

## CHAPTER 347

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**PUBLIC UTILITIES**

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**HOUSE BILL 06-1322**

BY REPRESENTATIVE(S) Buescher, Berens, Borodkin, Carroll M., Cerbo, Coleman, Curry, Frangas, Green, Hoppe, Jahn, Kerr A., Kerr J., Madden, Marshall, McFadyen, McGihon, Merrifield, Paccione, Plant, Pommer, Solano, Witwer, and Benefield; also SENATOR(S) Tapia, Bacon, Boyd, Fitz-Gerald, Gordon, Groff, Grossman, Isgar, May R., Shaffer, Tochtrop, Tupa, Williams, and Windels.

**AN ACT**

**CONCERNING SUPPORT FOR THE DEVELOPMENT OF CLEAN ENERGY RESOURCES USING PROCEEDS OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 39-29-109, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys - definitions - repeal.** (8) (a) SUBJECT TO THE END BALANCE REQUIREMENT OF PARAGRAPH (f) OF SUBSECTION (1.5) OF THIS SECTION AND THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, FOR THREE STATE FISCAL YEARS BEGINNING WITH THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, A PORTION OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND SHALL BE APPROPRIATED TO THE COLORADO RENEWABLE ENERGY AUTHORITY CREATED IN SECTION 24-47.5-101, C.R.S., FOR THE PURPOSES STATED IN SECTION 24-47.5-102 (2), C.R.S. THE AMOUNT APPROPRIATED SHALL BE TWO MILLION DOLLARS PER YEAR, SUBJECT TO THE LIMITATIONS STATED IN SECTION 24-47.5-102, C.R.S., AND IN THIS PARAGRAPH (a). IF THERE ARE INSUFFICIENT MONEYS IN THE OPERATIONAL ACCOUNT TO MAKE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW, THE APPROPRIATIONS AUTHORIZED BY THIS SUBSECTION (8) AND SUBSECTION (8.5) OF THIS SECTION SHALL BE REDUCED PRO RATA AS NECESSARY TO ACCOMMODATE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW OTHER THAN THIS SUBSECTION (8) AND SUBSECTION (8.5) OF THIS SECTION.

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

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2009.

(8.5) (a) SUBJECT TO THE END BALANCE REQUIREMENT OF PARAGRAPH (f) OF SUBSECTION (1.5) OF THIS SECTION AND THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF SUBSECTION (1.5) OF THIS SECTION, FOR THREE STATE FISCAL YEARS BEGINNING WITH THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, THE STATE TREASURER SHALL TRANSFER A PORTION OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE AGRICULTURE VALUE-ADDED CASH FUND CREATED IN SECTION 35-75-205 (1), C.R.S., TO PROMOTE AGRICULTURAL ENERGY-RELATED PROJECTS AND RESEARCH. THE AMOUNT APPROPRIATED SHALL BE FIVE HUNDRED THOUSAND DOLLARS PER YEAR. IF THERE ARE INSUFFICIENT MONEYS IN THE OPERATIONAL ACCOUNT TO MAKE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW, THE TRANSFERS AUTHORIZED BY THIS SUBSECTION (8.5) AND SUBSECTION (8) OF THIS SECTION SHALL BE REDUCED PRO RATA AS NECESSARY TO ACCOMMODATE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW OTHER THAN THIS SUBSECTION (8.5) AND SUBSECTION (8) OF THIS SECTION.

(b) THIS SUBSECTION (8.5) IS REPEALED, EFFECTIVE JULY 1, 2009.

**SECTION 2.** Title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 47.5**  
**Renewable Energy Authority**

**24-47.5-101. Renewable energy authority - creation - legislative declaration.**

(1) (a) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(I) THE PRODUCTION AND EFFICIENT USE OF ENERGY WILL CONTINUE TO PLAY A CENTRAL ROLE IN THE FUTURE OF THIS STATE AND THE NATION AS A WHOLE; AND

(II) THE DEVELOPMENT, PRODUCTION, AND EFFICIENT USE OF RENEWABLE ENERGY WILL ADVANCE THE SECURITY, ECONOMIC WELL-BEING, AND PUBLIC AND ENVIRONMENTAL HEALTH OF THIS STATE, AS WELL AS CONTRIBUTING TO THE ENERGY INDEPENDENCE OF OUR NATION.

