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HOUSE BILL 12-1315

BY REPRESENTATIVE(S) Becker, Baumgardner, Bradford, Brown, Conti, Coram, Gardner B., Kerr J., Priola, Ramirez, Summers, Acree, Beezley, Casso, Court, Duran, Ferrandino, Fields, Kerr A., Labuda, Looper, Miklosi, Pace, Scott, Sonnenberg, Szabo, Todd, Tyler, Vigil, Williams A., Young;
also SENATOR(S) Steadman, Boyd, Grantham, Guzman, Hodge, Jahn, King S., Mitchell, Nicholson, Spence, Williams S.

CONCERNING THE REORGANIZATION OF THE GOVERNOR'S ENERGY OFFICE,
AND IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 11-59.7-103, **repeal** (13); and **add** (8.5) as follows:

11-59.7-103. Definitions. As used in this article, unless the context otherwise requires:

(8.5) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101 (1), C.R.S.

(13) ~~"Governor's energy office" means the governor's energy office~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~created in section 24-38.5-101(1), C.R.S.~~

SECTION 2. In Colorado Revised Statutes, **amend** 11-59.7-107 as follows:

11-59.7-107. Qualified energy conservation bond volume cap.

(1) The qualified energy conservation bond volume cap shall be administered by the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to this section. The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall allocate the qualified energy conservation bond volume cap to the state and large local governments in accordance with federal law for the purpose of financing or refinancing projects approved by the ~~governor's energy office~~ COLORADO ENERGY OFFICE. The qualified energy conservation bond volume cap for calendar year 2009 shall be allocated by the thirtieth day following June 2, 2009. The qualified energy conservation bond volume cap for each subsequent calendar year shall be allocated on or before February 15 of the calendar year.

(2) The state may reallocate any portion of the qualified energy conservation bond volume cap allocated or reallocated to the state pursuant to this section to any public entity for the purpose of financing or refinancing projects approved by the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

(3) Any portion of the qualified energy conservation bond volume cap for a calendar year that is allocated to a large local government pursuant to subsection (1) of this section that has not been used on bonds issued or a lease-purchase agreement entered into or for which a contract to purchase bonds or instruments evidencing interests in a lease-purchase agreement has not been entered into on or before November 10 of the calendar year shall, on November 11 of the calendar year, automatically revert to the ~~governor's energy office~~ COLORADO ENERGY OFFICE. If a contract to purchase has been entered into on or before November 10 of the calendar year but the related bonds or lease-purchase agreement are not issued or entered into on or before November 30 of the calendar year, the volume cap shall automatically revert to the ~~governor's energy office~~ COLORADO ENERGY OFFICE on December 1 of the calendar year. The ~~governor's energy office~~ COLORADO ENERGY OFFICE may reallocate to any public entity for the purpose of financing or refinancing a project approved by the office, or carry forward pursuant to subsection (4) of this section, any volume cap that

reverts to the office pursuant to this subsection (3). Any volume cap that is reallocated to a public entity pursuant to this subsection (3) that has not been used on bonds issued or a lease-purchase agreement entered into by noon, prevailing Denver time, on December 31 of a calendar year shall, at 12:01 p.m., prevailing Denver time, on December 31 of the calendar year, automatically revert to the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

(4) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall carry forward to the next calendar year any portion of the qualified energy conservation bond volume cap that has not been used on bonds issued or a lease-purchase agreement entered into by the end of a calendar year. In selecting projects for the purpose of allocating qualified energy conservation bond volume cap, the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall prioritize projects that are ready to be financed or refinanced and that are most consistent with the purpose of this article described in section 11-59.7-102 (1) (b). The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall allocate qualified energy conservation bond volume cap in a manner consistent with federal law and the purpose of this article described in section 11-59.7-102 (1) (b) and to minimize the qualified energy conservation bond volume cap that has not been used on bonds issued or a lease-purchase agreement entered into on or before the expiration of the qualified energy conservation bond program. The ~~governor's energy office~~ COLORADO ENERGY OFFICE may allocate qualified energy conservation bond volume cap to the state pursuant to this section in anticipation of the enactment by the general assembly of legislation authorizing a lease-purchase agreement. The state, any large local government, or any other public entity to which qualified energy conservation bond volume cap has been allocated pursuant to this section may, at any time, relinquish the volume cap to the ~~governor's energy office~~ COLORADO ENERGY OFFICE. Any volume cap relinquished may be reallocated by the ~~governor's energy office~~ COLORADO ENERGY OFFICE to any public entity to finance or refinance a project approved by the office or may be carried forward to the next calendar year. The department of local affairs, in consultation with the ~~governor's energy office~~ COLORADO ENERGY OFFICE, may promulgate rules in accordance with article 4 of title 24, C.R.S., regarding the manner in which the qualified energy conservation bond volume cap will be allocated.

SECTION 3. In Colorado Revised Statutes, 11-59.7-111, **amend**

(1) introductory portion as follows:

11-59.7-111. Reporting requirements. (1) A public entity that issues or enters into a stimulus obligation authorized by the allocation or reallocation of volume cap to the public entity pursuant to section 11-59.7-106, 11-59.7-107, 11-59.7-108, or 11-59.7-109, by the public school capital construction assistance board, the ~~governor's energy office~~ COLORADO ENERGY OFFICE, the commission on higher education, or the department of local affairs, as applicable, shall deliver a report to the entity that allocated or reallocated the volume cap within thirty days after the stimulus obligation is issued or entered into. The report shall include the following information and any other information requested by the entity that allocated or reallocated the volume cap:

SECTION 4. In Colorado Revised Statutes, 22-43.7-107, **amend** (2) (d) as follows:

22-43.7-107. Public school facility construction guidelines - establishment by board - use. (2) The public school facility construction guidelines shall identify and describe the capital construction, renovation, and equipment needs in public school facilities and means of addressing those needs that will provide educational and safety benefits at a reasonable cost. In preparing the guidelines, the board shall address the following considerations:

(d) Building performance standards and guidelines, including but not limited to green building and energy efficiency criteria as specified in executive order D0012 07, "Greening of State Government: Detailed Implementation", issued by the governor on April 16, 2007, or any subsequent executive orders or other policy directives concerning green building and energy efficiency criteria issued by the governor or the ~~governor's energy office~~ COLORADO ENERGY OFFICE;

SECTION 5. In Colorado Revised Statutes, 22-89-103, **amend** (1) as follows:

22-89-103. Definitions. As used in this article, unless the context otherwise requires:

(1) "~~Governor's~~ "COLORADO energy office" means the ~~governor's~~

COLORADO energy office created in section 24-38.5-101, C.R.S.

SECTION 6. In Colorado Revised Statutes, 22-89-104, **amend** (1) and (2) (a) as follows:

22-89-104. Wind for schools grant program - created - applications. (1) There is hereby created the wind for schools grant program to fund wind for schools projects at qualified schools. A qualified school may, with the written authorization of the local board of education, apply to the ~~governor's~~ COLORADO energy office, in accordance with procedures and deadlines adopted by the office, to receive moneys through the grant program. The office shall administer the grant program as provided in this article and pursuant to policies adopted by the office.

(2) (a) The ~~governor's~~ COLORADO energy office shall adopt policies specifying when a qualified school may request a grant and the procedure for making the request.

SECTION 7. In Colorado Revised Statutes, 22-89-105, **amend** (1), (2) (a), (2) (b) introductory portion, and (3) as follows:

22-89-105. Wind for schools grant program - policies - awarding grants. (1) The ~~governor's~~ COLORADO energy office shall adopt policies for the implementation of the wind for schools grant program. At a minimum, the policies shall specify the procedures for applying for a grant, the form of the grant application, the information to be provided by the applicant, and the criteria for awarding grants.

(2) (a) The ~~governor's~~ COLORADO energy office shall review each grant application received from a qualified school pursuant to section 22-89-104 and shall make a determination as to whether the grant should be awarded and, except as provided in paragraph (c) of this subsection (2), the amount of the grant. If the office determines an application is missing any information required by the office's policy to be included with the application, the office may contact the applicant to obtain the missing information.

(b) In awarding grants pursuant to this article, the ~~governor's~~ COLORADO energy office shall consider, at a minimum, whether a qualified school:

(3) The ~~governor's~~ COLORADO energy office shall use at least fifty thousand dollars for the implementation of this grant program from the existing resources of the office. The minimum funding requirement for the implementation of this grant program may be met in one or more fiscal years. The office shall not submit a request for an appropriation or a supplemental appropriation for this purpose.

SECTION 8. In Colorado Revised Statutes, 22-92-103, **repeal** (3); and **add** (1.5) as follows:

22-92-103. Definitions. As used in this article, unless the context otherwise requires:

(1.5) "COLORADO ENERGY OFFICE" OR "OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101, C.R.S., OR ANY SUCCESSOR OFFICE.

