Amend the Finance Committee Report, dated May 27, 2020, page 1, after line 2 insert:

"Page 7 of the bill, line 5, strike "HEALTH EFFECTS DATA;" and substitute "DATA REGARDING POTENTIAL HEALTH RISKS FROM EMISSIONS;".

Page 7 of the bill, line 15, strike "IMPARTIAL" and substitute "IMPARTIAL, TRANSPARENT,".

Page 1 of the report, after line 4 insert:

"Page 8 of the bill, line 3, strike "HEALTH" and substitute "PUBLIC HEALTH RISK".".

Page 1 of the report, strike lines 10 and 11 and substitute "SCIENCE AND NOT ADVOCATE FOR OR DEVELOP AIR QUALITY POLICY. CONSISTENT WITH THIS, THE BOARD SHALL NOT PARTICIPATE AS A PARTY IN ANY".

Page 1 of the report, line 16, strike "MANAGEMENT," and substitute "MANAGEMENT, ONE GOVERNOR APPOINTEE WITH SIGNIFICANT PRIVATE SECTOR EXPERIENCE IN THE FIELD OF BUSINESS MANAGEMENT,".

Page 1 of the report, after line 17 insert:

"Page 10 of the bill, after line 7 insert:

"(g) THE BOARD SHALL CONDUCT THE ENTERPRISE’S BUSINESS AS REQUIRED BY STATE LAW, INCLUDING THE OPEN MEETING REQUIREMENTS OF PART 4 OF ARTICLE 6 OF TITLE 24 AND THE OPEN RECORD REQUIREMENTS OF ARTICLE 72 OF TITLE 24.".

Page 11 of the bill, line 4, strike "AND RESEARCH;" and substitute "HEALTH RISK ASSESSMENT, AND RESEARCH RELATED TO STATIONARY SOURCES THAT:

(A) FOLLOW OR ADVANCE BEST PRACTICES FOR RISK ASSESSMENT, RISK MANAGEMENT, MONITORING, MODELING, AND ASSESSMENT;

(B) USE CONSISTENT, DATA-DRIVEN, AND TRANSPARENT PROCESSES FOR SCOPING AND PRIORITIZING ACTIVITIES; AND

(C) USE THE BEST AVAILABLE SCIENTIFIC INFORMATION;"

Page 11 of the bill, line 6, after "REGARDING" insert "STATIONARY SOURCE".
Page 11 of the bill, strike line 8 and substitute "PUBLIC HEALTH RISK IMPACTS FROM THOSE EMISSIONS;".

Page 11 of the bill, line 27, after the period insert "BEFORE FINALIZING A DRAFT RESEARCH PRODUCT, THE BOARD SHALL POST THE DRAFT ON THE BOARD’S WEBSITE AND ALLOW A PERIOD OF TIME FOR PUBLIC COMMENT ON THE DRAFT.".

Page 2 of the report, line 4, strike "ENGAGING IN ANY RULEMAKING TO ESTABLISH" and substitute "ESTABLISHING".

Page 2 of the report, line 10, strike "TWO" and substitute "ONE".

Page 2 of the report, after line 20 insert:

"Page 12 of the bill, after line 26 insert:

"(6) Repeal. (a) This section is repealed, effective September 1, 2034. Before the repeal, the enterprise is scheduled for review in accordance with section 24-34-104.

(b) On September 1, 2034, the state treasurer shall transfer all unallocated money in the fund to the stationary sources control fund created in section 25-7-114.7 (2)(b)(I).

SECTION 3. In Colorado Revised Statutes, 24-34-104, add (35)(a)(IV) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (35) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2034:

(IV) The Air Quality Enterprise created by Section 25-7-103.5.

Renumber succeeding sections accordingly.

Page 13 of the bill, line 10, strike "EIGHTEEN DOLLARS." and substitute "SIXTEEN DOLLARS. For state fiscal year 2021-22, the fee for filing an air pollutant emission notice or an amendment to the notice under this section is two hundred forty-two dollars.".