(b) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT THE AUTHORITY AND POWERS CONFERRED UNDER THIS ARTICLE, AS WELL AS THE EXPENDITURES OF PUBLIC MONEY MADE PURSUANT TO THIS ARTICLE, WILL SERVE A VALID PUBLIC PURPOSE AND THAT THE ENACTMENT OF THIS ARTICLE IS EXPRESSLY DECLARED TO BE IN THE PUBLIC INTEREST.

(2) THERE IS HEREBY CREATED THE COLORADO RENEWABLE ENERGY AUTHORITY, REFERRED TO IN THIS ARTICLE AS THE AUTHORITY, WHICH SHALL BE A BODY CORPORATE AND A POLITICAL SUBDIVISION OF THE STATE. THE AUTHORITY SHALL NOT BE AN AGENCY OF STATE GOVERNMENT, NOR SHALL IT BE SUBJECT TO ADMINISTRATIVE DIRECTION BY ANY DEPARTMENT, COMMISSION, BOARD, BUREAU, OR AGENCY OF THE STATE, EXCEPT TO THE EXTENT PROVIDED BY THIS ARTICLE.

(3) (a) THE POWERS OF THE AUTHORITY SHALL BE VESTED IN A BOARD OF DIRECTORS.

(b) UNTIL JANUARY 1, 2007, THE BOARD SHALL CONSIST OF ONE MEMBER APPOINTED BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE, PLUS THE FOLLOWING FOUR EX OFFICIO MEMBERS: THE PRESIDENTS OF THE COLORADO SCHOOL OF MINES, COLORADO STATE UNIVERSITY, AND THE UNIVERSITY OF COLORADO AND THE DIRECTOR OF THE NATIONAL RENEWABLE ENERGY LABORATORY.

(c) ON AND AFTER JANUARY 1, 2007, THE BOARD SHALL CONSIST OF THE MEMBERS DESIGNATED IN PARAGRAPH (b) OF THIS SUBSECTION (3) AND UP TO TWO ADDITIONAL MEMBERS APPOINTED BY THE GOVERNOR WITH THE CONSENT OF THE SENATE. THE TERMS OF THE APPOINTED MEMBERS OF THE BOARD SHALL BE FOUR YEARS. AN APPOINTED MEMBER SHALL BE ELIGIBLE FOR REAPPOINTMENT. EACH MEMBER SHALL HOLD OFFICE UNTIL A SUCCESSOR HAS BEEN APPOINTED AND THE SENATE HAS CONFIRMED THE APPOINTMENT. A VACANCY IN THE MEMBERSHIP OCCURRING OTHER THAN BY EXPIRATION OF TERM SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT, BUT FOR THE UNEXPIRED TERM ONLY. EACH APPOINTED MEMBER MAY BE REMOVED FROM OFFICE BY THE GOVERNOR FOR CAUSE, AFTER A PUBLIC HEARING, AND MAY BE SUSPENDED BY THE GOVERNOR PENDING THE COMPLETION OF SUCH HEARING.

(4) THE MEMBERS OF THE BOARD SHALL ELECT A CHAIR AND A VICE-CHAIR. THE MEMBERS OF THE BOARD SHALL ALSO ELECT A SECRETARY AND A TREASURER, WHO NEED NOT BE MEMBERS, AND THE SAME PERSON MAY BE ELECTED TO SERVE AS BOTH SECRETARY AND TREASURER. THE POWERS OF THE BOARD MAY BE VESTED IN THE OFFICERS FROM TIME TO TIME. FOUR MEMBERS SHALL CONSTITUTE A QUORUM. NO VACANCY IN THE MEMBERSHIP OF THE BOARD SHALL IMPAIR THE RIGHT OF A QUORUM OF THE MEMBERS TO EXERCISE ALL THE POWERS AND PERFORM ALL THE DUTIES OF THE BOARD.

(5) EACH MEMBER OF THE BOARD NOT OTHERWISE IN FULL-TIME EMPLOYMENT OF THE STATE SHALL RECEIVE A PER DIEM OF FIFTY DOLLARS FOR EACH DAY ACTUALLY AND NECESSARILY SPENT IN THE DISCHARGE OF OFFICIAL DUTIES, AND ALL MEMBERS SHALL RECEIVE TRAVELING AND OTHER NECESSARY EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF OFFICIAL DUTIES.