~~(3) "Governor's energy office" or "office" means the governor's energy office created in section 24-38.5-101, C.R.S., or any successor office.~~

SECTION 9. In Colorado Revised Statutes, 22-92-104, **amend** (1) as follows:

22-92-104. Renewable energy and energy efficiency for schools loan program - created - applications - permissible uses of loans.
(1) There is hereby created the renewable energy and energy efficiency for schools loan program to fund renewable energy projects and energy-efficient bus projects at qualified school districts. A qualified school district may, with the written authorization of the school district board of education, apply to the ~~governor's energy office~~ COLORADO ENERGY OFFICE, in accordance with procedures and deadlines established by rules promulgated by the state board of education pursuant to section 22-92-105, to receive moneys through the loan program. The office shall administer the loan program as provided in this article and pursuant to the policies adopted by the office.

SECTION 10. In Colorado Revised Statutes, 22-92-105, **amend** (1) introductory portion, (2), (3), and (4) as follows:

22-92-105. Renewable energy and energy efficiency for schools loan program - rules - awarding loans. (1) On or before October 15, 2009, the state board of education, in consultation with the ~~governor's energy office~~ COLORADO ENERGY OFFICE, shall promulgate rules establishing policies and procedures for the administration of the renewable energy and energy efficiency for schools loan program. At a minimum, the rules shall include:

(2) (a) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall review each loan application received from a qualified school district pursuant to section 22-92-104 (1), evaluate the renewable energy project or energy-efficient bus project described therein, and make a recommendation to the state treasurer as to whether to award the loan and the amount of the loan. If the office determines an application is missing any information required by the office's policy to be included with the application, the office may contact the applicant to obtain the missing information.

(b) In reviewing loan applications for renewable energy projects and energy-efficient bus projects pursuant to paragraph (a) of this subsection (2), the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall consider, at a minimum, whether a qualified school district would reduce its energy costs by the implementation of the renewable energy project or energy-efficient bus project that is the subject of each loan application.

(3) The state treasurer is authorized to require each qualified school district that receives a loan from the loan program to pay to the ~~governor's energy office~~ COLORADO ENERGY OFFICE a fee that reflects the direct and indirect costs incurred by the state treasurer in administering loans pursuant to section 22-92-107. If the state treasurer elects to impose a fee pursuant to this subsection (3), he or she shall notify the ~~governor's energy office~~ COLORADO ENERGY OFFICE and the state board of education of the decision to impose the fee. A fee imposed pursuant to this subsection (3) may be imposed on a regularly scheduled basis to be determined by the state treasurer. A qualified school district that receives a loan from the loan program shall be required to pay the fee until the loan is repaid in full.

(4) If the state treasurer elects to impose a fee as part of the loan application process pursuant to subsection (3) of this section, the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall forward all moneys received as fees to the state treasurer.

SECTION 11. In Colorado Revised Statutes, 22-92-107, **amend** (1) (a) and (1) (b) as follows:

22-92-107. Loans from public school fund authorized. (1) As authorized under the provisions of section 3 of article IX of the state constitution, the state treasurer may make loans to school districts to assist them in providing necessary buildings, land, and equipment, including renewable energy projects and energy-efficient bus projects as described in this article. Loans made pursuant to this article shall not be subject to the provisions of section 24-36-113, C.R.S., that require the state treasurer to secure the maximum rate of interest on investments of state moneys. The procedures for the making of loans shall be determined by the state treasurer subject to the following:

(a) No loan shall be authorized for any renewable energy project or energy-efficient bus project that has not been evaluated by the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to section 22-92-105 (2) (a).

(b) No loan shall be authorized in an amount exceeding the amount recommended by the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to section 22-92-105 (2) (a) unless the ~~governor's energy office~~ COLORADO ENERGY OFFICE approves the change in the loan amount.

SECTION 12. In Colorado Revised Statutes, 23-31-313, **amend** (7) (b) as follows:

23-31-313. Healthy forests - vibrant communities - funds created. (7) **Enhanced economic opportunities.** In order to support local business development and job creation through the implementation of forest treatments, the forest service shall:

(b) Work with the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., and the air quality control commission created in section 25-7-104, C.R.S., to support the appropriately increased use of woody biomass in bio-heating.

SECTION 13. In Colorado Revised Statutes, 23-31-314, **amend** (1) (e), (2) (b) (I) introductory portion, and (4) as follows:

23-31-314. Colorado forest biomass use work group - repeal.

(1) There is hereby created the Colorado forest biomass use work group. The work group shall invite an employee of the United States forest service to participate in the work group's proceedings. The work group consists of:

(e) The director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., or the director's designee, whose participation is limited to identifying mechanisms that are cost-neutral to consumers;

(2) The work group shall prioritize its efforts to protect critical forested areas of the state, including the wildland-urban interface, electric utility infrastructure, transportation corridors, water supply and quality, and watersheds. The purpose of the work group is to:

(b) Recommend ways to maximize the Colorado state forest service's effectiveness with regard to the following issues:

(I) The service acting as an information resource, in coordination with the department of natural resources and the ~~governor's energy office~~ COLORADO ENERGY OFFICE, for persons seeking to utilize woody biomass for energy development, including by maintaining and updating existing data regarding:

(4) (a) The Colorado state forest service, the department of natural resources, and the ~~governor's energy office~~ COLORADO ENERGY OFFICE may accept private gifts, grants, and donations for the purpose of providing support to the work group to perform its responsibilities specified in this section and shall transmit such revenues to the state treasurer, who shall deposit them in a separate account within the healthy forests and vibrant communities fund created in section 23-31-313 (10), which account is hereby created. Revenues in the account are available to the Colorado state forest service and the work group only for the purpose of carrying out the work group's duties under this section. The account also consists of moneys appropriated and transferred to the account. Any unencumbered moneys remaining in the account as of July 1, 2012, revert to the healthy forests and vibrant communities fund to be used pursuant to section 23-31-313 (10).

(b) It is the intent of the general assembly that the Colorado state forest service not be required to solicit gifts, grants, or donations from any

source for the purposes of this section and that no general fund moneys be used to pay for grants awarded pursuant to this section or for any expenses of the work group. The work group may also access existing resources of the Colorado state forest service, the department of natural resources, and the ~~governor's energy office~~ COLORADO ENERGY OFFICE, to the extent that such resources are legally available and otherwise unencumbered.

SECTION 14. In Colorado Revised Statutes, 23-41-114, **amend** (4) (b) (VI) (A) as follows:

23-41-114. Colorado energy research institute - creation. (4) The institute shall conduct:

(b) The following specific research and educational programs designed to meet the information needs of the department of natural resources, other agencies of the state's executive branch, the legislature, and the public:

(VI) (A) To provide grants through the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., for the development of a central resource for building trade professionals, including contractors, engineers, architects, and designers, for the purpose of increasing available tools and education to advance energy-efficient design and construction.

SECTION 15. In Colorado Revised Statutes, 24-33-115, **amend** (1) introductory portion as follows:

24-33-115. Reenergize Colorado program - powers and duties of executive director - repeal. (1) In addition to all other powers and duties conferred upon the executive director by law, the executive director is hereby authorized and directed to work with the ~~governor's energy office~~, COLORADO ENERGY OFFICE, the state board of land commissioners, public utilities, and other state and federal agencies as necessary to initiate the reenergize Colorado program. The purposes of the program are:

SECTION 16. In Colorado Revised Statutes, **amend** 24-38.5-101 as follows:

24-38.5-101. Colorado energy office - creation. (1) There is

hereby created within the office of the governor the ~~governor's energy office~~ COLORADO ENERGY OFFICE, the head of which shall be the director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE. The director of the office shall be assisted by a deputy director and a staff to fulfill the office's mission to: ~~lead Colorado to a new energy economy by advancing energy efficiency and renewable, clean energy resources.~~

(a) SUSTAIN THE COLORADO ENERGY ECONOMY AND PROMOTE ALL COLORADO ENERGY;

(b) PROMOTE ECONOMIC DEVELOPMENT IN COLORADO THROUGH ENERGY-MARKET ADVANCES THAT CREATE JOBS;

(c) ENCOURAGE COLORADO-BASED CLEAN AND INNOVATIVE ENERGY SOLUTIONS THAT INCLUDE TRADITIONAL, CLEAN, AND RENEWABLE ENERGY SOURCES IN ORDER TO ENCOURAGE A CLEANER AND BALANCED ENERGY PORTFOLIO;

(d) PROMOTE ENERGY EFFICIENCY;

(e) INCREASE ENERGY SECURITY;

(f) LOWER LONG-TERM CONSUMER COSTS; AND

(g) PROTECT THE ENVIRONMENT.

