

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 06-0855.01 Thomas Morris

SENATE BILL 06-179

SENATE SPONSORSHIP

Isgar,

HOUSE SPONSORSHIP

Penry,

Senate Committees

Agriculture, Natural Resources & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING ADDITIONAL FINANCIAL SUPPORT FOR WATER PROJECTS.

Bill Summary

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

Creates the water supply reserve account ("account") in the severance tax trust fund ("fund"). Transfers the unencumbered and unexpended balance of the operational account of the fund at the end of each fiscal year into the account. Continuously appropriates the moneys in the account to the Colorado water conservation board for water activities approved by a basin roundtable, including:

Competitive grants for environmental compliance and feasibility studies;

Technical assistance regarding permitting, feasibility

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.

studies, and environmental compliance;
Studies or analyses of structural and nonstructural water
projects or activities; and
Structural and nonstructural water projects or activities.

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

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

4 **39-29-109. Severance tax trust fund - created - administration**

5 **- use of moneys - repeal.** (1) (a) There is hereby created in the office of

6 the state treasurer the severance tax trust fund. The fund is to be

7 perpetual and held in trust as a replacement for depleted natural resources

8 and for the development and conservation of the state's water resources

9 pursuant to sections 37-60-106 (1) (j) and (1) (l), 37-60-119, and

10 37-60-122, C.R.S., and for the use in funding programs that promote and

11 encourage sound natural resource planning, management, and

12 development related to minerals, energy, geology, and water. State

13 severance tax receipts shall be credited to the severance tax trust fund as

14 provided in section 39-29-108. All income derived from the deposit and

15 investment of the moneys in the severance tax trust fund shall be credited

16 to the severance tax trust fund. At the end of any fiscal year, all

17 unexpended and unencumbered moneys in the fund shall remain therein

18 and shall not be credited or transferred to the general fund or any other

19 fund. All moneys in the fund shall be subject to appropriation by the

20 general assembly for the following purposes:

21 (III) THE WATER SUPPLY RESERVE ACCOUNT. SUBJECT TO THE

22 MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO

23 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF

1 THIS SUBSECTION (1), AT THE END OF EACH FISCAL YEAR, THE STATE
2 TREASURER SHALL TRANSFER THE UNENCUMBERED AND UNEXPENDED
3 BALANCE OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST
4 FUND TO THE WATER SUPPLY RESERVE ACCOUNT, ALSO REFERRED TO IN
5 THIS SUBPARAGRAPH (III) AS THE "ACCOUNT". THE MONEYS IN THE
6 ACCOUNT ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE COLORADO
7 WATER CONSERVATION BOARD FOR PURPOSES AUTHORIZED BY THIS
8 SUBPARAGRAPH (III). ALL INTEREST DERIVED FROM THE INVESTMENT OF
9 MONEYS IN THE ACCOUNT SHALL BE CREDITED TO THE ACCOUNT. ANY
10 BALANCE REMAINING IN THE ACCOUNT AT THE END OF ANY FISCAL YEAR
11 SHALL REMAIN IN THE ACCOUNT. THE BOARD SHALL ALLOCATE MONEYS
12 FROM THE ACCOUNT ONLY FOR WATER ACTIVITIES APPROVED BY A
13 ROUNDTABLE PURSUANT TO ARTICLE 75 OF TITLE 37, C.R.S., INCLUDING
14 BUT EXPRESSLY NOT LIMITED TO:

15 (A) COMPETITIVE GRANTS FOR ENVIRONMENTAL COMPLIANCE AND
16 FEASIBILITY STUDIES;

17 (B) TECHNICAL ASSISTANCE REGARDING PERMITTING, FEASIBILITY
18 STUDIES, AND ENVIRONMENTAL COMPLIANCE;

19 (C) STUDIES OR ANALYSES OF STRUCTURAL AND NONSTRUCTURAL
20 WATER PROJECTS OR ACTIVITIES; AND

21 (D) STRUCTURAL AND NONSTRUCTURAL WATER PROJECTS OR
22 ACTIVITIES.

23 **SECTION 2. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.