

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 08-0500.01 Thomas Morris

HOUSE BILL 08-1026

HOUSE SPONSORSHIP

Fischer, Kefalas, McGihon, Solano, Levy, Butcher, and Carroll M.

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE COLORADO WATER RESOURCES RESEARCH**
102 **INSTITUTE, AND, IN CONNECTION THEREWITH, CHANGING THE**
103 **NAME OF THE INSTITUTE TO THE COLORADO WATER INSTITUTE,**
104 **EXPANDING THE DUTIES OF THE INSTITUTE, AND AUTHORIZING**
105 **THE INSTITUTE AS A CONTRACTING ENTITY FOR WATER**
106 **RESEARCH.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Changes the name of the Colorado water resources research institute to the Colorado water institute (institute). Expands the purposes

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

and duties of the institute. Authorizes state funds made available for water research to pass through the fiscal control of the institute. Authorizes the institute to assess an administrative fee not to exceed 20% of the total cost of the project being administered by the institute.

Designates the executive directors of the departments of natural resources and public health and environment as members of the advisory committee on water research policy. Repeals the limitation of the use of the general fund for the institute.

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

2 **SECTION 1.** 23-31-801, Colorado Revised Statutes, is amended
3 to read:

4 **23-31-801. Colorado water institute - creation.** (1) There is
5 hereby created the Colorado water ~~resources research~~ institute, referred
6 to in this part 8 as the "institute", for the FOLLOWING purposes:

7 (a) ~~of~~ Developing, implementing, and coordinating
8 water and water-related research programs ~~in the state~~ AMONG
9 INSTITUTIONS OF HIGHER EDUCATION and transferring the results of
10 research and new technologies to potential users;

11 (b) CREATING AND OPERATING A WATER RESEARCH INFORMATION
12 AND EDUCATION CENTER AS A STATEWIDE CLEARINGHOUSE AND ARCHIVE
13 FOR WATER RESOURCES, WATER QUALITY, AND WATER-RELATED POLICY
14 ISSUES, INCLUDING THE TRAINING OF FUTURE GENERATIONS OF WATER
15 SCIENTISTS, MANAGERS, PLANNERS, AND EDUCATORS; AND

16 (c) SERVING COLORADO'S NEEDS FOR SCIENTIFIC RESEARCH AND
17 POLICY ANALYSIS IN AREAS INCLUDING, BUT NOT LIMITED TO, WATER
18 DEVELOPMENT AND STORAGE AND SURFACE WATER AND GROUND WATER
19 HYDROLOGY, WATER RESOURCES MANAGEMENT, WATER QUALITY AND
20 AQUATIC HABITAT MANAGEMENT AND PROTECTION, WATER HISTORY AND
21 PALEOHYDROLOGY, DROUGHT PLANNING AND MITIGATION, AND CLIMATE

1 CHANGE AND ADAPTATION.

2 (2) The institute shall be a unit of the Colorado state university
3 under the supervision and control of the university's administration and
4 the board of governors of the Colorado state university system.

5 (3) The principal administrative officer of the institute shall be a
6 director, who shall be appointed by the president of the Colorado state
7 university with the approval of the board of governors of the Colorado
8 state university system and who shall be under the direct supervision of
9 the president of Colorado state university or a vice-president thereof
10 designated by the president. To meet the purposes of the institute, the
11 director, with the advice of the advisory committee established pursuant
12 to section 23-31-802, shall develop appropriate policies and procedures
13 for identification of priority research problems; for collaborating with
14 BASIN ROUNDTABLES CREATED PURSUANT TO SECTION 37-75-104, C.R.S.,
15 water MANAGERS AND user associations, DROUGHT AND CLIMATE CHANGE
16 PLANNING ORGANIZATIONS, other universities, federal, state, and local
17 government agencies, and the general assembly in the formulation of its
18 research program; for selection of projects to be funded; and for the
19 dissemination of information and transfer of technology ~~which~~ THAT is
20 produced by the research.

21 (4) It is the duty of the institute to:

22 (a) Consult with state and local government agencies, BASIN
23 ROUNDTABLES CREATED PURSUANT TO SECTION 37-75-104, C.R.S., water
24 MANAGERS AND user associations, DROUGHT AND CLIMATE CHANGE
25 PLANNING ORGANIZATIONS, WATER QUALITY PLANNING
26 ORGANIZATIONS, the general assembly, and other potential users of
27 research in identifying and prioritizing ~~water problems for research~~ THE

1 STATE'S WATER SCIENTIFIC AND POLICY-RELATED RESEARCH NEEDS;

2 (b) Negotiate and administer contracts with other universities of

3 the state for the conduct of research projects;

4 (c) Disseminate new information and facilitate transfer and

5 application of new technologies as they are developed;

6 (d) Provide for liaison between Colorado and the federal research

7 funding agencies as an advocate for ~~Colorado~~ COLORADO'S water

8 research needs;

9 (e) Facilitate and stimulate SCIENTIFIC research AND POLICY

10 ANALYSIS that:

11 (I) Deals with policy issues facing the general assembly;

12 (II) Supports state water, PUBLIC HEALTH, AND WATER QUALITY

13 PROTECTION agencies' missions with research on problems encountered

14 and expected, INCLUDING BUT NOT LIMITED TO THE EFFECTS OF CLIMATE

15 CHANGE ON WATER QUALITY, WATER AVAILABILITY, RUN-OFF TIMING,

16 DROUGHT PLANNING, AND FUTURE COMPACT COMPLIANCE;

17 (III) Provides water planning and management organizations with

18 tools to increase efficiency and effectiveness of water planning and

19 management;