(2) ~~Staff of the governor's energy office shall include but not be limited to regional representatives to help engage municipalities, consumers, businesses, and others with the energy programs of the office. The regional representatives shall expedite programs and serve as a local resource to communities throughout Colorado.~~

SECTION 17. In Colorado Revised Statutes, 24-38.5-102, **amend** (1) introductory portion, (1) (a), (1) (e), and (1) (o); **repeal** (1) (s), and (2); and **add** (3) as follows:

24-38.5-102. Colorado energy office - duties and powers. (1) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall:

(a) Work with communities, utilities, private and public

organizations, and individuals to promote:

(I) THE RENEWABLE ENERGY STANDARD ESTABLISHED IN SECTION 40-2-124, C.R.S.;

(II) CLEAN AND renewable energy, such as wind, HYDROELECTRICITY, solar, and geothermal; and

(III) CLEANER ENERGY SOURCES SUCH AS BIOGAS AND BIOMASS;

(IV) TRADITIONAL ENERGY SOURCES SUCH AS OIL AND OTHER PETROLEUM PRODUCTS, COAL, AND NATURAL GAS;

(V) Energy efficiency technologies AND PRACTICES;

(VI) CLEANER TECHNOLOGIES BY UTILIZING TRADITIONAL, COLORADO-SOURCED ENERGY; AND

(VII) NEW ENERGY TECHNOLOGIES AS DESCRIBED IN SECTION 40-2-123, C.R.S.

(e) Advance INNOVATIVE energy efficiency, and renewable energy, AND EFFICIENCY throughout the state as specified in ~~section 24-75-1201~~ SECTIONS 24-38.5-102.4 AND 24-38.5-102.5;

(o) Collaborate with the department of higher education to develop ~~renewable~~ energy curricula that will serve the work force needs of ~~renewable~~ ALL energy industries. Such collaboration may include research institutions, state colleges, community colleges, and trade organizations in an effort to develop a means by which the state may address all facets of work force demands in ~~the new energy economy~~ DEVELOPING A BALANCED ENERGY PORTFOLIO. Institutions may also partner in the development of curricula with organizations that have existing ENERGY curricula and training programs. ~~on renewable energy~~ For the purposes of this paragraph (o), "renewable energy" shall have the same meaning as set forth in section 40-1-102 (11), C.R.S.

(s) ~~Administer the green truck grant program pursuant to part 3 of article 1 of title 42, C.R.S.;~~

~~(2) The director of the governor's energy office shall serve as chairperson of the board of directors of the Colorado clean energy development authority as specified in article 9.7 of title 40, C.R.S.~~

(3) THE COLORADO ENERGY OFFICE SHALL NOTIFY THE HOUSE OF REPRESENTATIVES AND SENATE COMMITTEES OF REFERENCE TO WHICH THE OFFICE IS ASSIGNED PURSUANT TO SECTION 2-7-203 (1), C.R.S., AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203 (2), C.R.S., IF IT HAS MADE ANY CHANGES TO:

(a) ANY PRINCIPLES, POLICIES, OR PERFORMANCE-BASED GOALS THAT THE OFFICE HAS OUTLINED IN ITS STRATEGIC PLAN REQUIRED PURSUANT TO SECTION 2-7-204 (1) (a), C.R.S.;

(b) OFFICE POLICIES RELATED TO ENERGY TRANSMISSION; AND

(c) OFFICE POLICIES THAT POSITIVELY OR NEGATIVELY IMPACT THE ENERGY SECTOR.

SECTION 18. In Colorado Revised Statutes, **add with amended and relocated provisions** 24-38.5-102.4 as follows:

24-38.5-102.4. [Formerly 24-75-1201] Clean and renewable energy fund - creation - use of fund - definitions. (1) (a) (I) The clean AND RENEWABLE energy fund is hereby created in the state treasury. The principal of the fund shall consist of MONEYS TRANSFERRED TO THE FUND FROM THE GENERAL FUND, moneys transferred to the fund at the end of the 2006-07 state fiscal year and at the end of each succeeding state fiscal year from moneys received by the ~~governor's~~ COLORADO energy office, ~~pursuant to section 39-29-109.3 (2) (f), C.R.S., in accordance with section 40-8.7-112 (3) (g), C.R.S.,~~ moneys received pursuant to the federal "American Recovery and Reinvestment Act of 2009", Pub.L. 111-5, or any amendments thereto, or from revenue contracts, court settlement funds, supplemental environmental program funds, repayment or return of funds from eligible public depositories, and gifts, grants, and donations, and any other moneys received by the ~~governor's~~ COLORADO energy office. Interest and income earned on the deposit and investment of moneys in the clean AND RENEWABLE energy fund shall be credited to the fund. Moneys in the fund at the end of any state fiscal year shall remain in the fund and shall not

be credited to the state general fund or any other fund. MONEYS IN THE FUND SHALL NOT BE TRANSFERRED TO THE INNOVATIVE ENERGY FUND CREATED IN SECTION 24-38.5-102.5.

(II) (A) ON JULY 1, 2012, ONE MILLION FIVE HUNDRED SIXTY THOUSAND FOUR HUNDRED NINETY-ONE DOLLARS SHALL BE TRANSFERRED BY THE STATE TREASURER FROM THE GENERAL FUND TO THE CLEAN AND RENEWABLE ENERGY FUND.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JANUARY 1, 2013.

(III) (A) ON JULY 1, 2013, AND EACH JULY 1 THEREAFTER THROUGH JULY 1, 2016, ONE MILLION SIX HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED BY THE STATE TREASURER FROM THE GENERAL FUND TO THE CLEAN AND RENEWABLE ENERGY FUND.

(B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JANUARY 1, 2017.

(b) For purposes of this section, "~~governor's~~ "COLORADO energy office" means the ~~governor's~~ COLORADO energy office created in section 24-38.5-101.

(2) (a) All moneys in the clean AND RENEWABLE energy fund are continuously appropriated to the ~~governor's~~ COLORADO energy office for the purposes of advancing energy efficiency and renewable energy throughout the state.

(b) The ~~governor's~~ COLORADO energy office may expend moneys from the clean AND RENEWABLE energy fund:

(I) To attract renewable energy industry investment in the state;

(II) To assist in technology transfer into the marketplace for newly developed energy efficiency and renewable energy technologies;

(III) To provide market incentives for the purchase and distribution of energy efficient and renewable energy products;

(IV) To assist in the implementation of energy efficiency projects throughout the state;

(V) To aid governmental agencies in energy efficiency government initiatives;

(VI) To facilitate widespread implementation of renewable energy technologies; and

(VII) In any other manner that serves the purposes of advancing energy efficiency and renewable energy throughout the state.

(c) (I) Subject to the provisions of subparagraph (II) of this paragraph (c), the moneys in the clean AND RENEWABLE energy fund may also be used by the ~~governor's~~ COLORADO energy office to make grants or loans to persons, as defined in section 2-4-401 (8), C.R.S., for use in carrying out the purposes of this ~~part 12~~ SECTION. The ~~governor's~~ COLORADO energy office shall consider the following information in determining whether to make a grant or loan:

(A) The amount of the grant or loan;

(B) The quantified impact on energy demand or amount of clean energy production generated as a result of the grant or loan;

(C) The potential economic impact of the grant or loan; and

(D) The public benefits expected to result from the grant or loan.

(II) The ~~governor's~~ COLORADO energy office may establish terms and conditions for making grants or loans pursuant to this section and in accordance with the objectives of the office as set forth in section 24-38.5-102.

SECTION 19. In Colorado Revised Statutes, **add** 24-38.5-102.5 as follows:

24-38.5-102.5. Innovative energy fund - creation - use of fund - definitions. (1) (a) THE INNOVATIVE ENERGY FUND IS HEREBY CREATED IN THE STATE TREASURY. THE PRINCIPAL OF THE FUND SHALL CONSIST OF

MONEYS TRANSFERRED TO THE FUND BY THE GENERAL ASSEMBLY, MONEYS TRANSFERRED AT THE END OF EACH STATE FISCAL YEAR FROM MONEYS RECEIVED BY THE COLORADO ENERGY OFFICE, MONEYS RECEIVED PURSUANT TO SECTION 39-29-108 (2), C.R.S., OR FROM REVENUE CONTRACTS, COURT SETTLEMENT FUNDS, SUPPLEMENTAL PROGRAM FUNDS, REPAYMENT OR RETURN OF FUNDS FROM ELIGIBLE PUBLIC DEPOSITORIES, AND GIFTS, GRANTS, AND DONATIONS, AND ANY OTHER MONEYS RECEIVED BY THE COLORADO ENERGY OFFICE. INTEREST AND INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE INNOVATIVE ENERGY FUND SHALL BE CREDITED TO THE FUND. MONEYS IN THE FUND AT THE END OF ANY STATE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED TO THE STATE GENERAL FUND OR ANY OTHER FUND. MONEYS IN THE FUND SHALL NOT BE TRANSFERRED TO THE CLEAN AND RENEWABLE ENERGY FUND CREATED IN SECTION 24-38.5-102.4.

(b) FOR PURPOSES OF THIS SECTION:

(I) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101.

