

CHAPTER 8

WATER AND IRRIGATION

SENATE BILL 02S-001

BY SENATOR(S) Owen, Arnold, Chlouber, Epps, Evans, Fitz-Gerald, Hagedorn, Hernandez, Isgar, Matsunaka, May, Nichol, Phillips, Taylor, and Teck;
also REPRESENTATIVE(S) Hoppe, Alexander, Coleman, Fairbank, Johnson, Lee, Miller, Plant, Rippy, Romanoff, Stafford, Stengel, Tochtrop, Veiga, and Young.

AN ACT

CONCERNING DROUGHT RESPONSE, AND, IN CONNECTION THEREWITH, CREATING AGRICULTURAL EMERGENCY DROUGHT RESPONSE AUTHORITY IN THE STATE ENGINEER AND THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD.

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

SECTION 1. Article 60 of title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

37-60-123.5. Agricultural emergency drought response. (1) IF, PURSUANT TO FEDERAL OR STATE LAW, ANY PORTION OF COLORADO HAS RECEIVED EMERGENCY DROUGHT DESIGNATION OR A DISASTER EMERGENCY HAS BEEN PROCLAIMED DUE TO DROUGHT, NOTWITHSTANDING THE PROVISIONS OF SECTION 39-29-109 (1) (a), C.R.S., IN ADDITION TO ANY OTHER MONEYS APPROPRIATED FROM THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST FUND, CREATED BY SECTION 39-29-109, C.R.S., UP TO ONE MILLION DOLLARS IN THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST FUND ARE CONTINUOUSLY APPROPRIATED TO THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD AND THE STATE ENGINEER ANNUALLY PER SUCH DESIGNATION OR PROCLAMATION TO MAKE LOANS AND GRANTS TO AGRICULTURAL ORGANIZATIONS FOR EMERGENCY DROUGHT-RELATED WATER AUGMENTATION PURPOSES.

(2) THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD AND THE STATE ENGINEER SHALL CONSULT WITH THE COMMISSIONER OF AGRICULTURE AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES BEFORE MAKING ANY LOANS OR GRANTS PURSUANT TO THIS SECTION. WITHIN THREE MONTHS AFTER THE END OF ANY FISCAL YEAR DURING WHICH THE SPENDING AUTHORITY CREATED

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

PURSUANT TO THIS SECTION IS EXERCISED, THE DIRECTOR AND THE STATE ENGINEER SHALL REPORT TO THE GENERAL ASSEMBLY REGARDING HOW SUCH SPENDING AUTHORITY WAS EXERCISED.

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: August 1, 2002