

CHAPTER 283

WATER AND IRRIGATION

SENATE BILL 04-013

BY SENATOR(S) Entz, Dyer, Isgar, Tapia, Taylor, Andrews, Chlouber, Grossman, Nichol, Phillips, and Teck;
also REPRESENTATIVE(S) Hoppe, Miller, Rippy, Salazar, White, Carroll, Frangas, Hall, Madden, Marshall, McFadyen,
Paccione, Ragsdale, Rose, Smith, Weddig, and Wiens.

AN ACT**CONCERNING SENATE CONFIRMATION OF MEMBERSHIP OF CERTAIN BOARDS INVOLVED WITH WATER RESOURCES.**

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

SECTION 1. 37-60-104 (1), Colorado Revised Statutes, is amended to read:

37-60-104. Personnel. (1) The board shall consist of fifteen members. The executive director of the department of natural resources, shall be a voting member ex officio. The attorney general, state engineer, director of the division of wildlife, commissioner of agriculture or designee, and director of said board shall be nonvoting members ex officio. The nine remaining members shall be qualified electors of the state, well versed in water matters, and shall be appointed by the governor, with the consent of the senate, for terms of three years; except that no appointment shall be made that does not conform to the requirements of subsections (3) and (4) of this section. PURSUANT TO SECTION 1 OF ARTICLE XII OF THE STATE CONSTITUTION, UNLESS REMOVED ACCORDING TO LAW, MEMBERS OF THE BOARD SHALL EXERCISE THE DUTIES OF THEIR OFFICE UNTIL A SUCCESSOR IS DULY APPOINTED. PURSUANT TO SECTION 6 (1) OF ARTICLE IV OF THE STATE CONSTITUTION, NO PERSON APPOINTED BY THE GOVERNOR PURSUANT TO THIS SECTION TO A VACANCY OCCURRING WHILE THE SENATE IS IN SESSION MAY TAKE OFFICE UNTIL CONFIRMED BY THE SENATE. ANY APPOINTMENT MADE WHILE THE SENATE IS NOT IN LEGISLATIVE SESSION SHALL NOT BE A PERMANENT APPOINTMENT UNTIL SUCH CONFIRMATION BY THE SENATE IN THE LEGISLATIVE SESSION IMMEDIATELY FOLLOWING THE APPOINTMENT. The appointments shall be made in such a manner that the terms of three members shall expire on February 12 of each year. In case a ANY vacancy occurs in the appointed membership of the board, ~~by death or resignation,~~ the governor shall appoint a successor to serve the unexpired term of any member of the board within thirty days

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

after the creation of such vacancy.

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: May 21, 2004