

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 26, 2022

Committee on Appropriations.

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

HB22-1355 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 27, line 21, strike the second "AND".

2 Page 27, after line 23 insert:

3 "(F) REIMBURSING THE DEPARTMENT PURSUANT TO SECTION
4 25-17-616 FOR ITS COSTS IN ADMINISTERING AND IMPLEMENTING THIS
5 PART 6, INCLUDING THE COSTS OF THE ADVISORY BOARD; AND

6 (G) REIMBURSING THE DEPARTMENT PURSUANT TO SECTION
7 25-17-616 FOR THE COSTS OF ENFORCING THIS PART 6 PURSUANT TO
8 SECTION 25-17-610;".

9 Page 46, line 1, before "THE" insert "THE EXECUTIVE DIRECTOR SHALL
10 INCLUDE THE DEPARTMENT'S ACTIVITIES AND EXPENSES THAT WERE
11 REIMBURSED PURSUANT TO SECTION 25-17-616 IN THE GENERAL REPORT."

12 Page 50, after line 20 insert:

13 **"25-17-616. Producer responsibility program for statewide**
14 **recycling administration fund - creation - purpose.** (1) THERE IS
15 HEREBY CREATED IN THE STATE TREASURY THE PRODUCER RESPONSIBILITY
16 PROGRAM FOR STATEWIDE RECYCLING ADMINISTRATION FUND, REFERRED
17 TO IN THIS SECTION AS THE "FUND". THE FUND CONSISTS OF ALL PRODUCER
18 RESPONSIBILITY DUES TRANSFERRED TO THE FUND PURSUANT TO THIS
19 SECTION AND MONEY THAT THE GENERAL ASSEMBLY TRANSFERS TO THE
20 FUND FOR USE BY THE DEPARTMENT. THE ORGANIZATION SHALL TRANSMIT
21 A PORTION OF THE PRODUCER RESPONSIBILITY DUES TO THE STATE
22 TREASURER FOR DEPOSIT IN THE FUND FOR PURPOSES OF REIMBURSING:

23 (a) THE DEPARTMENT, INCLUDING THE ADVISORY BOARD, FOR THE

1 REASONABLE COSTS INCURRED IN ADMINISTERING AND IMPLEMENTING
2 ANY PORTION OF THIS PART 6; AND
3 (b) THE DEPARTMENT FOR THE REASONABLE COSTS INCURRED IN
4 ENFORCING THIS PART 6 PURSUANT TO SECTION 25-17-610.
5 (2) (a) BY JUNE 30, 2026, THE DEPARTMENT SHALL NOTIFY THE
6 ORGANIZATION OF THE COSTS IN ADMINISTERING, IMPLEMENTING, AND
7 ENFORCING THIS PART 6 SINCE THE EFFECTIVE DATE OF THIS PART 6.
8 (b) BY JUNE 30 OF EACH YEAR AFTER JUNE 30, 2026, THE
9 DEPARTMENT SHALL NOTIFY THE ORGANIZATION OF THE COSTS OF
10 ADMINISTERING, IMPLEMENTING, AND ENFORCING THIS PART 6 DURING THE
11 IMMEDIATELY PRECEDING YEAR.
12 (c) UPON RECEIPT OF THE DEPARTMENT'S COST ACCOUNTING, THE
13 ORGANIZATION SHALL TRANSMIT TO THE STATE TREASURER, FOR DEPOSIT
14 IN THE FUND, AN AMOUNT OF PRODUCER RESPONSIBILITY DUES NECESSARY
15 TO REIMBURSE THE DEPARTMENT FOR ITS COSTS.
16 (3) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
17 MONEY FROM THE FUND TO THE DEPARTMENT FOR THE PURPOSES SET
18 FORTH IN SUBSECTION (1) OF THIS SECTION.
19 (4) ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND
20 AT THE END OF ANY STATE FISCAL YEAR REMAINS IN THE FUND AND SHALL
21 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER
22 FUND. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF
23 MONEY IN THE FUND REMAINS IN THE FUND AND DOES NOT REVERT TO THE
24 GENERAL FUND."

25 Page 51, after line 1 insert:

26 **"SECTION 2. Appropriation.** (1) For the 2022-23 state fiscal
27 year, \$119,130 is appropriated to the department of public health and
28 environment. This appropriation is from the general fund. To implement
29 this act, the department may use this appropriation as follows:
30 (a) \$119,130 for use by the solid waste control program for solid
31 waste control, which amount is based on an assumption that the program
32 will require an additional 0.8 FTE; and
33 (b) \$20,503 for the purchase of legal services.
34 (2) For the 2022-23 state fiscal year, \$20,503 is appropriated to
35 the department of law. This appropriation is from reappropriated funds
36 received from the department of public health and environment under
37 subsection (1)(b) of this section and is based on an assumption that the
38 department of law will require an additional 0.1 FTE. To implement this
39 act, the department of law may use this appropriation to provide legal
40 services for the department of public health and environment."

- 1 Renumber succeeding section accordingly.
- 2 Page 1, line 102 strike "RECYCLING." and substitute "RECYCLING, AND,
- 3 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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