

CHAPTER 215

WATER AND IRRIGATION

HOUSE BILL 01-1240

BY REPRESENTATIVE(S) Hoppe, Cloer, Coleman, Crane, Dean, Decker, Hodge, Kester, Paschall, Rippy, Spradley, Stengel, Swenson, Weddig, and Young;
also SENATOR(S) Entz, Andrews, Arnold, Cairns, Dyer (Arapahoe), Dyer (Durango), Fitz-Gerald, Hanna, Lamborn, Musgrave, Perlmutter, Taylor, and Teck.

AN ACT

CONCERNING THE CREATION OF THE WATER RESOURCES LEGISLATION REVIEW COMMITTEE.

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

SECTION 1. Title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 98
Water Resources Legislation Review Committee

37-98-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT THE PURPOSE OF THIS ARTICLE IS TO PROVIDE AN INTERIM COMMITTEE AS A FORUM THROUGH WHICH THE GENERAL ASSEMBLY SHALL REVIEW THE ADMINISTRATION AND MONITORING OF COLORADO’S WATER RESOURCES. THE GENERAL ASSEMBLY RECOGNIZES ITS MANDATE TO VIGOROUSLY PROTECT AND DEFEND COLORADO’S FINITE SUPPLY OF WATER. THE GENERAL ASSEMBLY FURTHER RECOGNIZES THE NEED TO ENSURE THAT WATER ISSUES RECEIVE SUFFICIENT LEGISLATIVE SCRUTINY AND PUBLIC INPUT:

- (a) TO MAXIMIZE THE BENEFIT DERIVED FROM COLORADO’S SURFACE WATER AND GROUNDWATER RESOURCES;
- (b) TO EVALUATE THE PRESENT AND FUTURE WATER NEEDS OF THE STATE;
- (c) TO ENSURE EFFECTIVE WATER RIGHTS ADMINISTRATION;
- (d) TO PROTECT WATER QUALITY AND WATER QUANTITY;

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

(e) TO ENSURE THAT COLORADO'S INTERSTATE WATER COMPACT AGREEMENTS ARE MET AND, IN RELATION THERETO, THAT COLORADO'S WATER RESOURCES ARE PROTECTED AGAINST UNWARRANTED CLAIMS; AND

(f) TO CONTINUE THE STUDIES OF THE SPECIAL WATER COMMITTEE PURSUANT TO SENATE BILL 96-074.

37-98-102. Water resources legislation review committee - creation. (1) FOR THE PURPOSES OF CONTRIBUTING TO AND MONITORING THE CONSERVATION, USE, DEVELOPMENT, AND FINANCING OF THE WATER RESOURCES OF COLORADO FOR THE GENERAL WELFARE OF ITS INHABITANTS AND TO REVIEW AND PROPOSE WATER RESOURCES LEGISLATION, THERE IS HEREBY CREATED THE WATER RESOURCES LEGISLATION REVIEW COMMITTEE, REFERRED TO IN THIS ARTICLE AS THE COMMITTEE. THE COMMITTEE SHALL MEET AT THE CALL OF THE CHAIR DURING THE INTERIM AT LEAST ONCE AND AS OFTEN AS DEEMED NECESSARY TO REVIEW AND TO PROPOSE WATER RESOURCES LEGISLATION AND MATTERS RELATING THERETO. IN CONNECTION WITH SUCH REVIEW, THE COMMITTEE SHALL CONSULT WITH EXPERTS IN THE FIELD OF WATER CONSERVATION, QUALITY, USE, FINANCE, AND DEVELOPMENT. THE DEPARTMENT OF NATURAL RESOURCES, THE STATE ENGINEER, AND THE ATTORNEY GENERAL, TOGETHER WITH THE MEMBERS AND STAFF OF THE COLORADO WATER CONSERVATION BOARD, THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY, THE COLORADO WATER QUALITY CONTROL COMMISSION, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF AGRICULTURE, AND THE GREAT OUTDOORS COLORADO PROGRAM, SHALL COOPERATE WITH THE COMMITTEE AND WITH ANY PERSONS ASSISTING THE COMMITTEE IN PURSUING ITS RESPONSIBILITIES PURSUANT TO THIS SECTION. FURTHER, THE COMMITTEE MAY UTILIZE THE LEGISLATIVE COUNCIL STAFF TO ASSIST ITS MEMBERS IN RESEARCHING ANY MATTERS.

