

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 14, 2014
Date

Committee on Appropriations.

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

SB14-125 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Senate Business, Labor, and Technology Committee Report,
2 dated February 11, 2014, page 2, after line 15 insert:

3 "Page 13 of the printed bill, strike lines 12 through 20 and substitute "OF
4 THIS PART 6 AND PAYS A PERMIT FEE TO THE COMMISSION. THE PERMIT IS
5 VALID FOR ONE YEAR.

6 (3) THE PERMIT FEE FOR THE INITIAL ONE-YEAR PERMIT FOR EACH
7 OF THE TWO TRANSPORTATION NETWORK COMPANIES OPERATING IN
8 COLORADO ON THE EFFECTIVE DATE OF THIS PART 6 IS ONE HUNDRED
9 SEVEN THOUSAND FIVE HUNDRED DOLLARS. IF A THIRD TRANSPORTATION
10 NETWORK COMPANY APPLIES FOR A PERMIT BEFORE THE PERMIT FEE HAS
11 BEEN READJUSTED FOR THE FIRST TIME UNDER SUBSECTION (4) OF THIS
12 SECTION, THE TRANSPORTATION NETWORK COMPANY SHALL PAY A PERMIT
13 FEE OF SEVENTY-ONE THOUSAND SIX HUNDRED SIXTY-SEVEN DOLLARS
14 AND THE TWO OTHER PERMIT HOLDERS SHALL EACH BE REFUNDED
15 ONE-HALF OF THE PERMIT FEE PAID BY THE THIRD PERMIT HOLDER. IF A
16 FOURTH TRANSPORTATION NETWORK COMPANY APPLIES FOR A PERMIT FEE
17 BEFORE THE PERMIT FEE HAS BEEN READJUSTED FOR THE FIRST TIME
18 UNDER SUBSECTION (4) OF THIS SECTION, THAT TRANSPORTATION
19 NETWORK COMPANY SHALL PAY A PERMIT FEE OF FIFTY-THREE THOUSAND
20 SEVEN HUNDRED FIFTY DOLLARS AND THE THREE OTHER PERMIT HOLDERS
21 SHALL EACH BE REFUNDED ONE-THIRD OF THE PERMIT FEE PAID BY THE
22 FOURTH PERMIT HOLDER. FOR A FIFTH OR SUBSEQUENT TRANSPORTATION
23 NETWORK COMPANY SEEKING A PERMIT BEFORE THE PERMIT FEE HAS BEEN

1 READJUSTED FOR THE FIRST TIME UNDER SUBSECTION (4) OF THIS SECTION,
2 THE COMMISSION SHALL SET THE FEE BY DETERMINING THE
3 TRANSPORTATION NETWORK COMPANY'S PRO RATA SHARE OF TWO
4 HUNDRED FIFTEEN THOUSAND DOLLARS AND SHALL REFUND TO THE OTHER
5 PERMIT HOLDERS A PRO RATA SHARE OF THE TRANSPORTATION NETWORK
6 COMPANY'S PERMIT FEE.

7 (4) THE GENERAL ASSEMBLY, AT EACH REGULAR SESSION, SHALL
8 DETERMINE THE COMMISSION'S ADMINISTRATIVE EXPENSES FOR
9 REGULATING TRANSPORTATION NETWORK COMPANIES UNDER THIS PART
10 6, INCLUDING ANY FTE ADDITIONS OR REDUCTIONS THAT MAY BE
11 NECESSARY. THE COMMISSION SHALL ASSESS PERMIT FEES IN AMOUNTS
12 THAT, IN THE AGGREGATE, EQUAL THE COMMISSION'S ADMINISTRATIVE
13 EXPENSES, AS DETERMINED BY THE GENERAL ASSEMBLY. THE COMMISSION
14 SHALL ASSESS A PERMIT FEE AGAINST EACH TRANSPORTATION NETWORK
15 COMPANY OPERATING IN COLORADO IN AN AMOUNT APPORTIONED ON THE
16 BASIS OF THE NUMBER OF PERSONAL VEHICLES ASSOCIATED WITH THE
17 TRANSPORTATION NETWORK COMPANY.

18 (5) THE CUMULATIVE AMOUNT OF THE ANNUAL PERMIT FEES FOR
19 ALL TRANSPORTATION NETWORK COMPANIES OPERATING IN COLORADO
20 MUST NOT EXCEED TWO HUNDRED FIFTEEN THOUSAND DOLLARS UNLESS
21 THE GENERAL ASSEMBLY DETERMINES THAT AN INCREASED AGGREGATE
22 AMOUNT IS NECESSARY AND APPROPRIATE.

23 (6) THE COMMISSION SHALL DETERMINE THE FORM AND MANNER
24 OF APPLICATION FOR A TRANSPORTATION NETWORK COMPANY PERMIT."

25 Renumber succeeding subsections accordingly."

26 Page 2 of the committee report, after line 25 insert:

27 "Page 14 of the printed bill, line 5, strike "**account**" and substitute
28 "**fund**".

29 Page 14 of the printed bill, line 8, strike "ACCOUNT," and substitute
30 "FUND,".

31 Page 14, strike lines 9 and 10 and substitute "WHICH IS HEREBY CREATED
32 IN THE STATE TREASURY. THE MONEYS IN THE FUND".

33 Page 14, strike line 13 and substitute "INVESTMENT OF MONEYS IN THE
34 FUND IS CREDITED TO THE FUND.".

1 Page 14, line 15, strike "ACCOUNT" and substitute "FUND".

2 Page 3 of the report, strike line 25 and substitute "40-10.1-602 (2),
3 C.R.S."

4 Page 3 of the report, after line 25, insert:

5 **"SECTION 7. Appropriation.** (1) In addition to any other
6 appropriation, there is hereby appropriated, out of any moneys in the
7 transportation network company fund created in section 40-10.1-607,
8 Colorado Revised Statutes, not otherwise appropriated, to the department
9 of regulatory agencies, for the fiscal year beginning July 1, 2014, the sum
10 of \$215,000, or so much thereof as may be necessary, for allocation to the
11 public utilities commission for the administrative costs related to the
12 implementation of this act.

13 (2) In addition to any other appropriation, there is hereby
14 appropriated to the department of law, for the fiscal year beginning July
15 1, 2014, the sum of \$9,108 and 0.1 FTE, or so much thereof as may be
16 necessary, for the provision of legal services for the public utilities
17 commission related to the implementation of this act. Said sum is from
18 reappropriated funds received from the department of regulatory agencies
19 out of the appropriation made in subsection (1) of this section."

20 Renumber succeeding section accordingly.

21 Page 1, line 107, strike "COMMISSION." and substitute "COMMISSION;
22 AND MAKING AN APPROPRIATION."."

** ** ** ** **