(II) "INNOVATIVE ENERGY" MEANS AN EXISTING, NEW, OR EMERGING TECHNOLOGY THAT:

(A) ENABLES THE USE OF A LOCAL FUEL SOURCE;

(B) ESTABLISHES A MORE EFFICIENT OR ENVIRONMENTALLY BENEFICIAL USE OF ENERGY; AND

(C) HELPS TO CREATE ENERGY INDEPENDENCE OR ENERGY SECURITY FOR THE STATE.

(2) (a) ALL MONEYS IN THE INNOVATIVE ENERGY FUND ARE CONTINUOUSLY APPROPRIATED TO THE COLORADO ENERGY OFFICE FOR THE PURPOSES OF ADVANCING INNOVATIVE ENERGY EFFICIENCY THROUGHOUT THE STATE; EXCEPT THAT THE MONEYS ARE LIMITED TO EFFICIENCY PROJECTS AND ANY OTHER PROJECTS RELATED TO THE SEVERANCE OF MINERALS SUBJECT TO TAXATION UNDER ARTICLE 29 OF TITLE 39, C.R.S.

(b) THE COLORADO ENERGY OFFICE MAY EXPEND MONEYS FROM THE INNOVATIVE ENERGY FUND:

(I) TO OVERCOME MARKET BARRIERS FACING EMERGING AND COST-EFFECTIVE ENERGY TECHNOLOGIES;

(II) TO PROMOTE ROBUST RESEARCH, DEVELOPMENT, COMMERCIALIZATION, AND FINANCING OF INNOVATIVE ENERGY TECHNOLOGIES;

(III) TO EDUCATE THE GENERAL PUBLIC ON ENERGY ISSUES AND OPPORTUNITIES;

(IV) TO ATTRACT INNOVATIVE ENERGY INDUSTRY INVESTMENT IN THE STATE;

(V) TO ASSIST IN TECHNOLOGY TRANSFER INTO THE MARKETPLACE FOR NEWLY DEVELOPED INNOVATIVE ENERGY EFFICIENCY TECHNOLOGIES;

(VI) TO PROVIDE MARKET INCENTIVES FOR THE PURCHASE AND DISTRIBUTION OF EFFICIENT INNOVATIVE ENERGY PRODUCTS;

(VII) TO ASSIST IN THE IMPLEMENTATION OF INNOVATIVE ENERGY EFFICIENCY PROJECTS THROUGHOUT THE STATE;

(VIII) TO AID GOVERNMENTAL AGENCIES IN INNOVATIVE ENERGY EFFICIENCY GOVERNMENT INITIATIVES;

(IX) TO FACILITATE WIDESPREAD IMPLEMENTATION OF INNOVATIVE ENERGY TECHNOLOGIES; AND

(X) IN ANY OTHER MANNER THAT SERVES THE PURPOSES OF ADVANCING INNOVATIVE ENERGY EFFICIENCY THROUGHOUT THE STATE.

(c) (I) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (c), THE MONEYS IN THE INNOVATIVE ENERGY FUND MAY ALSO BE USED BY THE COLORADO ENERGY OFFICE TO MAKE GRANTS OR LOANS TO PERSONS, AS DEFINED IN SECTION 2-4-401 (8), C.R.S., FOR USE IN CARRYING OUT THE PURPOSES OF THIS SECTION. THE COLORADO ENERGY OFFICE SHALL CONSIDER THE FOLLOWING INFORMATION IN DETERMINING WHETHER TO MAKE A GRANT OR LOAN:

(A) THE AMOUNT OF THE GRANT OR LOAN;

(B) THE QUANTIFIED IMPACT ON ENERGY DEMAND OR AMOUNT OF INNOVATIVE ENERGY PRODUCTION GENERATED AS A RESULT OF THE GRANT OR LOAN;

(C) THE POTENTIAL ECONOMIC IMPACT OF THE GRANT OR LOAN; AND

(D) THE PUBLIC BENEFITS EXPECTED TO RESULT FROM THE GRANT OR LOAN.

(II) THE COLORADO ENERGY OFFICE MAY ESTABLISH TERMS AND CONDITIONS FOR MAKING GRANTS OR LOANS PURSUANT TO THIS SECTION AND IN ACCORDANCE WITH THE OBJECTIVES OF THE OFFICE AS SET FORTH IN SECTION 24-38.5-102; EXCEPT THAT THE GRANTS OR LOANS SHALL BE LIMITED TO INNOVATIVE ENERGY EFFICIENCY PROJECTS AND POLICY DEVELOPMENT.

SECTION 20. In Colorado Revised Statutes, 24-38.5-103, **amend** (2) as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration. (2) The ~~governor's energy office~~ COLORADO ENERGY OFFICE is authorized to seek and accept gifts, grants, or donations from private or public sources for the purposes of this section. All private and public funds received through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the fund. The moneys in the fund shall be subject to annual appropriation by the general assembly. Any moneys in the fund not expended for the purposes of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

SECTION 21. In Colorado Revised Statutes, 24-38.5-104, **amend** (2) as follows:

24-38.5-104. Photovoltaic installer qualifications - cooperation with department of regulatory agencies. (2) If the governor, by executive order, appoints a committee to study the desirability of credentialing of solar installers, the committee, or the ~~governor's energy office~~ COLORADO

ENERGY OFFICE on the committee's behalf, is specifically authorized to submit a proposal for such credentialing to the department of regulatory agencies pursuant to section 24-34-104.1 (2). In addition, the committee may study and make recommendations concerning the scope-of-work provisions of section 40-2-128, C.R.S., specifically including enforcement of the supervision and worker ratio requirements of section 40-2-128 (1) (c) and (1) (d), C.R.S.

SECTION 22. In Colorado Revised Statutes, 24-38.5-105, **amend** (1) (a) and (1) (b) as follows:

24-38.5-105. Clean energy improvement debt reserve fund - authorization - use. (1) (a) The clean energy improvement debt reserve fund is hereby created in the state treasury. The principal of the fund shall consist of up to ten million dollars of legally available moneys from nonstate sources under the control of the ~~governor's energy office~~ COLORADO ENERGY OFFICE, which the state treasurer shall promptly credit to the fund if instructed in writing to do so by the director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE, and any fees paid to the state treasurer in accordance with subparagraph (II) of paragraph (b) of this subsection (1). All interest and income derived from the deposit and investment of moneys in the fund shall be credited to the fund, and all unexpended and unencumbered moneys in the fund at the end of any fiscal year shall remain in the fund. The fund is hereby continuously appropriated to the state treasurer, who may expend moneys from the fund solely for the purposes of paying principal and interest on bonds issued by a local improvement district or other special district as specified in paragraph (c) of this subsection (1) and defraying any direct and indirect costs incurred by the state treasurer in executing duties required by this section.

(b) (I) If the ~~governor's energy office~~ COLORADO ENERGY OFFICE instructs the state treasurer to credit moneys from nonstate sources to the clean energy improvement debt reserve fund, with prior written authorization from the director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE and the state treasurer and after agreeing to pay fees to be credited to the fund to the state treasurer as specified in subparagraph (II) of this paragraph (b), a local improvement district or other special district that imposes special assessments on real property and issues bonds payable from the revenues generated by the special assessments to generate the moneys needed to pay the up-front costs of making renewable energy

improvements or clean energy improvements as authorized by part 6 of article 20 of title 30, C.R.S., or any other provision of law may rely on the clean energy improvement debt reserve fund as a backup source of moneys that may be used, after the depletion of any district debt service reserve fund, for the payment of principal and interest owed to holders of the district's bonds.

(II) A local improvement district or other district that issues bonds and that wishes to rely on the clean energy improvement debt reserve fund as a backup source of moneys for the payment of principal and interest owed to holders of the bonds shall enter into a written agreement with the ~~governor's energy office~~ COLORADO ENERGY OFFICE to pay to the state treasurer for crediting to the fund such fees for the privilege of relying on the fund as the ~~governor's energy office~~ COLORADO ENERGY OFFICE may require. Fees to be paid by a district as required by the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall be deemed to be a portion of the amount of the interest rate savings resulting from more favorable financing terms attributable to the reliance upon the fund. The ~~governor's energy office~~ COLORADO ENERGY OFFICE may, in its discretion, require that fees be paid on an annual basis, commencing and calculated on the date of issuance of the bonds and on each one-year anniversary of the issuance of the bonds thereafter while the bonds remain outstanding, in an amount equal to a number of basis points of the principal amount of the bonds outstanding as of each calculation date agreed upon by the office and the district.

