUE WITH A LIST OF THOSE PUBLIC UTILITIES
12 SUBJECT TO ITS JURISDICTION, SUPERVISION, AND REGULATION ON
13 JANUARY 1 OF EACH YEAR. THE PROVISIONS OF THIS SUBSECTION (2)
14 SHALL NOT APPLY TO:

15 (I) MOTOR CARRIERS SUBJECT TO THE PASSENGER-MILE TAX
16 IMPOSED BY SECTIONS 42-3-304 TO 42-3-306, C.R.S., SO LONG AS THE
17 COST OF REGULATION OF SUCH MOTOR CARRIERS IS DEFRAID FROM THE
18 PROCEEDS OF SUCH PASSENGER-MILE TAX; AND

19 (II) RAIL FIXED GUIDEWAY SYSTEMS THAT ARE REGULATED BY THE
20 PUBLIC UTILITIES COMMISSION PURSUANT TO PART 1 OF ARTICLE 18 OF
21 THIS TITLE.

1 (b) THE DIRECTOR OF THE PUBLIC UTILITIES COMMISSION SHALL
2 PROVIDE WRITTEN NOTICE TO THE REVISOR OF STATUTES ONCE THE
3 FEDERAL GRANT MONEYS MADE AVAILABLE UNDER THE "MOVING AHEAD
4 FOR PROGRESS IN THE 21ST CENTURY ACT", 49 U.S.C. SEC. 5329, HAVE
5 BEEN AWARDED TO THE STATE. THIS SUBSECTION (2) TAKES EFFECT UPON
6 THE RECEIPT BY THE REVISOR OF STATUTES OF SUCH WRITTEN NOTICE."

7 Page 3, line 9, strike "fees." and substitute "fees - repeal. (1) (a)".

8 Page 3, strike lines 11 through 21 and substitute:

9 "by the commission for its administrative expenses under this article,
10 including any additional FTE that may be necessary. The commission
11 shall assess fees in amounts that, in the aggregate, equal the
12 administrative expenses. Such fees shall be assessed against the operators
13 of all rail fixed guideway systems operating within the state, and shall be
14 apportioned on the basis of the rail miles of each system in proportion to
15 the total rail miles of all systems. All fees collected under this section
16 shall be remitted to the state treasurer, who shall credit the same to the
17 public utilities commission fixed utility fund created pursuant to section
18 40-2-114.

19 (b) THIS SUBSECTION (1) IS REPEALED EFFECTIVE UPON THE
20 RECEIPT BY THE REVISOR OF STATUTES OF THE WRITTEN NOTICE FROM THE
21 DIRECTOR OF THE PUBLIC UTILITIES COMMISSION REQUIRED PURSUANT TO
22 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

23 (2) (a) AT EACH REGULAR SESSION, THE GENERAL ASSEMBLY
24 SHALL DETERMINE THE AMOUNTS TO BE EXPENDED BY THE COMMISSION
25 FROM THE PUBLIC UTILITIES COMMISSION FIXED UTILITY FUND CREATED IN
26 SECTION 40-2-114 FOR ITS ADMINISTRATIVE EXPENSES UNDER THIS
27 ARTICLE, INCLUDING ANY ADDITIONAL FTE THAT MAY BE NECESSARY.

28 (b) THE DIRECTOR OF THE PUBLIC UTILITIES COMMISSION SHALL
29 PROVIDE WRITTEN NOTICE TO THE REVISOR OF STATUTES ONCE THE
30 FEDERAL GRANT MONEYS MADE AVAILABLE UNDER THE "MOVING AHEAD
31 FOR PROGRESS IN THE 21ST CENTURY ACT", 49 U.S.C. SEC. 5329, HAVE
32 BEEN AWARDED TO THE STATE. THIS SUBSECTION (2) TAKES EFFECT UPON
33 THE RECEIPT BY THE REVISOR OF STATUTES OF SUCH WRITTEN NOTICE."

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