

CHAPTER 212

WATER AND IRRIGATION

SENATE BILL 04-238

BY SENATOR(S) Andrews, Entz, and Arnold;
also REPRESENTATIVE(S) Spradley and Hoppe.

AN ACT

**CONCERNING LEGISLATIVE APPROVAL REQUIREMENTS FOR ADDITIONS OR MODIFICATIONS TO
ELIGIBILITY LISTS FOR FUNDING FROM CERTAIN STATE FUNDS.**

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

SECTION 1. 37-95-107.6 (4) (b), Colorado Revised Statutes, is amended to read:

37-95-107.6. Creation and administration of water pollution control revolving fund. (4) (b) Additions or modifications to the project eligibility list ~~which~~ THAT have been developed by the water quality control commission shall be submitted to the general assembly on or before January 15 of each year. ~~Any such~~ THE additions and modifications shall be in conformance with applicable provisions of the clean water act and state law. On or before April 1 of each year, ~~such~~ THE additions or modifications shall be approved by a joint resolution signed by the governor; EXCEPT THAT THE DEADLINE FOR THE GOVERNOR'S APPROVAL IN 2004 SHALL BE MAY 1, 2004. EFFECTIVE JANUARY 1, 2005, AND IN SUCCEEDING YEARS, THE ADDITIONS OR MODIFICATIONS SHALL BE APPROVED BY A BILL ENACTED PRIOR TO APRIL 1.

SECTION 2. 37-95-107.8 (4) (b), Colorado Revised Statutes, is amended to read:

37-95-107.8. Creation and administration of drinking water revolving fund. (4) (b) Additions or modifications to the drinking water project eligibility list shall be developed by the state board of health and shall be submitted to the general assembly on or before January 15 of each year. ~~Any~~ THE additions or modifications shall conform to ~~any~~ applicable provisions of the safe drinking water act and state law. On or before April 1 of each year, ~~such~~ THE additions or modifications shall be adopted by the passage of a joint resolution that is approved by a majority vote of both houses of the general assembly and that is approved by the governor in

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

accordance with section 39 of article V of the state constitution; EXCEPT THAT THE DEADLINE FOR THE GOVERNOR'S APPROVAL IN 2004 SHALL BE MAY 1, 2004. EFFECTIVE JANUARY 1, 2005, AND IN SUCCEEDING YEARS, THE ADDITIONS OR MODIFICATIONS SHALL BE APPROVED BY A BILL ENACTED PRIOR TO APRIL 1.

SECTION 3. 24-33-111 (3) (a), Colorado Revised Statutes, is amended to read:

24-33-111. Conservation of native species - fund created. (3) Species conservation eligibility list and annual report. (a) The executive director of the department of natural resources, after consultation with the Colorado water conservation board and its director, the wildlife commission, and the director of the division of wildlife, shall annually prepare a species conservation eligibility list describing programs and associated costs that are eligible to receive funding pursuant to this section. The species conservation eligibility list shall be subject to modification and adoption through passage of a ~~joint resolution~~ BILL that is approved by a majority vote of both houses of the general assembly. At the same time as the species conservation eligibility list is submitted, the director of the department of natural resources, after consultation with the Colorado water conservation board and its director, the wildlife commission, and the director of the division of wildlife, shall also provide a detailed report to the general assembly on the progress and status of activities to date and their effectiveness in the recovery of the species and identify proposed future activities. The report shall include an assessment of habitat benefits, both public and private, attributable to such activities.

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: April 28, 2004