

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 29, 2016
Date

Committee on Appropriations.

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

SB16-087 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, strike lines 2 through 19.

2 Page 3, strike lines 1 through 23 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 40-29-116, **amend**
4 (2) as follows:

5 **40-29-116. Highway-rail crossing signalization fund created**
6 **- annual appropriation.** (2) Subject to annual appropriation by the
7 general assembly:

8 (a) ~~the sum of~~ FOR THE 2016-17 FISCAL YEAR, UP TO two hundred
9 forty thousand dollars shall be ~~paid~~ APPROPRIATED from the ~~general fund~~
10 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201 (1) (a), C.R.S.,
11 and credited to the highway-rail crossing signalization fund as authorized
12 by section 43-4-201 (3) (a) (VI), C.R.S.;

13 (b) FOR THE 2017-18 FISCAL YEAR AND FOR EACH FISCAL YEAR
14 THEREAFTER, THE GENERAL ASSEMBLY MAY APPROPRIATE FROM THE
15 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201 (1) (a), C.R.S.,
16 TO THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND AS AUTHORIZED
17 BY SECTION 43-4-201 (3) (a) (VI), C.R.S., UP TO TWO HUNDRED FORTY
18 THOUSAND DOLLARS PLUS A CUMULATIVE INFLATION ADJUSTMENT OF TWO
19 PERCENT FOR EACH FISCAL YEAR BEGINNING WITH THE 2017-18 FISCAL
20 YEAR.

21 (c) Notwithstanding section 24-36-114 (1),".

1 Page 4, after line 2 insert:

2 "SECTION 2. In Colorado Revised Statutes, 43-4-201, add (3)
3 (a) (VI) as follows:

4 **43-4-201. Highway users tax fund - created.**

5 (3) (a) (VI) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION,
6 SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 40-29-116(2), C.R.S.,
7 THE GENERAL ASSEMBLY MAY MAKE AN ANNUAL APPROPRIATION FROM
8 THE HIGHWAY USERS TAX FUND TO THE HIGHWAY-RAIL CROSSING
9 SIGNALIZATION FUND CREATED IN SECTION 40-29-116 (1), C.R.S.

10 **SECTION 3. Appropriation.** (1) For the 2016-17 state fiscal
11 year, \$240,000 cash funds is appropriated to the highway-rail crossing
12 signalization fund created in section 40-29-116 (1), C.R.S. This
13 appropriation is from the highway users tax fund created in section 43-4-
14 201 (1) (a), C.R.S. The department of regulatory agencies is responsible
15 for the accounting related to this appropriation.

16 (2) For the 2016-17 state fiscal year, \$240,000 is appropriated to
17 the department of regulatory agencies for use by the public utilities
18 commission. This appropriation is from reappropriated funds in the
19 highway-rail crossing signalization fund under subsection (1) of this
20 section. To implement this act, the commission may use the appropriation
21 for operating expenses."

22 Renumber succeeding section accordingly.

23 Page 1, line 101, strike "PUBLIC UTILITY FEE" and substitute "HIGHWAY
24 USERS TAX FUND".

25 Page 1, line 102, strike "FUND." and substitute "FUND, AND, IN
26 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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