SECTION 23. In Colorado Revised Statutes, 24-38.5-106, **amend** (2) as follows:

24-38.5-106. Financing of capital projects to make state government more energy efficient - lease-purchase agreements - legislative declaration - definition. (2) (a) In order to make state government more energy efficient in accordance with section 24-38.5-102, the ~~governor's energy office~~ COLORADO ENERGY OFFICE may propose a prioritized list of projects associated with current utility cost-savings contracts that will improve the energy efficiency of state buildings or facilities and that are proposed to be constructed or improved using financing provided in accordance with subsection (3) of this section. If the ~~governor's energy office~~ COLORADO ENERGY OFFICE creates a prioritized list, the prioritized list shall include an estimate of the total amount of annual utility cost savings expected if all of the projects on the prioritized

list are completed; descriptions of the projects, the affected buildings, and the impact of the projects on tenants; a timeline for implementation; a detailed budget for each project; a list of properties recommended for use as collateral, which shall include only properties operated and maintained by agencies that are responsible for the operation and maintenance of at least one state building or facility for which a project is being financed in accordance with subsection (3) of this section; estimates of the amount of annual utility cost savings expected for each of the projects; and expected annual payments for each project, including the expected funding sources for such payments. The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall submit the prioritized list and referenced supporting documents to the office of state planning and budgeting for review and approval or disapproval. Except as otherwise provided in paragraph (b) of this subsection (2), the office of state planning and budgeting shall submit any projects on the prioritized list that it approves to the capital development committee of the general assembly for review and approval or disapproval. Subject to the limitations specified in subsection (3) of this section, if the capital development committee determines after reviewing the projects submitted to it for its review and approval or disapproval that it is appropriate to authorize the state treasurer to pursue financing provided in accordance with subsection (3) of this section to fund some or all of the projects or if the office of state planning and budgeting has approved projects for buildings or facilities operated and maintained by the department of transportation and submitted such projects to the committee for informational purposes only pursuant to paragraph (b) of this subsection (2), the committee shall provide a letter to the ~~governor's energy office~~ COLORADO ENERGY OFFICE, the office of state planning and budgeting, the joint budget committee of the general assembly, and the state treasurer that specifies the final approved priority of the projects.

(b) Notwithstanding the provisions of paragraph (a) of this subsection (2), any projects on the prioritized list proposed by the ~~governor's energy office~~ COLORADO ENERGY OFFICE and approved by the office of state planning and budgeting for buildings or facilities operated and maintained by the department of transportation shall be deemed to be finally approved and shall be included on the prioritized list submitted to the capital development committee for informational purposes only.

SECTION 24. In Colorado Revised Statutes, **add** 24-38.5-107 as follows:

24-38.5-107. Colorado energy office - subject to audit. (1) NO LATER THAN JANUARY 15, 2017, THE STATE AUDITOR SHALL COMPLETE A PERFORMANCE AUDIT OF THE COLORADO ENERGY OFFICE. THE STATE AUDITOR SHALL PRESENT THE PERFORMANCE AUDIT REPORT TO THE LEGISLATIVE AUDIT COMMITTEE. AFTER THE PERFORMANCE AUDIT REPORT IS RELEASED BY THE LEGISLATIVE AUDIT COMMITTEE, THE STATE AUDITOR SHALL PROVIDE COPIES, IN ACCORDANCE WITH SECTION 24-1-136 (9), TO THE HOUSE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, THE SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE, AND THE JOINT BUDGET COMMITTEE.

SECTION 25. In Colorado Revised Statutes, 24-38.5-203, **amend** (1), (2), (3), (4) introductory portion, (6), (7), (8), and (9) as follows:

24-38.5-203. Green building incentive pilot program. (1) Except as provided in paragraph (b) of subsection (9) of this section, the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall establish and administer a green building incentive pilot program in accordance with the requirements established in this part 2.

(2) (a) A qualified homebuyer may submit an application, provided by the ~~governor's energy office~~ COLORADO ENERGY OFFICE, to the ~~governor's energy office~~ COLORADO ENERGY OFFICE for a grant to make energy efficiency improvements to the homebuyer's existing residence that the homebuyer is selling in preparation for purchasing a highly efficient new residential construction.

(b) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall award a larger grant to a qualified homebuyer with an existing residence that has a home energy rating or home energy audit showing greater inefficiency.

(3) The energy efficiency improvements shall be performed by contractors approved by the ~~governor's energy office~~ COLORADO ENERGY OFFICE as specified in subsection (6) of this section.

(4) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall require the qualified homebuyer to submit documentation:

(6) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall

create a list of contractors eligible to perform energy efficiency improvements to a qualified homebuyer's existing residence.

(7) In order to confirm that the qualified homebuyer met the requirements of the pilot program, the qualified homebuyer shall submit to the ~~governor's energy office~~ COLORADO ENERGY OFFICE copies of closing documentation for the highly efficient new residential construction no later than thirty days after the construction is complete. If construction is delayed and not completed by the estimated completion date, the ~~governor's energy office~~ COLORADO ENERGY OFFICE may grant a waiver or extension for submission of this documentation.

(8) If the purchase of the highly efficient new residential construction is not finalized for any reason, including but not limited to the cancellation of the sale by the qualified homebuyer or the failure of the qualified homebuyer to secure financing, the qualified homebuyer shall reimburse the total amount of the grant to the ~~governor's energy office~~ COLORADO ENERGY OFFICE within thirty days after such cancellation or failure.

(9) (a) Funding for the pilot program shall be provided from federal funds transferred to the ~~governor's energy office~~ COLORADO ENERGY OFFICE that the ~~governor's energy office~~ COLORADO ENERGY OFFICE has already received prior to August 10, 2011, or may receive after August 10, 2011. The ~~governor's energy office~~ COLORADO ENERGY OFFICE may require additional documentation or information from the qualified homebuyer as required to secure any additional federal funds.

(b) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall not establish the pilot program set forth in this part 2 if federal funds are not available.

SECTION 26. In Colorado Revised Statutes, 24-38.7-102, **amend** (6) as follows:

24-38.7-102. Definitions. As used in this part 1, unless the context otherwise requires:

(6) "Office" means the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

SECTION 27. In Colorado Revised Statutes, 24-38.7-103, **amend** (2) (b) as follows:

24-38.7-103. Colorado energy office - powers and duties - program - fund created. (2) (b) The program fund and the accounts of the program fund shall consist of such moneys as the general assembly may appropriate thereto from the ~~clean~~ INNOVATIVE energy fund created in ~~section 24-75-1201 (1), C.R.S.~~ SECTION 24-38.5-102.5, THE CLEAN AND RENEWABLE ENERGY FUND CREATED IN SECTION 24-38.5-102.4, and any gifts, grants, or donations that may be made to the program fund. In accordance with section 24-36-113 (1) (a), which requires the state treasurer, in making investments, to use prudence and care to preserve the principal and to secure the maximum rate of interest consistent with safety and liquidity, if the general assembly chooses not to appropriate moneys to the program fund or to the accounts of the program fund, nothing in this article shall be deemed to require the state treasurer to credit any moneys to the program fund or the accounts of the program fund. All interest and income earned on the deposit and investment of moneys in the program fund and the accounts of the program fund shall be used for the loan buy-down account and the loan loss reserve account. Moneys in the loan buy-down account and loan loss reserve account of the program fund shall remain in the accounts and shall not be transferred to the general fund or any other fund at the end of any fiscal year.

SECTION 28. In Colorado Revised Statutes, 24-38.7-202, **amend** (3) as follows:

24-38.7-202. Definitions. As used in this part 2, unless the context otherwise requires:

(3) "Office" means the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

SECTION 29. In Colorado Revised Statutes, **amend** 24-38.9-101 as follows:

24-38.9-101. Legislative declaration. The general assembly finds, determines, and declares that as Colorado continues to expand ~~its new~~ THE COLORADO energy economy, the state must ensure that Colorado citizens have access to the necessary skills in order to compete for jobs in the new

energy market. The general assembly further finds, determines, and declares that a skilled workforce is one of the most important drivers in determining the future global competitiveness of Colorado. Therefore, the general assembly finds that the purpose of the green jobs Colorado training program is to maintain Colorado's competitive advantage and ensure that future workforce supply can meet the oncoming demand for green job skills in the new COLORADO energy economy.

SECTION 30. In Colorado Revised Statutes, 24-38.9-103, **amend** (2) as follows:

24-38.9-103. Green jobs Colorado advisory council - creation - appointments. (2) The council shall consist of seventeen members, seven of whom shall be appointed by the executive director of the department of labor and employment, who shall appoint at least one member from each of the following: A nonprofit organization, a community or junior college, a clean technology industry association, a business organization, an investor-owned utility, a rural electric association, and a labor organization. The members appointed by the executive director shall possess relevant experience related to green jobs or green job training. Four legislative members of the council shall be appointed as follows: One member shall be appointed by the speaker of the house of representatives, one member shall be appointed by the president of the senate, one member shall be appointed by the minority leader of the house of representatives, and one member shall be appointed by the minority leader of the senate. The remaining six members shall be the director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE, the director of the Colorado office of economic development, the executive director of the department of human services, the executive director of the department of local affairs, the chair of the Colorado workforce development council or its successor, and the executive director of the department of labor and employment, or their respective designees.