20 (IV) ENGAGES AND TRAINS FUTURE GENERATIONS OF THE STATE'S

21 WATER PROFESSIONALS AND EDUCATORS; AND

22 (V) EXAMINES THE INTERCONNECTIONS BETWEEN CLIMATE

23 CHANGE, WATER SUPPLY, AND WATER QUALITY AND PROVIDES THE TOOLS

24 NEEDED BY WATER MANAGERS AND POLICYMAKERS FOR ADAPTING TO

25 GLOBAL CLIMATE CHANGE;

26 (f) ESTABLISH AND MAINTAIN A CLEARINGHOUSE AND ARCHIVE OF

27 WATER RESEARCH, WATER QUALITY, AND CLIMATE PROJECTION DATA.

1 (5) The institute is authorized to employ such professional,
2 clerical, and other personnel needed to carry out the provisions of this
3 part 8.

4 (6) The institute is authorized to expend state funds appropriated
5 by the general assembly for cost-sharing on projects funded with federal
6 or private moneys.

7 (7) STATE FUNDS GRANTED, APPROPRIATED, OR OTHERWISE MADE
8 AVAILABLE FOR WATER RESEARCH CONDUCTED AT THE STATE'S
9 INSTITUTIONS OF HIGHER EDUCATION MAY PASS THROUGH THE FISCAL
10 CONTROL OF THE INSTITUTE. THE INSTITUTE SHALL BE AUTHORIZED AS A
11 CONTRACTING ENTITY WITH STATE AGENCIES THAT SEEK TO UTILIZE
12 COLORADO UNIVERSITIES OR COLLEGES FOR WATER RESEARCH. AS SUCH,
13 THE INSTITUTE SHALL HAVE THE POWER TO ACCEPT GRANTS, DONATIONS,
14 APPROPRIATIONS, AND OTHER FUNDING FROM ANY ENTITY. THE INSTITUTE
15 MAY PROVIDE OVERSIGHT FOR SUCH FUNDING BY ENSURING RESEARCH
16 PROJECTS COMMENCE AND ARE COMPLETED WITHIN THE SCOPE OF
17 AGREEMENTS, INVOICES, CONTRACTS, PURCHASE ORDERS,
18 INTERGOVERNMENTAL AGREEMENTS, OR OTHER FISCAL DEVICES USED TO
19 FUND RESEARCH. THE INSTITUTE IS AUTHORIZED TO ASSESS A FEE TO
20 IMPLEMENT ITS ADMINISTRATIVE AUTHORITY. SUCH FEE MAY NOT EXCEED
21 TWENTY PERCENT OF THE TOTAL COST OF THE PROJECT BEING
22 ADMINISTERED BY THE INSTITUTE. THE ADVISORY COMMITTEE CREATED
23 IN SECTION 23-31-802 SHALL ANNUALLY REVIEW AND ESTABLISH THE
24 ADMINISTRATION FEE.

25 **SECTION 2.** 23-31-802, Colorado Revised Statutes, is amended
26 to read:

27 **23-31-802. Advisory committee on water research policy.**

1 (1) There is hereby created the advisory committee on water research
2 policy, ~~that~~ WHICH shall consist of at least ~~ten~~ ELEVEN members. EIGHT
3 OF THE MEMBERS SHALL BE appointed by the director of the institute.
4 THE REMAINING MEMBERS SHALL BE THE EXECUTIVE DIRECTOR OF THE
5 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE EXECUTIVE
6 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AND THE
7 COMMISSIONER OF AGRICULTURE, OR THEIR DESIGNEES.

8 (2) APPOINTED members of the advisory committee shall serve
9 terms of four years. Members shall serve without compensation and are
10 not entitled to reimbursement of expenses incurred in the performance of
11 their duties.

12 (3) The advisory committee shall recommend policy guidelines for
13 implementing the functions of the institute, SHALL CONFER WITH STATE
14 GOVERNMENTAL AND NONGOVERNMENTAL AGENCIES TO SET COLORADO'S
15 WATER RESEARCH PRIORITIES, and shall evaluate the programs of the
16 institute. The advisory committee shall also advise and counsel the
17 director of the institute and shall make recommendations to assist the
18 director in carrying out the purposes of this part 8.

19 **SECTION 3.** 23-31-803, Colorado Revised Statutes, is amended
20 to read:

21 **23-31-803. Water research fund.** (1) There is hereby
22 established in the state treasury the water research fund, referred to in this
23 part 8 as the "fund". The fund shall consist of FEES RECEIVED BY THE
24 INSTITUTE PURSUANT TO SECTION 23-31-801 (7) AND gifts, grants, and
25 donations accepted by the institute. The moneys in the fund are hereby
26 continuously appropriated to the institute, and the institute may expend
27 moneys from the fund for any purpose consistent with this article. Any

1 interest derived from the deposit and investment of moneys in the fund
2 shall be credited to the fund. At the end of any fiscal year, all
3 unexpended and unencumbered moneys in the fund shall remain therein
4 and shall not be credited or transferred to the general fund or any other
5 fund.

6 (2) ~~It is the intent of the general assembly that no general fund~~
7 ~~dollars be appropriated for the water resources research institute.~~

8 **SECTION 4. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.