(2) (a) THE COMMITTEE SHALL CONSIST OF TEN MEMBERS OF THE GENERAL ASSEMBLY TO BE SELECTED AS FOLLOWS:

(I) FIVE MEMBERS OF THE COMMITTEE SHALL BE FROM THE SENATE, THREE APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO APPOINTED BY THE MINORITY PARTY LEADER; AND

(II) FIVE MEMBERS OF THE COMMITTEE SHALL BE FROM THE HOUSE OF REPRESENTATIVES, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AFTER CONSULTATION WITH THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(b) AT LEAST FOUR MEMBERS OF THE COMMITTEE SHALL RESIDE IN THAT PORTION OF THE STATE WHICH IS WEST OF THE CONTINENTAL DIVIDE.

(c) TO THE EXTENT POSSIBLE, THE MEMBERS SHALL BE SELECTED SO AS TO ACHIEVE REPRESENTATION FROM EACH WATER DIVISION AS DEFINED IN SECTION 37-92-201.

(3) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL COORDINATE THEIR APPOINTMENTS TO THE EXTENT PRACTICABLE.

(4) MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT COMPENSATION; EXCEPT THAT EACH MEMBER SHALL RECEIVE THE SUMS SPECIFIED IN SECTION 2-2-307 (3) (a) AND (3) (b), C.R.S., FOR ATTENDANCE AT MEETINGS OF THE COMMITTEE WHEN THE GENERAL ASSEMBLY IS IN RECESS FOR MORE THAN THREE DAYS OR IS NOT IN SESSION.

(5) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT THE CHAIR AND VICE-CHAIR FROM THEIR RESPECTIVE HOUSES, ONE FROM THE HOUSE OF REPRESENTATIVES AND ONE FROM THE SENATE.

(6) THE COMMITTEE SHALL HOLD NO MORE THAN FOUR MEETINGS IN THE INTERIM PERIOD.

37-98-103. Annual recommendations - bill limitation - deadlines for introduction. THE COMMITTEE MAY REPORT NO MORE THAN THREE BILLS OR OTHER MEASURES TO THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301, C.R.S., UNLESS A TWO-THIRDS MAJORITY OF THE MEMBERS OF THE COMMITTEE VOTE TO REPORT A GREATER NUMBER. NO BILL SHALL BE REPORTED TO THE LEGISLATIVE COUNCIL UNLESS A TWO-THIRDS MAJORITY OF THE APPOINTED MEMBERS OF THE COMMITTEE VOTE TO REPORT SUCH BILL TO THE LEGISLATIVE COUNCIL. SUCH GREATER NUMBER SHALL NOT EXCEED ONE BILL OR OTHER MEASURE PER MEMBER. THESE BILLS SHALL BE EXEMPT FROM ANY APPLICABLE BILL LIMIT IMPOSED ON THE INDIVIDUAL COMMITTEE MEMBERS SPONSORING SUCH BILLS IF THE BILLS HAVE BEEN APPROVED BY THE LEGISLATIVE COUNCIL NO LATER THAN OCTOBER 15, 2001.

37-98-104. Repeal. THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2002.

SECTION 2. 37-90-137 (9) (c) (II) and (9) (c.5) (II), Colorado Revised Statutes, are amended to read:

37-90-137. Permits to construct wells outside designated basins - fees - permit no ground water right - evidence - time limitation - well permits - repeal. (9) (c) (II) This paragraph (c) shall not be in effect from July 1, ~~2001~~ 2003, until July 1, ~~2004~~ 2006, during which time paragraph (c.5) of this subsection (9) shall apply.

(c.5) (II) This paragraph (c.5) is effective July 1, ~~2001~~ 2003, and is repealed, effective July 1, ~~2004~~ 2006.

SECTION 3. Effective date. This act shall take effect July 1, 2001.

SECTION 4. 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 31, 2001