**24-47.5-102. Renewable energy authority - powers and duties.** (1) EXCEPT AS OTHERWISE LIMITED BY THIS ARTICLE, THE AUTHORITY, ACTING THROUGH THE BOARD, HAS THE POWER:

(a) TO HAVE THE DUTIES, PRIVILEGES, IMMUNITIES, RIGHTS, LIABILITIES, AND DISABILITIES OF A BODY CORPORATE AND POLITICAL SUBDIVISION OF THE STATE;

(b) TO SUE AND BE SUED;

(c) TO HAVE AN OFFICIAL SEAL AND TO ALTER THE SAME AT THE BOARD'S PLEASURE;

(d) TO MAKE AND ALTER BYLAWS FOR ITS ORGANIZATION AND INTERNAL

MANAGEMENT AND FOR THE CONDUCT OF ITS AFFAIRS AND BUSINESS;

(e) TO MAINTAIN AN OFFICE AT SUCH PLACE OR PLACES WITHIN THE STATE AS IT MAY DETERMINE;

(f) TO ACQUIRE, HOLD, USE, AND DISPOSE OF ITS INCOME, REVENUES, FUNDS, AND MONEYS;

(g) TO MAKE AND ENTER INTO ALL CONTRACTS, LEASES, AND AGREEMENTS THAT ARE NECESSARY OR INCIDENTAL TO THE PERFORMANCE OF ITS DUTIES AND THE EXERCISE OF ITS POWERS UNDER THIS ARTICLE;

(h) TO DEPOSIT ANY MONEYS OF THE AUTHORITY IN ANY BANKING INSTITUTION WITHIN OR OUTSIDE THE STATE;

(i) TO FIX THE TIME AND PLACE OR PLACES AT WHICH ITS REGULAR AND SPECIAL MEETINGS ARE TO BE HELD; AND

(j) TO DO ANY AND ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT ITS PURPOSES AND EXERCISE THE POWERS GIVEN AND GRANTED IN THIS ARTICLE.

(2) THE AUTHORITY SHALL:

(a) DIRECT THE ALLOCATION OF STATE MATCHING FUNDS TO THE EXTENT REQUIRED TO SUPPORT ONE OR MORE PROPOSALS OF A CONSORTIUM CONSISTING OF THE COLORADO SCHOOL OF MINES, COLORADO STATE UNIVERSITY, UNIVERSITY OF COLORADO, AND NATIONAL RENEWABLE ENERGY LABORATORY, REFERRED TO IN THIS ARTICLE AS THE CONSORTIUM, FOR FEDERAL ENERGY RESEARCH FUNDING AND ENERGY-RELATED RESEARCH FUNDING FROM FEDERAL AGENCIES AND OTHER PUBLIC AND PRIVATE ENTITIES;

(b) PROMOTE RAPID TRANSFER OF NEW TECHNOLOGIES DEVELOPED BY THE CONSORTIUM TO THE PRIVATE SECTOR THROUGH TECHNOLOGY LICENSING AND OTHER MEANS TO ATTRACT AND PROMOTE RENEWABLE ENERGY BUSINESSES IN COLORADO;

(c) DEVELOP EDUCATIONAL AND RESEARCH PROGRAMS FOR COLORADO STATE COLLEGES IN COLLABORATION WITH THE CONSORTIUM THAT WILL TRANSLATE INTO HIGH-TECHNOLOGY EMPLOYMENT OPPORTUNITIES FOR COLORADO STUDENTS AND RESIDENTS;

(d) BECOME A REGIONAL RESOURCE AND CLEARING HOUSE FOR RENEWABLE ENERGY INFORMATION, WHICH THE AUTHORITY SHALL MAKE AVAILABLE TO THE GENERAL PUBLIC AND TO ENGINEERING, ARCHITECTURAL, AND DESIGN PROFESSIONALS. THE AUTHORITY SHALL NOT CONSTRUCT A HEADQUARTERS OR OTHER BUILDING FOR ITS OWN USE.

(e) SUPPORT DEVELOPMENT OF THE CONSORTIUM, INCLUDING FUNDING OF ANY JOINT INSTITUTE OR OTHER ENTITY CREATED BY THE COLORADO SCHOOL OF MINES, COLORADO STATE UNIVERSITY, AND UNIVERSITY OF COLORADO OR THE CONSORTIUM TO JOINTLY PURSUE RENEWABLE ENERGY RESEARCH.