Page 13 of the bill, line 20, after "(2)(b)(III)" insert "and (2)(b)(IV)".

Page 14 of the bill, line 2, strike "THIRTY-THREE" and substitute "THIRTY-TWO DOLLARS PER TON OF REGULATED POLLUTANT REPORTED IN THE MOST RECENT AIR POLLUTION EMISSION NOTICE ON FILE WITH THE DIVISION. FOR STATE FISCAL YEAR 2021-22, THE FEE IS THIRTY-SIX".
Page 14 of the bill, line 18, strike "EIGHTEEN" and substitute "SIXTEEN DOLLARS PER TON. FOR STATE FISCAL YEAR 2021-22, IN ADDITION TO THE ANNUAL FEE SET FORTH IN SUBSECTION (2)(a)(I)(A) OF THIS SECTION, FOR HAZARDOUS AIR POLLUTANTS, INCLUDING OZONE-DEPLETING COMPOUNDS, THERE IS AN ANNUAL FEE OF TWO HUNDRED THIRTY-NINE".

Page 15 of the bill, line 10, strike "NINE DOLLARS" and substitute "EIGHT DOLLARS AND TWELVE CENTS PER HOUR. FOR STATE FISCAL YEAR 2021-22, THE DIVISION SHALL ASSESS A FEE FOR WORK IT PERFORMS, UP TO A MAXIMUM OF THIRTY HOURS AT A RATE OF ONE HUNDRED NINETEEN DOLLARS".

Page 2 of the report, after line 21 insert:

"Page 16 of the bill, line 12, strike "OIL AND GAS" and substitute "STATIONARY".

Page 16 of the bill, line 17, strike "OIL AND GAS INDUSTRY" and substitute "STATIONARY SOURCE".

Page 16 of the bill, after line 25 insert:

"(IV) THE DIVISION SHALL REPORT ANNUALLY REGARDING HOW THE FEES AUTHORIZED BY THIS SECTION HAVE BEEN UTILIZED, WHAT RELATED EFFICIENCY AND PROCESS IMPROVEMENTS HAVE BEEN MADE, AND A PROJECTION OF SHORT-TERM AND LONG-TERM CAPITAL OPERATING EXPENDITURES. BEFORE MAKING ANY FEE ADJUSTMENT AFTER FISCAL YEAR 2021-22 THAT IS AUTHORIZED BY SECTION 25-7-114.1 (6)(a) OR 25-7-114.7 (2)(a)(I)(A), (2)(a)(I)(B), OR (2)(a)(III), THE DIVISION SHALL REPORT ANNUALLY ABOUT HOW EXISTING FEES HAVE BEEN UTILIZED AND ENGAGE IN A STAKEHOLDER PROCESS WITH IMPACTED STATIONARY SOURCES. THE DIVISION SHALL INITIATE THIS STAKEHOLDER PROCESS AT LEAST SIX MONTHS BEFORE ANY RULE THAT INCREASES FEES BECOMES EFFECTIVE UNLESS EMERGENCY RULEMAKING PURSUANT TO SECTION 24-4-103 IS NECESSARY. THE STAKEHOLDER PROCESS MUST INVOLVE DISCUSSION OF:

(A) ONGOING EFFICIENCY IMPROVEMENT PROJECTS AND PROGRESS TOWARDS COMPLETION OF THOSE PROJECTS, INCLUDING DATABASE IMPROVEMENTS AND REPLACING THE EXISTING AIR POLLUTION EMISSION NOTICE PROCESS WITH AN IMPROVED EMISSION INVENTORY PROCESS; AND

(B) THE JUSTIFICATION AND NECESSITY OF ADDITIONAL FEE INCREASES, INCLUDING AN OUTLINE OF WHERE INCREASES IN FEES WILL BE UTILIZED MOVING FORWARD.".".

** *** ** *** **