SECTION 31. In Colorado Revised Statutes, **amend** 24-38.9-106 as follows:

24-38.9-106. Funding. The pilot program may be funded by the use of federal moneys received by the department of labor and employment for the purposes of the pilot program and by the use of moneys from the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

SECTION 32. In Colorado Revised Statutes, 24-47.5-103, **amend** (1) as follows:

24-47.5-103. Funding - appropriations contingent on receipt of federal grant moneys - repeal. (1) For the state fiscal year commencing on July 1, 2006, and in each of the state fiscal years commencing on July 1, 2007, and July 1, 2008, the general assembly shall appropriate two million dollars from the operational account of the severance tax trust fund as specified in section 39-29-109.3 (2) (g), C.R.S., AS SAID PARAGRAPH (g) EXISTED PRIOR TO ITS REPEAL IN 2010, to the governor's energy office created in section 24-38.5-101, AS SAID OFFICE EXISTED PRIOR TO JULY 1, 2012, for distribution to the authority for the purposes specified in section 24-47.5-102; except that, if grants of federal moneys equal to or exceeding the amount of state moneys appropriated pursuant to this article have not been received by June 30, 2012, the unexpended and unencumbered balance of said appropriation shall revert to the operational account of the severance tax trust fund.

SECTION 33. In Colorado Revised Statutes, 24-77-102, **repeal** (15) (b) (XVI) as follows:

24-77-102. Definitions. As used in this article, unless the context otherwise requires:

(15) (b) "Special purpose authority" includes, but is not limited to:

(XVI) ~~The Colorado clean energy development authority created pursuant to section 40-9.7-104, C.R.S.;~~

SECTION 34. In Colorado Revised Statutes, 25-16.5-105, **amend** (1) (m) (I) as follows:

25-16.5-105. Powers and duties of advisory board. (1) The advisory board shall have the following powers and duties:

(m) (I) In accordance with the provisions of subparagraph (II) of this paragraph (m), to submit an annual report to the department of local affairs, the department, the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., and the standing committee of reference in each house of the general assembly exercising jurisdiction over

matters concerning public health and the environment.

SECTION 35. In Colorado Revised Statutes, 25-16.5-105.5, **amend** (2) (c) (III) as follows:

25-16.5-105.5. Pollution prevention advisory board assistance committee - appointments - membership - definitions. (2) (c) The members appointed to the committee shall include representatives of industry, nonprofit and community organizations, state agencies, and local governments in accordance with the following:

(III) One member of the committee shall be a representative of the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S.

SECTION 36. In Colorado Revised Statutes, 30-28-211, **amend** (2) (b) and (2) (c) as follows:

30-28-211. Energy efficient building codes - legislative declaration - definitions. (2) As used in this section, unless the context otherwise requires:

(b) "Energy code" means, at a minimum, the 2003 international energy conservation code, or any successor edition, published by the international code council or any other code determined by the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., to be more appropriate for local conditions.

(c) "Office" means the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S.

SECTION 37. In Colorado Revised Statutes, 30-20-602, **add** (4.7) (c) as follows:

30-20-602. Definitions. As used in this part 6, unless the context otherwise requires:

(4.7) (c) "RENEWABLE ENERGY IMPROVEMENT" INCLUDES AN IMPROVEMENT TO THE EFFICIENCY OF A TRADITIONAL ENERGY FIXTURE.

SECTION 38. In Colorado Revised Statutes, 31-15-602, **amend** (2) (b) and (2) (c) as follows:

31-15-602. Energy efficient building codes - legislative declaration - definitions - repeal. (2) As used in this section, unless the context otherwise requires:

(b) "Energy code" means, at a minimum, the 2003 international energy conservation code, or any successor edition, published by the international code council or any other code determined by the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., to be more appropriate for local conditions.

(c) "Office" means the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S.

SECTION 39. In Colorado Revised Statutes, 32-20-102, **amend** (1) (a) (V) (B) as follows:

32-20-102. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) It is in the best interest of the state and its citizens and a public purpose to enable and encourage the owners of eligible real property to invest in new energy improvements, including energy efficiency improvements and renewable energy improvements, sooner rather than later by creating the Colorado new energy improvement district and authorizing the district to establish, develop, finance, implement, and administer a new energy improvement program that includes both energy efficiency improvements and renewable energy improvements to assist any such owners who choose to join the district in completing new energy improvements to their property because:

(V) The commitment of a significant amount of sustainable funding for increased construction of new energy improvements will create jobs and stimulate the state economy:

(B) By reinforcing the leadership role of the state in the ~~new~~ COLORADO energy economy and thereby attracting new energy manufacturing facilities and related jobs to the state; and

SECTION 40. In Colorado Revised Statutes, 32-20-104, **amend** (2) (a) (I) (A) as follows:

32-20-104. Colorado new energy improvement district - creation - board - meetings - quorum - expenses - records. (2) (a) The district shall be governed by a board of directors, which shall exercise the powers of the district, shall, by a majority vote of a quorum of its members, select from its membership a chair and a vice-chair, and shall be composed of nine members, including:

(I) The following two ex officio members or their designees:

(A) The director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101 (1), C.R.S.; and

SECTION 41. In Colorado Revised Statutes, 36-1-147.5, **amend** (4) as follows:

36-1-147.5. Leasing arrangements for renewable energy resources development - legislative declaration - definitions. (4) The state board of land commissioners shall collaborate with the ~~governor's energy office~~ as COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., to ensure that potential renewable energy resource developers are aware of any lands identified by the board as being suitable for development of renewable energy resources.

SECTION 42. In Colorado Revised Statutes, 37-95-112.5, **amend** (2) and (3) (a) as follows:

37-95-112.5. Watershed protection and forest health projects - repeal. (2) The authority may make and contract to make loans with the proceeds of the bonds authorized by this section to governmental agencies pursuant to this section to finance the cost of watershed protection projects and forest health projects if the authority or the governmental agency has entered into an agreement with the Colorado clean energy development authority, AS IT EXISTED PRIOR TO JULY 1, 2012, or the Colorado state forest service with respect to the application of proceeds of such bonds. The authority may make the loans subject to terms and conditions that are determined by the authority to be consistent with the purposes of the loans. The loans shall be evidenced by notes, bonds, or other obligations of the

governmental agency that are issued to the authority, and the governmental agencies are authorized to issue such notes, bonds, or other obligations for such purposes. All notes, bonds, or other obligations evidencing a loan from the authority may be sold at a private sale to the authority at any price, whether or not less than par value. The denominations, times for payment of principal and interest, and provisions for redemption prior to maturity of such bonds, notes, or other obligations shall be as the authority and the governmental agency agree. Each loan to a governmental agency and the notes, bonds, or other obligations issued to evidence the same shall bear interest at the rate or rates and have the maturities as the authority and the governmental agency agree. The authority may charge and collect from governmental agencies fees and charges in connection with the loans or other services from the authority, including, but not limited to, fees and charges sufficient to reimburse the authority for all reasonable costs that it necessarily incurred in providing such loans. All watershed protection projects and forest health projects funded with moneys made available pursuant to this section shall comply with all applicable federal and state laws, such as best management practices for water quality established by the Colorado state forest service pursuant to section 24-33-201, C.R.S.

(3) Governmental agencies participating in watershed protection projects and forest health projects shall specify how the moneys made available pursuant to financing by the authority are to be allocated in a memorandum of understanding with the authority, subject to the following limitations:

(a) Up to twenty percent of the proceeds of bonds issued by the authority may be distributed to the ~~Colorado clean energy development authority, created pursuant to section 40-9.7-104, C.R.S.,~~ for watershed protection projects and forest health projects, including the establishment of incentives for use of beetle-infested lumber.

SECTION 43. In Colorado Revised Statutes, 38-35.7-106, **amend** (2), (3), (4), and (5) as follows:

38-35.7-106. Solar prewire option - solar consultation. (2) Every person that builds a new single-family detached residence for sale, whether or not the residence has been prewired for a photovoltaic solar generation system, shall provide to every buyer under contract a list of businesses in the area that offer residential solar installation services so that the buyer, if

he or she so desires, can obtain expert help in assessing whether the residence is a good candidate for solar installation and how much of a cost savings a residential photovoltaic solar generation system could provide. The list of businesses shall be derived from a master list of Colorado solar installers maintained by the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

(3) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall maintain and update, as appropriate, a master list of Colorado solar installers and shall make the master list available, upon request, to any person that requests a copy. The ~~governor's energy office~~ COLORADO ENERGY OFFICE may specify qualifications for businesses to be included in the master list and shall make the master list available on its official web site.

(4) Providing the master list of solar installers prepared by the ~~governor's energy office~~ COLORADO ENERGY OFFICE to a buyer under contract shall not constitute an endorsement of any installer or contractor listed. A person that builds a new single-family detached residence shall not be liable for any advice, labor, or materials provided to the buyer by a third-party solar installer.