(3) ON OR BEFORE MARCH 1, 2007, AND EACH MARCH 1 THEREAFTER, THE AUTHORITY SHALL SUBMIT A REPORT TO THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, SUMMARIZING THE ENERGY RESEARCH PROJECTS THAT RECEIVED FUNDING UNDER THIS ARTICLE IN THE PRECEDING CALENDAR YEAR. AT A MINIMUM, THE REPORT SHALL SPECIFY THE FOLLOWING INFORMATION WITH REGARD TO EACH SUCH PROJECT:

(a) A DESCRIPTION OF THE PROJECT, THE PRINCIPAL PERSONS OR ENTITIES INVOLVED IN THE PROJECT, AND THE AMOUNT OF FUNDING ALLOCATED TO EACH PRINCIPAL PERSON OR ENTITY;

(b) THE MANNER IN WHICH EACH PRINCIPAL PERSON OR ENTITY APPLIED THE FUNDING IN CONNECTION WITH THE PROJECT; AND

(c) THE RESULTS ACHIEVED BY THE PROJECT, INCLUDING IDENTIFIABLE MONETARY RETURNS TO THE AUTHORITY AND TO EACH PRINCIPAL PERSON OR ENTITY ASSOCIATED WITH THE PROJECT SINCE THE RECEIPT OF THE FUNDING.

(4) OF ANY REVENUES RECEIVED BY THE AUTHORITY AS A RESULT OF THE LICENSING OF ANY PATENT, TRADEMARK, OR COPYRIGHT OR OF ANY OTHER TECHNOLOGY TRANSFER ACTIVITY UNDER PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, FIFTY PERCENT SHALL BE RETAINED BY THE AUTHORITY FOR FUTURE USE IN ACCORDANCE WITH THIS ARTICLE AND FIFTY PERCENT SHALL BE REMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND CREATED IN SECTION 39-29-109 (1) (a) (II), C.R.S., UNTIL AN AMOUNT EQUAL TO ALL APPROPRIATIONS TO DATE FROM THE OPERATIONAL ACCOUNT HAVE BEEN REPAID. THEREAFTER, SEVENTY PERCENT OF SUCH REVENUES SHALL BE RETAINED BY THE AUTHORITY FOR FUTURE USE IN ACCORDANCE WITH THIS ARTICLE AND THIRTY PERCENT SHALL BE REMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE OPERATIONAL ACCOUNT.

**24-47.5-103. Funding - appropriations contingent on receipt of federal grant moneys - repeal.** (1) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, AND IN EACH OF THE STATE FISCAL YEARS COMMENCING ON JULY 1, 2007, AND JULY 1, 2008, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND CREATED IN SECTION 39-29-109, C.R.S., TO THE AUTHORITY FOR THE PURPOSES SPECIFIED IN SECTION 24-47.5-102; EXCEPT THAT, IF GRANTS OF FEDERAL MONEYS EQUAL TO OR EXCEEDING THE AMOUNT OF STATE MONEYS APPROPRIATED PURSUANT TO THIS ARTICLE HAS NOT BEEN RECEIVED BY JUNE 30, 2012, THE UNEXPENDED AND UNENCUMBERED BALANCE OF SAID APPROPRIATION SHALL REVERT TO THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2012.

**SECTION 3.** 35-75-205, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**35-75-205. Tax credits, grants, loans and loan guarantees, and equity**

**investments - agriculture value-added cash fund - created - repeal.**

(1.5) (a) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, AND IN EACH OF THE STATE FISCAL YEARS COMMENCING ON JULY 1, 2007, AND JULY 1, 2008, THE GENERAL ASSEMBLY SHALL APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS, OR SO MUCH THEREOF AS HAS BEEN TRANSFERRED PURSUANT TO SECTION 39-29-109 (8.5), C.R.S., FROM THE AGRICULTURE VALUE-ADDED CASH FUND TO THE DEPARTMENT OF AGRICULTURE, FOR ALLOCATION TO THE BOARD TO PROMOTE AGRICULTURAL ENERGY-RELATED PROJECTS AND RESEARCH.

(b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE JULY 1, 2009.

