

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 19-0540.01 Shelby Ross x4510

HOUSE BILL 19-1015

HOUSE SPONSORSHIP

Arndt, Bird, Bockenfeld, Buentello, Cutter, Duran, Esgar, Exum, Galindo, Gonzales-Gutierrez, Hansen, Herod, Jackson, Kennedy, Kipp, McLachlan, Michaelson Jenet, Roberts, Snyder, Soper, Tipper, Titone, Valdez A.

SENATE SPONSORSHIP

Ginal, Bridges, Court, Donovan, Fenberg, Fields, Garcia, Gonzales, Lee, Moreno, Rodriguez, Story, Todd, Winter

House Committees
Rural Affairs & Agriculture

Senate Committees
Agriculture & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING THE RECREATION OF THE COLORADO WATER INSTITUTE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The Colorado water institute was created in 1981 and automatically repealed in 2017. The bill recreates the institute.

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

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
February 5, 2019

SENATE
2nd Reading Unamended
February 4, 2019

HOUSE
3rd Reading Unamended
January 23, 2019

HOUSE
Amended 2nd Reading
January 18, 2019

1 **reenact, with amendments,** part 8 of article 31 of title 23 as follows:

2 **PART 8**

3 **COLORADO WATER INSTITUTE**

4 **23-31-801. Colorado water institute - creation.** (1) THERE IS
5 CREATED THE COLORADO WATER INSTITUTE, REFERRED TO IN THIS PART
6 8 AS THE "INSTITUTE", FOR THE FOLLOWING PURPOSES:

7 (a) DEVELOPING, IMPLEMENTING, AND COORDINATING WATER AND
8 WATER-RELATED RESEARCH PROGRAMS IN COLLABORATION WITH OTHER
9 STATE INSTITUTIONS OF HIGHER EDUCATION AND TRANSFERRING THE
10 RESULTS OF RESEARCH AND NEW TECHNOLOGIES TO POTENTIAL USERS;

11 (b) CREATING AND OPERATING A WATER RESEARCH INFORMATION
12 AND EDUCATION CENTER AS A STATEWIDE CLEARINGHOUSE AND ARCHIVE
13 FOR WATER RESOURCES, WATER QUALITY, AND WATER-RELATED POLICY
14 ISSUES, INCLUDING THE TRAINING OF FUTURE GENERATIONS OF WATER
15 SCIENTISTS, MANAGERS, PLANNERS, AND EDUCATORS; AND

16 (c) CONDUCTING SCIENTIFIC RESEARCH AND POLICY ANALYSIS IN
17 AREAS INCLUDING BUT NOT LIMITED TO WATER DEVELOPMENT AND
18 STORAGE AND SURFACE WATER AND GROUNDWATER HYDROLOGY, WATER
19 RESOURCES MANAGEMENT, WATER QUALITY AND AQUATIC HABITAT
20 MANAGEMENT AND PROTECTION, WATER HISTORY AND PALEOHYDROLOGY,
21 DROUGHT PLANNING AND MITIGATION, AND CLIMATE CHANGE AND
22 ADAPTATION.

23 (2) THE INSTITUTE IS A UNIT OF THE COLORADO STATE UNIVERSITY
24 UNDER THE SUPERVISION AND CONTROL OF THE UNIVERSITY'S
25 ADMINISTRATION AND THE BOARD OF GOVERNORS OF THE COLORADO
26 STATE UNIVERSITY SYSTEM.

27 (3) THE PRINCIPAL ADMINISTRATIVE OFFICER OF THE INSTITUTE IS

1 A DIRECTOR, WHO IS APPOINTED BY THE PRESIDENT OF COLORADO STATE
2 UNIVERSITY WITH THE APPROVAL OF THE BOARD OF GOVERNORS OF THE
3 COLORADO STATE UNIVERSITY SYSTEM AND WHO IS UNDER THE DIRECT
4 SUPERVISION OF THE PRESIDENT OF COLORADO STATE UNIVERSITY OR A
5 VICE-PRESIDENT DESIGNATED BY THE PRESIDENT. TO MEET THE PURPOSES
6 OF THE INSTITUTE, THE DIRECTOR, WITH THE ADVICE OF THE ADVISORY
7 COMMITTEE ESTABLISHED PURSUANT TO SECTION 23-31-802, SHALL
8 DEVELOP APPROPRIATE POLICIES AND PROCEDURES FOR IDENTIFICATION
9 OF PRIORITY RESEARCH PROBLEMS; COLLABORATE WITH WATER
10 MANAGERS AND USER ASSOCIATIONS, DROUGHT AND CLIMATE CHANGE
11 PLANNING ORGANIZATIONS, OTHER UNIVERSITIES, FEDERAL, STATE, AND
12 LOCAL GOVERNMENT AGENCIES, AND THE GENERAL ASSEMBLY IN THE
13 FORMULATION OF ITS RESEARCH PROGRAM; SELECT PROJECTS TO BE
14 FUNDED; AND DISSEMINATE INFORMATION AND TRANSFER TECHNOLOGY
15 THAT IS PRODUCED BY THE RESEARCH.

