

## CHAPTER 7

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**EDUCATION - POSTSECONDARY**


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**HOUSE BILL 19-1015**

BY REPRESENTATIVE(S) 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.; also SENATOR(S) Ginal, Bridges, Court, Donovan, Fenberg, Fields, Gonzales, Lee, Moreno, Rodriguez, Story, Todd, Winter, Garcia.

**AN ACT****CONCERNING THE RECREATION OF THE COLORADO WATER INSTITUTE.**

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

**SECTION 1.** In Colorado Revised Statutes, **recreate and reenact, with amendments**, part 8 of article 31 of title 23 as follows:

**PART 8**  
**COLORADO WATER INSTITUTE**

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

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

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

(c) CONDUCTING SCIENTIFIC RESEARCH AND POLICY ANALYSIS IN AREAS INCLUDING BUT NOT LIMITED TO WATER DEVELOPMENT AND STORAGE AND SURFACE

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

WATER AND GROUNDWATER HYDROLOGY, WATER RESOURCES MANAGEMENT, WATER QUALITY AND AQUATIC HABITAT MANAGEMENT AND PROTECTION, WATER HISTORY AND PALEOHYDROLOGY, DROUGHT PLANNING AND MITIGATION, AND CLIMATE CHANGE AND ADAPTATION.

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

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

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

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

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

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

(d) PROVIDE A LIAISON BETWEEN COLORADO AND THE FEDERAL RESEARCH FUNDING AGENCIES TO ACT AS AN ADVOCATE FOR COLORADO'S WATER RESEARCH NEEDS;

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

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

(II) SUPPORTS STATE WATER, PUBLIC HEALTH, AND WATER QUALITY PROTECTION AGENCIES' MISSIONS WITH WATER RESEARCH ON STATEWIDE WATER-RELATED PROBLEMS ENCOUNTERED AND EXPECTED, INCLUDING BUT NOT LIMITED TO THE

EFFECTS OF CLIMATE CHANGE ON WATER QUALITY, WATER AVAILABILITY, RUN-OFF TIMING, DROUGHT PLANNING, AND FUTURE COMPACT COMPLIANCE;

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

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

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

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

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

(6) THE INSTITUTE IS AUTHORIZED TO EXPEND STATE MONEY APPROPRIATED BY THE GENERAL ASSEMBLY FOR COST-SHARING ON PROJECTS FUNDED WITH FEDERAL OR PRIVATE MONEY.

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

**23-31-802. Advisory committee on water research policy.** (1) THERE IS CREATED THE ADVISORY COMMITTEE ON WATER RESEARCH POLICY, WHICH CONSISTS OF AT LEAST ELEVEN MEMBERS. EIGHT OF THE MEMBERS ARE APPOINTED BY THE DIRECTOR OF THE INSTITUTE. THE REMAINING MEMBERS ARE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE, OR THEIR DESIGNEES.

(2) APPOINTED MEMBERS OF THE ADVISORY COMMITTEE SERVE TERMS OF FOUR

YEARS. MEMBERS SERVE WITHOUT COMPENSATION AND ARE NOT ENTITLED TO REIMBURSEMENT OF EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

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

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

**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.

Approved: February 20, 2019