**SECTION 4.** Article 1 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 13  
CLIMATE CHANGE MARKETS GRANT PROGRAM

**25-1-1301. Short title.** THIS PART 13 SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO CLIMATE CHANGE MARKETS ACT".

**25-1-1302. Legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) AS THE UNITED STATES AND OTHER COUNTRIES TAKE ACTION TO ADDRESS ISSUES RELATED TO CLIMATE CHANGE, COLORADO FACES IMPORTANT POLICY CHOICES.

(b) EMERGING TECHNOLOGIES AND MARKETS RELATED TO CLIMATE CHANGE PROMISE SIGNIFICANT ECONOMIC OPPORTUNITIES FOR THE STATE, PARTICULARLY FOR AGRICULTURE AND RURAL ECONOMIES.

(c) THE GENERAL ASSEMBLY ENACTS THE "COLORADO CLIMATE CHANGE MARKETS ACT" FOR THE PURPOSE OF POSITIONING COLORADO AT THE FOREFRONT OF EMERGING MARKETS RELATED TO CLIMATE CHANGE AND HELPING AFFECTED INDUSTRIES AND ECONOMIES BENEFIT FROM THESE OPPORTUNITIES.

**25-1-1303. Grants for research - reports to general assembly.** (1) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL ADMINISTER A PROGRAM TO AWARD GRANTS PURSUANT TO THIS SECTION.

(2) (a) A GRANT OF FIFTY THOUSAND DOLLARS SHALL BE AWARDED TO COLORADO STATE UNIVERSITY TO CONDUCT RESEARCH ON THE POTENTIAL FOR THE USE OF TERRESTRIAL CARBON SEQUESTRATION IN AGRICULTURAL, RANGELAND, AND FOREST SOILS AS A TECHNIQUE FOR MITIGATING THE EMISSIONS OF GREENHOUSE GASES IN THE STATE.

(b) A GRANT OF FIFTY THOUSAND DOLLARS SHALL BE AWARDED TO THE COLORADO SCHOOL OF MINES TO CONDUCT RESEARCH ON THE POTENTIAL FOR THE USE OF GEOLOGIC CARBON SEQUESTRATION AS A TECHNIQUE FOR MITIGATING THE EMISSIONS OF GREENHOUSE GASES IN THE STATE.

(c) A GRANT OF THIRTY-FIVE THOUSAND DOLLARS SHALL BE AWARDED TO THE UNIVERSITY OF COLORADO TO CONDUCT RESEARCH ON THE EMERGING INTERNATIONAL AND DOMESTIC MARKETS IN GREENHOUSE GAS EMISSIONS AND TO CONDUCT RESEARCH ON PRIVATE FIRMS IN VARIOUS ECONOMIC SECTORS THAT ARE REDUCING EMISSIONS OF GREENHOUSE GASES.

(3) EACH RECIPIENT OF A GRANT AWARDED PURSUANT TO THIS SECTION SHALL REPORT THE RESULTS OF THE RESEARCH CONDUCTED UNDER THE GRANT TO THE AGRICULTURE COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO LATER THAN MARCH 15, 2007.

**SECTION 5.** 39-29-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys - repeal.** (1) (m) NOTWITHSTANDING ANY PROVISION IN THIS SECTION TO THE CONTRARY, AND SUBJECT TO THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF THIS SUBSECTION (1), ON JULY 1, 2006, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, OF THE UNENCUMBERED AND UNEXPENDED BALANCE OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE PURPOSE OF IMPLEMENTING SECTION 25-1-1303, C.R.S.

**SECTION 6. Appropriations.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the operational account of the severance tax trust fund created in section 39-29-109, Colorado Revised Statutes, not otherwise appropriated, to the Colorado renewable energy authority created in section 24-47.5-101, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of two million dollars (\$2,000,000), or so much thereof as may be necessary, for the implementation of this act; except that, if grants of federal moneys equal to or exceeding the amount of state moneys appropriated pursuant to this article has not been received by June 30, 2012, the unexpended and unencumbered balance of said appropriation shall revert to the operational account of the severance tax trust fund.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the agriculture value-added cash fund, created in section 35-75-205 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of agriculture for allocation to the agriculture value-added development board, created in section 35-75-203, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, out of the moneys transferred to the department of public health and environment pursuant to section 39-29-109 (1) (m), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2006, the sum of one hundred thirty-five thousand dollars (\$135,000), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 7. 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: June 6, 2006