

CHAPTER 166

TRANSPORTATION

HOUSE BILL 00-1069

BY REPRESENTATIVES Smith, George, Larson, Young, Alexander, Berry, Gagliardi, Hoppe, Kester, Mace, McKay, McPherson, Miller, Ragsdale, Scott, Sinclair, Stengel, Swenson, Taylor, Tochtrop, Webster, and Zimmerman; also SENATORS Dennis, Chlouber, Dyer, Teck, Wattenberg, Sullivant, and Thiebaut.

AN ACT

CONCERNING THE DEPLOYMENT OF REMOTE WEATHER SYSTEMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. The general assembly hereby finds, determines, and declares that providing timely and accurate remote weather information is important for the safety of the Colorado aviation system, especially in view of the extreme weather conditions and patterns that exist throughout the remote mountainous areas of the state. The existing weather information available throughout the state's airport and airway system is inadequate to efficiently meet the safety needs of the public. Substantial improvements to the aviation system consisting of remote automated weather observation systems are needed.

SECTION 2. 24-75-302 (1) (m), Colorado Revised Statutes, is amended to read:

24-75-302. Capital construction fund - capital assessment fees - calculation.
(1) (m) On July 1, 2000, one hundred million dollars, plus one hundred eighty-four thousand ninety dollars pursuant to H.B. 97-1186; plus four hundred seventy-eight thousand six hundred thirty-four dollars pursuant to H.B. 97-1077, enacted at the first regular session of the sixty-first general assembly; plus twelve thousand two hundred seventeen dollars pursuant to S.B. 98-021, enacted at the second regular session of the sixty-first general assembly; plus seventy-one thousand two hundred seven dollars pursuant to H.B. 98-1160, enacted at the second regular session of the sixty-first general assembly; PLUS FIVE HUNDRED THOUSAND DOLLARS PURSUANT TO H.B. 00-1069, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY.

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

SECTION 3. 43-10-109 (3), Colorado Revised Statutes, is amended to read:

43-10-109. Aviation fund created. (3) The moneys in the fund shall be subject to annual appropriation by the general assembly, and except that, in each fiscal year, the general assembly shall appropriate an amount not to exceed five percent of the total amount of revenues credited to the fund pursuant to section 39-27-112 (2) (b), C.R.S., and subsection (2) of this section during the preceding fiscal year to be used to defray any administrative costs incurred by the division and the board in implementing and administering the provisions of this article, INCLUDING MAINTENANCE AND OPERATION OF REMOTE WEATHER SYSTEMS. Any monetary penalties collected pursuant to section 24-46.6-103 (1) (b), C.R.S., are continuously appropriated to the division to defray any administrative expenses incurred by the division and the board in enforcing the provisions of section 24-46.6-103 (1), C.R.S. The general assembly shall also appropriate from the fund an amount to the department of revenue for the reasonable expenses incurred in administering sections 39-26-114 (1) (a) (VII) and 39-26-203 (1) (c), C.R.S., and as provided in section 39-27-112 (2) (b), C.R.S.

SECTION 4. 43-10-103 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

43-10-103. Division of aeronautics created - duties. (2) The division shall provide support for the Colorado aeronautical board in fulfilling its duties. The duties of the division shall also include, but not be limited to, the following:

(1) (I) DEPLOYING UP TO TWELVE REMOTE WEATHER SYSTEMS IN OR AROUND THE FOLLOWING AREAS:

- (A) CAMERON PASS;
- (B) CORONA PASS;
- (C) COTTONWOOD PASS;
- (D) GLENWOOD SPRINGS;
- (E) McELROY AIRFIELD AT KREMMLING;
- (F) LA VETA PASS;
- (G) MONARCH PASS;
- (H) MONUMENT HILL;
- (I) RED HILL;
- (J) SAGUACHE MUNICIPAL AIRPORT;
- (K) WILKERSON PASS; AND
- (L) WOLF CREEK PASS.

(II) THE DIVISION SHALL DETERMINE THE SPECIFIC LOCATION, MANNER, ORDER, AND TIMING OF THE DEPLOYMENT OF REMOTE WEATHER SYSTEMS. NOTHING IN THIS ARTICLE SHALL REQUIRE THE DIVISION TO DEPLOY A REMOTE WEATHER SYSTEM WITHOUT ADEQUATE FUNDING TO DEPLOY SUCH SYSTEM.

SECTION 5. 43-10-103 (4), Colorado Revised Statutes, is amended to read:

43-10-103. Division of aeronautics created - duties. (4) The authority of the division shall be limited to public airports, commercial service airports, ~~and~~ reliever airports as defined in 49 U.S.C. sec. 2202, AND DEPLOYMENT OF REMOTE WEATHER SYSTEMS.

SECTION 6. 43-10-110 (1), Colorado Revised Statutes, is amended to read:

43-10-110. Revenues in aviation fund - disbursements - repeal. (1) (a) In accordance with section 18 of article X of the Colorado constitution, moneys in the fund shall be used exclusively for aviation purposes.

(b) (I) FIVE HUNDRED THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE NECESSARY, SHALL BE USED EXCLUSIVELY FOR CONSTRUCTION OF REMOTE WEATHER SYSTEMS THROUGHOUT THE STATE PURSUANT TO SECTION 43-10-103 (2) (1).

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2003.

SECTION 7. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of transportation, for allocation to the division of aeronautics, for the fiscal year beginning July 1, 2000, the sum of seven hundred thousand dollars (\$700,000), or so much thereof as may be necessary, for the implementation of this act. Of said sum, five hundred thousand dollars (\$500,000) shall be from the capital construction fund created in section 24-75-302, Colorado Revised Statutes, and two hundred thousand dollars (\$200,000) shall be from the aviation fund created in section 43-10-109, Colorado Revised Statutes.

SECTION 8. 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: May 22, 2000