A BILL FOR AN ACT

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The Colorado water institute was created in 1981 and automatically repealed in 2017.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

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 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

(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.

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.