

CHAPTER 9

NATURAL RESOURCES

HOUSE BILL 01-1024

BY REPRESENTATIVE(S) Plant, Chavez, Coleman, Decker, Hoppe, Madden, Ragsdale, Rippey, Saliman, Scott, Snook, Stengel, and Tochtrop;
also SENATOR(S) Dyer (Durango), Arnold, Chlouber, Hernandez, Hillman, Matsunaka, Perlmutter, Phillips, Tate, and Taylor.

AN ACT

CONCERNING FINANCIAL INCENTIVES FOR COMMERCIAL FISH HATCHERIES THAT TEST POSITIVE FOR WHIRLING DISEASE.

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

SECTION 1. Fish hatchery project loan authorization from the Colorado water conservation board construction fund. (1) Pursuant to section 37-60-122, Colorado Revised Statutes, the Colorado water conservation board is hereby authorized to loan moneys to enable commercial aquaculturists, as defined in section 35-24.5-103 (7), Colorado Revised Statutes, whose aquaculture facilities are fish production facilities that test positive for *myxobolus cerebralis* to make any such facility achieve a *myxobolus cerebralis* negative certification from the division of wildlife in the department of natural resources, or prevent the introduction of *myxobolus cerebralis* to any aquaculture facility or prevent the spread of *myxobolus cerebralis*, by:

(a) Rendering all originating water sources at the facility free of all fish and enclosed so as to prevent outside contamination by *myxobolus cerebralis*, including by a change of water right;

(b) Constructing all rearing spaces and water conveyances of concrete, fiberglass, steel, or other manufactured impermeable materials that are not conducive to colonization by the alternate oligochaete hosts of *myxobolus cerebralis*; and

(c) Installing best available technology to maintain water quality by controlling the spread of contamination by *myxobolus cerebralis* from any such facility to waters of the state.

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 2. Recognition of economic impacts on private producers. The division of wildlife shall pursue actions that encourage cleanup of aquaculture facilities infected with *myxobolus cerebralis*, including strategies that help minimize the economic impact of such infection on such facilities.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 9, 2001