(5) The ~~governor's energy office~~ COLORADO ENERGY OFFICE or its designees shall offer periodic training sessions on residential photovoltaic solar generation systems or solar thermal systems to persons that build new single-family detached residences. The ~~governor's energy office~~ COLORADO ENERGY OFFICE may assess and collect from participants a registration fee, not to exceed the actual costs of providing such training.

SECTION 44. In Colorado Revised Statutes, **amend** 39-27-109.7 as follows:

39-27-109.7. Data collection services. In order to track the movement of gasoline or special fuel within this state and thereby facilitate and expedite the collection of excise taxes imposed pursuant to this part 1, the executive director of the department of revenue may enter into a contract with one or more private entities for the provision of a computer-based program to monitor and track the data that licensees are required to report to the department pursuant to this part 1. Such computer-based program shall be funded solely with moneys from the

highway users tax fund; except that, for the state fiscal year 2009-10, up to thirty-seven thousand six hundred thirty dollars for the computer-based program to monitor and track exempt dyed diesel fuel that is blended with biodiesel fuel after withdrawal at a terminal rack or refinery rack pursuant to section 39-27-102.5 (2) (a) may be funded by moneys received by the governor's energy office created in section 24-38.5-101, C.R.S., AS SAID OFFICE EXISTED PRIOR TO JULY 1, 2012, from the United States department of energy.

SECTION 45. In Colorado Revised Statutes, 39-29-108, **amend** (2) as follows:

39-29-108. Allocation of severance tax revenues - definitions.

(2) (a) (I) Of the total gross receipts realized from the severance taxes imposed on minerals and mineral fuels under the provisions of this article after ~~June 30, 1981~~ JUNE 30, 2012, ONE MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE ANNUALLY TRANSFERRED ON JULY 1, 2012, AND EACH JULY 1 THEREAFTER THROUGH JULY 1, 2016, TO THE INNOVATIVE ENERGY FUND CREATED IN SECTION 24-38.5-102.5, C.R.S. OF THE REMAINDER OF THE TOTAL GROSS RECEIPTS IN EACH FISCAL YEAR AFTER EACH JULY 1 TRANSFER TO THE INNOVATIVE ENERGY FUND, fifty percent shall be credited to the state severance tax trust fund created by section 39-29-109, and fifty percent shall be credited to the local government severance tax fund created by section 39-29-110.

(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JANUARY 1, 2017.

(b) OF THE TOTAL GROSS RECEIPTS REALIZED FROM THE SEVERANCE TAXES IMPOSED ON MINERALS AND MINERAL FUELS UNDER THE PROVISIONS OF THIS ARTICLE AFTER JUNE 30, 2017, FIFTY PERCENT SHALL BE CREDITED TO THE STATE SEVERANCE TAX TRUST FUND CREATED BY SECTION 39-29-109, AND FIFTY PERCENT SHALL BE CREDITED TO THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED BY SECTION 39-29-110.

SECTION 46. In Colorado Revised Statutes, 39-29-109.3, **amend** (2) (f) (V) (A) and (4) (c) (I) (A) as follows:

39-29-109.3. Operational account of the severance tax trust fund - repeal. (2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred

percent of the moneys in the operational account as specified in subsection (1) of this section, the state treasurer shall transfer the following:

(f) For providing energy-related assistance to low-income households as specified in section 40-8.7-112, C.R.S.:

(V) (A) For the state fiscal year commencing July 1, 2012, thirteen million dollars as follows: Twenty-five percent to the department of human services low-income energy assistance fund created in section 40-8.7-112 (1), C.R.S.; twenty-five percent to the energy outreach Colorado low-income energy assistance fund created in section 40-8.7-112 (2) (a), C.R.S.; and fifty percent to the ~~governor's energy office~~ COLORADO ENERGY OFFICE low-income energy assistance fund created in section 40-8.7-112 (3) (a), C.R.S.

(4) (c) (I) Except as provided in paragraph (b) of this subsection (4), the state treasurer shall make the transfers specified in paragraph (f) of subsection (2) of this section as follows:

(A) The transfers to the ~~governor's energy office~~ COLORADO ENERGY OFFICE low-income energy assistance fund shall be made on July 1;

SECTION 47. In Colorado Revised Statutes, 39-29-109.5, **amend** (1) (a), (1) (a.5), (2), and (3) introductory portion as follows:

39-29-109.5. Interest differential - public school energy efficiency fund - creation - uses - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(a) ~~"Fund" means the public school energy efficiency fund created in subsection (2) of this section~~ "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101, C.R.S.

(a.5) ~~"Governor's energy office" means the governor's energy office as created in section 24-38.5-101, C.R.S.~~ "FUND" MEANS THE PUBLIC SCHOOL ENERGY EFFICIENCY FUND CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) On December 1, 2007, and the first day of every third month

thereafter up to and including September 1, 2015, the legislative council staff shall calculate the interest differential earned during the prior calendar quarter and notify the state treasurer of such amount. Upon receiving notice, the treasurer shall transfer an amount equal to the interest differential from the severance tax funds to the public school energy efficiency fund, which is hereby created in the state treasury; except that the total transfer to the fund for any state fiscal year shall not exceed one million five hundred thousand dollars. Moneys in the fund are hereby ~~continuously~~ ANNUALLY appropriated to the ~~governor's energy office~~ COLORADO ENERGY OFFICE for the purposes set forth in subsection (3) of this section. All income and interest derived from the deposit and investment of the moneys in the fund shall be credited to the fund.

(3) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall use moneys appropriated from the fund to establish and manage a program to improve energy efficiency in public schools. In administering the program, the office shall give consideration to whether a public school or school district is located in an area socially or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels subject to taxation under this article. The program shall include the following features:

SECTION 48. In Colorado Revised Statutes, 40-2-123, **amend** (2) (j) as follows:

40-2-123. New energy technologies - consideration by commission - incentives - demonstration projects - definitions - legislative declaration - repeal. (2) (j) In order to reduce the cost to Colorado consumers of an IGCC project, the department of public health and environment, the governor's office of economic development, and the ~~governor's energy office~~ COLORADO ENERGY OFFICE may provide public utilities with reasonable assistance in seeking and obtaining financial and other support and sponsorship for a project from the United States congress, the United States department of energy, and other appropriate federal and state agencies and institutions. To obtain this assistance, the utility may provide to these state agencies copies of its IGCC project proposal. The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall manage and distribute to the utility some or all of any funds provided by the state of Colorado or by the United States government to the state of Colorado for purposes of study or development of an IGCC project.

SECTION 49. In Colorado Revised Statutes, 40-4-118, **amend** (2) (a) (I) and (5) as follows:

40-4-118. Colorado smart grid task force - fund - definition - reports - repeal. (2) **Membership.** (a) The task force consists of eleven members as follows:

(I) The director of the ~~governor's energy office~~ COLORADO ENERGY OFFICE, created in section 24-38.5-101, C.R.S., or his or her designee, who shall convene the task force and who is authorized to contract with a mediator or other third party to facilitate accomplishment of the task force's duties;

(5) **Funding.** (a) The ~~governor's energy office~~ COLORADO ENERGY OFFICE may accept private gifts, grants, and donations for the purpose of providing support to the task force to perform its responsibilities specified in this section. Any such gifts, grants, and donations shall be held in a separate account within the ~~clean~~ INNOVATIVE energy fund created in ~~section 24-75-1201~~ SECTION 24-38.5-102.5, C.R.S., and shall be available to the office and the task force only for the purpose of carrying out the task force's duties under this section. The account shall also consist of moneys appropriated and transferred to the account. Any unexpended or unencumbered moneys remaining in the account as of January 1, 2015, shall revert to the clean AND RENEWABLE energy fund CREATED IN SECTION 24-38.5-102.4, C.R.S., to be used by the ~~governor's energy office~~ COLORADO ENERGY OFFICE.

(b) It is the intent of the general assembly that the ~~governor's energy office~~ COLORADO ENERGY OFFICE not be required to solicit gifts, grants, or donations from any source for the purposes of this section and that no general fund moneys be used to pay for grants awarded pursuant to this section or for any expenses of the task force.

(c) If, by June 1, 2010, moneys in the ~~fund~~ ACCOUNT created pursuant to paragraph (a) of this subsection (5) have not reached an amount sufficient to pay the expenses of the task force, the task force shall not meet nor undertake any other duties pursuant to this section, and the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall return to each grantor or donor an amount equal to such grantor's or donor's contribution. The interest, if any, earned from the investment of moneys in the account shall

be transferred to the general fund.

SECTION 50. In Colorado Revised Statutes, 40-6-108, **amend** (2) (b) as follows:

40-6-108. Complaints - service - notice of hearing. (2) (b) Any public utility giving notice of a proposed gas or electric tariff shall serve such notice upon the ~~governor's energy office~~ COLORADO ENERGY OFFICE or its successor agency. The office shall be granted leave to intervene as a matter of right, upon a timely filing of a petition or other pleading in accordance with this section, in adjudicatory matters affecting gas or electric utilities; except that the office shall not be a party to any individual complaint between a utility and an individual.

