

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 20, 2021

Committee on Transportation & Energy.

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

SB21-200 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 3, after line 11 insert:

2 "(II) ACTIONS TO REDUCE GREENHOUSE GAS POLLUTION CAN AND
3 SHOULD OCCUR AT ALL LEVELS OF STATE GOVERNMENT. NONETHELESS,
4 THE COMMISSION, AS THE STATE'S AIR QUALITY REGULATOR AND THE SOLE
5 ENTITY WITH THE LEGAL RESPONSIBILITY TO IMPLEMENT SECTION
6 25-7-105 (1)(e), IS THE AGENCY RESPONSIBLE FOR ENSURING THAT
7 COLORADO'S ALL-OF-GOVERNMENT APPROACH TO ADDRESSING CLIMATE
8 CHANGE WILL RESULT IN SUFFICIENT REDUCTIONS IN GREENHOUSE GAS
9 POLLUTION TO ACHIEVE THE GOALS SET FORTH IN SECTION 25-7-105 (1)(e)
10 BY TAKING ANY ADDITIONAL REGULATORY ACTION NECESSARY TO ENSURE
11 THAT THE STATE'S GREENHOUSE GAS EMISSION REDUCTION GOALS ARE
12 ACTUALLY ACHIEVED."

13 Renumber succeeding subparagraph accordingly.

14 Page 4, after line 5 insert:

15 "(IV) THE GENERAL ASSEMBLY RECOGNIZES THAT THE
16 COMMISSION'S "RESOLUTION TO ENSURE GREENHOUSE GAS REDUCTION
17 GOALS ARE MET", ADOPTED OCTOBER 23, 2020, OUTLINES A SET OF
18 SECTOR-SPECIFIC GREENHOUSE GAS EMISSION REDUCTION TARGETS,
19 ACHIEVEMENT OF WHICH WILL DEMONSTRATE THAT COLORADO IS ON
20 TRACK TO ACHIEVE ITS GREENHOUSE GAS EMISSION REDUCTION GOALS.

1 GIVEN THE RAPID PACE OF TECHNOLOGICAL AND ECONOMIC CHANGE, THE
2 GENERAL ASSEMBLY ALSO AUTHORIZES THE COMMISSION TO ADJUST THE
3 SECTOR-SPECIFIC TARGETS IF NECESSARY, SO LONG AS THE OVERALL
4 REQUIRED LEVEL OF EMISSION REDUCTIONS IS ACHIEVED."

5 Page 4, line 19, after the period add "THE GENERAL ASSEMBLY
6 RECOGNIZES THAT THE KEY TO ADDRESSING THESE HISTORIC WRONGS IS
7 TO RAPIDLY REDUCE POLLUTION IN DISPROPORTIONATELY IMPACTED
8 COMMUNITIES."

9 Page 5, line 6, strike "(1)(e)(VIII)(J),"

10 Page 6, line 27, strike "REQUIRE REDUCTIONS" and substitute "BE
11 DESIGNED TO MITIGATE THE CUMULATIVE IMPACT".

12 Page 7, lines 1 and 2, strike "POLLUTION ON A LINEAR OR MORE
13 STRINGENT PATHWAY" and substitute "POLLUTION, REQUIRING
14 REDUCTIONS ON A PATHWAY THAT REFLECTS STEADY PROGRESS".

15 Page 14, strike lines 4 through 25.

16 Page 15, line 3, after "(2)(a)(I)(A)," insert "(2)(a)(II),"

17 Page 16, after line 7 insert:

18 "(II) In no event shall an owner or operator of a major source pay
19 more than a fee based upon total annual emissions of four thousand tons
20 of each regulated pollutant, INCLUDING EACH GREENHOUSE GAS, per
21 source."

22 Page 16, line 21, after "(2)(a)(I)" insert "and (2)(a)(II)".

23 Page 17, line 16, after the period insert "THE RULES MUST INCLUDE
24 REQUIREMENTS FOR FUEL IMPORTERS AND FUEL SUPPLIERS TO TRACK AND
25 DIRECTLY REPORT EMISSIONS OF GREENHOUSE GASES FROM THE FULL
26 COMBUSTION OR OXIDATION OF ANY SIGNIFICANT AMOUNT OF FUEL THAT
27 EACH FUEL IMPORTER OR FUEL SUPPLIER IMPORTS, OWNS, OR STORES FOR
28 DISTRIBUTION OR SALE IN THE STATE OF COLORADO, IF THOSE EMISSIONS
29 WOULD NOT OTHERWISE BE REPORTED TO THE STATE."

30 Page 17, after line 19 insert:



1 "(II) Direct the division to update the statewide inventory of
2 greenhouse gas emissions by sector, up to on an annual basis as
3 determined by the commission, but in no event less frequently than every
4 two years. The division shall update the inventory in a manner that allows
5 reasonable tracking of progress in reducing greenhouse gas emissions
6 over time. The commission shall take reasonable steps to ensure that
7 emission abatement that counts toward meeting the state's greenhouse gas
8 emission reduction goals is durable and rigorously tracked. The inventory
9 must include a forecast of Colorado's greenhouse gas emissions for the
10 milestone year of 2025, as well as 2030, 2035, 2040, and 2045. THE
11 FORECAST MUST BE CREDIBLE, SUBSTANTIATED BY EVIDENCE, AND
12 REASONABLY TRANSPARENT AND MUST NOT INCLUDE EMISSION
13 REDUCTIONS PROJECTED TO OCCUR BECAUSE OF ANY FEDERAL, STATE, OR
14 LOCAL LAW, RULE, REGULATION, POLICY, OR PROGRAM THAT IS NOT FINAL
15 OR NOT IN PLACE AS OF THE DATE OF PUBLICATION OF THE INVENTORY.
16 The initial inventory required under this subsection (2) must include a
17 recalculation of Colorado's 2005 greenhouse gas emissions to serve as a
18 baseline for measuring progress against Colorado's greenhouse gas
19 emission reduction goals."

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