16 (4) IT IS THE DUTY OF THE INSTITUTE TO:

17 (a) CONSULT WITH STATE AND LOCAL GOVERNMENT AGENCIES,
18 WATER MANAGERS AND USER ASSOCIATIONS, DROUGHT AND CLIMATE
19 CHANGE PLANNING ORGANIZATIONS, WATER QUALITY PLANNING
20 ORGANIZATIONS, THE GENERAL ASSEMBLY, AND OTHER POTENTIAL USERS
21 OF RESEARCH IN IDENTIFYING AND PRIORITIZING THE STATE'S SCIENTIFIC
22 AND POLICY-RELATED WATER RESEARCH NEEDS;

23 (b) NEGOTIATE AND ADMINISTER CONTRACTS WITH OTHER STATE
24 INSTITUTIONS OF HIGHER EDUCATION FOR RESEARCH PROJECTS;

25 (c) DISSEMINATE NEW INFORMATION AND FACILITATE TRANSFER
26 AND APPLICATION OF NEW TECHNOLOGIES AS THEY ARE DEVELOPED;

27 (d) PROVIDE A LIAISON BETWEEN COLORADO AND THE FEDERAL

1 RESEARCH FUNDING AGENCIES TO ACT AS AN ADVOCATE FOR COLORADO'S
2 WATER RESEARCH NEEDS;

3 (e) FACILITATE AND STIMULATE SCIENTIFIC RESEARCH AND POLICY
4 ANALYSIS THAT:

5 (I) DEALS WITH POLICY ISSUES FACING THE GENERAL ASSEMBLY;

6 (II) SUPPORTS STATE WATER, PUBLIC HEALTH, AND WATER
7 QUALITY PROTECTION AGENCIES' MISSIONS WITH WATER RESEARCH ON
8 STATEWIDE WATER-RELATED PROBLEMS ENCOUNTERED AND EXPECTED,
9 INCLUDING BUT NOT LIMITED TO THE EFFECTS OF CLIMATE CHANGE ON
10 WATER QUALITY, WATER AVAILABILITY, RUN-OFF TIMING, DROUGHT
11 PLANNING, AND FUTURE COMPACT COMPLIANCE;

12 (III) PROVIDES WATER PLANNING AND MANAGEMENT
13 ORGANIZATIONS WITH TOOLS TO INCREASE EFFICIENCY AND
14 EFFECTIVENESS OF WATER PLANNING AND MANAGEMENT;

15 (IV) ENGAGES AND TRAINS FUTURE GENERATIONS OF THE STATE'S
16 WATER PROFESSIONALS AND EDUCATORS; AND

17 (V) EXAMINES THE INTERCONNECTIONS BETWEEN CLIMATE
18 CHANGE, WATER SUPPLY, AND WATER QUALITY AND PROVIDES TOOLS
19 WATER MANAGERS AND POLICYMAKERS NEED TO ADAPT TO GLOBAL
20 CLIMATE CHANGE; AND

21 (f) ESTABLISH AND MAINTAIN A CLEARINGHOUSE AND ARCHIVE OF
22 WATER RESEARCH, WATER QUALITY, AND CLIMATE PROJECTION DATA.

23 (5) THE INSTITUTE IS AUTHORIZED TO EMPLOY PROFESSIONAL,
24 CLERICAL, AND OTHER PERSONNEL TO IMPLEMENT THE PROVISIONS OF THIS
25 PART 8.

26 (6) THE INSTITUTE IS AUTHORIZED TO EXPEND STATE MONEY
27 APPROPRIATED BY THE GENERAL ASSEMBLY FOR COST-SHARING ON

1 PROJECTS FUNDED WITH FEDERAL OR PRIVATE MONEY.

2 (7) STATE MONEY GRANTED, APPROPRIATED, OR OTHERWISE MADE
3 AVAILABLE FOR WATER RESEARCH CONDUCTED AT THE STATE'S
4 INSTITUTIONS OF HIGHER EDUCATION MAY PASS THROUGH THE
5 ADMINISTRATIVE CONTROL OF THE INSTITUTE IF THE GRANT,
6 APPROPRIATION, OR OTHER FUNDING DOCUMENT SPECIFIES. IF PARTICULAR
7 MONEY IS RESTRICTED, THE INSTITUTE MAY SERVE AS AN ADMINISTRATIVE
8 ENTITY OF THE MONEY FOR STATE AGENCIES THAT SEEK TO UTILIZE
9 COLORADO UNIVERSITIES OR COLLEGES FOR WATER RESEARCH. THE
10 INSTITUTE HAS THE POWER TO ACCEPT GIFTS, GRANTS, DONATIONS,
11 APPROPRIATIONS, AND OTHER FUNDING FROM ANY ENTITY. THE INSTITUTE
12 MAY PROVIDE OVERSIGHT FOR THE FUNDING BY ENSURING RESEARCH
13 PROJECTS COMMENCE AND ARE COMPLETED WITHIN THE SCOPE OF
14 AGREEMENTS, INVOICES, CONTRACTS, PURCHASE ORDERS,
15 INTERGOVERNMENTAL AGREEMENTS, OR OTHER FISCAL DEVICES USED TO
16 FUND RESEARCH. THE INSTITUTE IS AUTHORIZED TO ASSESS A FEE TO
17 IMPLEMENT ITS ADMINISTRATIVE AUTHORITY. THE FEE MAY NOT EXCEED
18 TWENTY PERCENT OF THE TOTAL COST OF THE PROJECT BEING
19 ADMINISTERED BY THE INSTITUTE. THE ADVISORY COMMITTEE CREATED
20 IN SECTION 23-31-802 SHALL ANNUALLY REVIEW AND ESTABLISH THE
21 ADMINISTRATION FEE.

22 **23-31-802. Advisory committee on water research policy.**

23 (1) THERE IS CREATED THE ADVISORY COMMITTEE ON WATER RESEARCH
24 POLICY, WHICH CONSISTS OF AT LEAST ELEVEN MEMBERS. EIGHT OF THE
25 MEMBERS ARE APPOINTED BY THE DIRECTOR OF THE INSTITUTE. THE
26 REMAINING MEMBERS ARE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
27 OF PUBLIC HEALTH AND ENVIRONMENT, THE EXECUTIVE DIRECTOR OF THE

1 DEPARTMENT OF NATURAL RESOURCES, AND THE COMMISSIONER OF
2 AGRICULTURE, OR THEIR DESIGNEES.

3 (2) APPOINTED MEMBERS OF THE ADVISORY COMMITTEE SERVE
4 TERMS OF FOUR YEARS. MEMBERS SERVE WITHOUT COMPENSATION AND
5 ARE NOT ENTITLED TO REIMBURSEMENT OF EXPENSES INCURRED IN THE
6 PERFORMANCE OF THEIR DUTIES.

7 (3) THE ADVISORY COMMITTEE RECOMMENDS POLICY GUIDELINES
8 FOR IMPLEMENTING THE FUNCTIONS OF THE INSTITUTE; CONFERS WITH
9 STATE GOVERNMENTAL AGENCIES, NONGOVERNMENTAL AGENCIES, AND
10 STATE INSTITUTIONS OF HIGHER EDUCATION TO SET COLORADO'S WATER
11 RESEARCH PRIORITIES; AND EVALUATES THE PROGRAMS OF THE INSTITUTE.
12 THE ADVISORY COMMITTEE ALSO ADVISES AND COUNSELS THE DIRECTOR
13 OF THE INSTITUTE AND MAKES RECOMMENDATIONS TO ASSIST THE
14 DIRECTOR IN IMPLEMENTING THIS PART 8.

15 **23-31-803. Water research fund.** THERE IS ESTABLISHED IN THE
16 STATE TREASURY THE WATER RESEARCH FUND, REFERRED TO IN THIS PART
17 8 AS THE "FUND". THE FUND CONSISTS OF MONEY REMAINING IN THE
18 WATER RESEARCH FUND AS IT EXISTED PRIOR TO THE REPEAL OF SECTION
19 23-31-803 IN 2017, FEES RECEIVED BY THE INSTITUTE PURSUANT TO
20 SECTION 23-31-801 (7), AND GIFTS, GRANTS, AND DONATIONS ACCEPTED
21 BY THE INSTITUTE. THE MONEY IN THE FUND IS CONTINUOUSLY
22 APPROPRIATED TO THE INSTITUTE, AND THE INSTITUTE MAY EXPEND
23 MONEY FROM THE FUND FOR ANY PURPOSE CONSISTENT WITH THIS PART 8.
24 ANY INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY
25 IN THE FUND IS CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR,
26 ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND REMAINS IN
27 THE FUND AND IS NOT CREDITED OR TRANSFERRED TO THE GENERAL FUND

1 OR ANY OTHER FUND.

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SECTION 2. 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.