SECTION 51. In Colorado Revised Statutes, 40-8.5-103.5, **amend** (4) (b) as follows:

40-8.5-103.5. Commission created - duties. (4) (b) The commission may seek and receive public and private funding to assist in the conduct of the assessment and review required by paragraph (a) of this subsection (4), including but not limited to assistance from the existing resources of the department of human services created in section 24-1-120, C.R.S., the ~~governor's energy office~~ COLORADO ENERGY OFFICE created in section 24-38.5-101, C.R.S., and energy outreach Colorado, a Colorado nonprofit corporation, as described in section 40-8.7-103 (4).

SECTION 52. In Colorado Revised Statutes, 40-8.7-110, **amend** (1.5) as follows:

40-8.7-110. Reports. (1.5) To the extent applicable, the organization shall include in the report the information required by paragraphs (b) and (c) of subsection (1) of this section for moneys received from the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to section 40-8.7-112 (2) (a).

SECTION 53. In Colorado Revised Statutes, 40-8.7-112, **amend** (2), (3) (a), (3) (b) introductory portion, (3) (d) introductory portion, (3) (e), (3) (f) introductory portion, and (3) (g); **repeal** (4) (d); and **add** (4) (a.5) as follows:

40-8.7-112. Department of human services low-income energy assistance fund - creation - energy outreach Colorado low-income energy assistance fund - creation - Colorado energy office low-income energy assistance fund - creation - definitions. (2) (a) There is hereby created in the state treasury the energy outreach Colorado low-income energy assistance fund, which shall be administered by the ~~governor's energy office~~ COLORADO ENERGY OFFICE and shall consist of all moneys transferred by the STATE treasurer as specified in section 39-29-109.3 (2) (f), C.R.S. All moneys in the fund are continuously appropriated to the ~~governor's energy office~~ COLORADO ENERGY OFFICE for distribution to the organization to be used for the purposes set forth in this subsection (2). All moneys in the fund at the end of each fiscal year shall be retained in the fund and shall not revert to the general fund or any other fund.

(b) The organization shall use moneys it receives from the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to paragraph (a) of this subsection (2) to provide direct bill payment assistance to low-income households when the department of human services is not accepting client applications for the program specified in section 26-1-109, C.R.S. Bill payments shall be paid to each utility as vendor payments. The organization may use up to five percent of the moneys for administration of the direct bill payment assistance in accordance with generally accepted accounting principles.

(c) The organization shall hold and administer all moneys it receives from the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to paragraph (a) of this subsection (2) in a separately identifiable account, the use of which shall be restricted to the purposes set forth in paragraph (b) of this subsection (2). The organization shall maintain its books and records pertaining to any moneys received from the ~~governor's energy office~~ COLORADO ENERGY OFFICE in accordance with generally accepted accounting principles. If the organization commingles the moneys with other assets of the organization for investment purposes, the organization shall maintain accurate accounts of the investment moneys and shall credit or charge a pro rata portion of all investment earnings, gains, or losses to the account that holds the moneys received from the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to paragraph (a) of this subsection (2).

(d) The organization shall develop an annual budget for the direct

bill payment assistance program to determine the allocation of the moneys received from the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to paragraph (a) of this subsection (2).

(e) The organization shall include information related to any moneys received from the ~~governor's energy office~~ COLORADO ENERGY OFFICE pursuant to paragraph (a) of this subsection (2) in the report it prepares pursuant to section 40-8.7-110.

(3) (a) There is hereby created in the state treasury the ~~governor's energy office~~ COLORADO ENERGY OFFICE low-income energy assistance fund, which shall be administered by the ~~governor's energy office~~ COLORADO ENERGY OFFICE and shall consist of all moneys transferred by the treasurer as specified in section 39-29-109.3 (2) (f), C.R.S., ALL MONEYS TRANSFERRED TO THE FUND, ALL MONEYS RECEIVED AS A RESULT OF CONTRACTS ENTERED INTO BY THE COLORADO ENERGY OFFICE FOR THE OFFICE'S PROGRAM TO IMPROVE THE HOME ENERGY EFFICIENCY OF LOW-INCOME HOUSEHOLDS, AND ALL MONEYS RECEIVED BY THE COLORADO ENERGY OFFICE FROM GIFTS, GRANTS, AND DONATIONS FOR THE OFFICE'S PROGRAM TO IMPROVE THE HOME ENERGY EFFICIENCY OF LOW-INCOME HOUSEHOLDS. All moneys in the fund are continuously appropriated to the ~~governor's energy office~~ COLORADO ENERGY OFFICE to be used for the purposes set forth in this subsection (3). All moneys in the fund at the end of each fiscal year shall be retained in the fund and shall not revert to the general fund or any other fund.

(b) The ~~governor's energy office~~ COLORADO ENERGY OFFICE shall use moneys it receives pursuant to paragraph (a) of this subsection (3) for a program to provide home energy efficiency improvements for low-income households, which shall include any of the following services:

(d) In carrying out the program to improve the home energy efficiency of low-income households, the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall:

(e) The ~~governor's energy office~~ COLORADO ENERGY OFFICE may use up to five percent of the moneys transferred pursuant to paragraph (a) of this subsection (3) for planning, overseeing, and evaluating the program to improve the home energy efficiency of low-income households. The ~~governor's energy~~ COLORADO ENERGY OFFICE shall not hire additional state

employees using ~~these~~ moneys TRANSFERRED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) to implement the program but may contract with nonprofit organizations, for-profit organizations, and governmental entities as is necessary to carry out the program.

(f) For any fiscal year in which moneys are expended as part of the program to improve the home energy efficiency of low-income households, the ~~governor's energy office~~ COLORADO ENERGY OFFICE shall prepare and submit to the general assembly an annual report that specifies:

(g) If the governor's energy office, AS IT EXISTED PRIOR TO JULY 1, 2012, cannot use all of the moneys it receives for the state fiscal year commencing July 1, 2008, pursuant to paragraph (a) of this subsection (3) for the program described in paragraph (b) of this subsection (3), at the end of the fiscal year the state treasurer shall transfer the moneys that the governor's energy office cannot use to the clean energy fund created in section 24-75-1201 (1), C.R.S., AS SAID FUND EXISTED PRIOR TO JULY 1, 2012.

(4) For purposes of this section, unless the context otherwise requires:

(a.5) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101, C.R.S.

(d) ~~"Governor's energy office" means the governor's energy office created in section 24-38.5-101, C.R.S.~~

SECTION 54. In Colorado Revised Statutes, 42-3-228, **amend** (2) and (3) as follows:

42-3-228. Special plates - Colorado carbon fund. (2) The Colorado carbon fund, established by the ~~governor's energy office~~ COLORADO ENERGY OFFICE, may design the Colorado carbon fund special license plates. The design for the special license plates shall conform with standards established by the department and shall be subject to the department's approval.

(3) A person may apply for the Colorado carbon fund special license plates if the person pays the taxes and fees required under this section and

provides to the department or an authorized agent a certificate, issued by the ~~governor's energy office~~ COLORADO ENERGY OFFICE, or a successor office, confirming that such person has made to the Colorado carbon fund, or its successor, the donation required to qualify for the special license plates.

SECTION 55. In Colorado Revised Statutes, **repeal** article 9.7 of title 40, and part 3 of article 1 of title 42.

SECTION 56. Repeal of provisions being relocated in this act. In Colorado Revised Statutes, **repeal** part 12 of article 75 of title 24.

SECTION 57. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the innovative energy fund created in section 24-38.5-102.5, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$1,500,000 and 10.3 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:

(a) \$1,373,312 and 10.3 FTE for Colorado energy office, program administration;

(b) \$33,604 for Colorado energy office, legal services;

(c) \$45,714 for special purpose, health, life, and dental;

(d) \$1,368 for special purpose, short-term disability;

(e) \$24,740 for special purpose, amortization equalization disbursement; and

(f) \$21,262 for special purpose, supplemental amortization equalization disbursement.

SECTION 58. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the clean and renewable energy fund, created in section 24-38.5-102.4, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant

governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,160,491 and 10.4 FTE, or so much thereof as may be necessary. Said sum is subject to the "(I)" notation as defined in the general appropriations act and is to be allocated for the implementation of this act as follows:

(a) \$1,433,803 and 10.4 FTE for Colorado energy office, program administration;

(b) \$33,604 for Colorado energy office, legal services;

(c) \$45,714 for special purpose, health, life, and dental;

(d) \$1,368 for special purpose, short-term disability;

(e) \$24,740 for special purpose, amortization equalization disbursement;

(f) \$21,262 for special purpose, supplemental amortization equalization disbursement; and

(g) \$600,000 for Colorado energy office, weatherization.

SECTION 59. Effective date. This act takes effect July 1, 2012.

SECTION 60. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO