

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0924.01 Jennifer Berman x3286

SENATE BILL 14-179

SENATE SPONSORSHIP

Nicholson and Renfroe, Lambert

HOUSE SPONSORSHIP

Foote and Sonnenberg, DelGrosso, Humphrey, Singer, Young

Senate Committees

Local Government
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A FLOOD DEBRIS CLEANUP GRANT**
102 **ACCOUNT TO FACILITATE WATERSHED CLEANUP EFFORTS IN**
103 **AREAS AFFECTED BY THE SEPTEMBER 2013 FLOOD, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

In response to the September 2013 flood, the bill creates a flood debris cleanup grant account in the flood and drought response fund for

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.

SENATE
Amended 2nd Reading
April 14, 2014

the purpose of allowing the Colorado water conservation board to make grants to help pay the costs of watershed cleanup in areas affected by the flood. The bill makes a statutory appropriation of \$5,000,000 to the board for implementation of the grant program. The appropriation and the special account are both subject to automatic repeal on July 1, 2015.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 37-60-123.2
3 as follows:

4 **37-60-123.2. Flood and drought response fund - stream**
5 **restoration grant account - created - repeal.** (1) There is hereby
6 created in the state treasury the flood and drought response fund, referred
7 to in this section as the "response fund". The state treasurer is hereby
8 authorized and directed to transfer three hundred thousand dollars from
9 the Colorado water conservation board construction fund to the response
10 fund. The board is authorized to provide funding for flood and drought
11 preparedness and for response and recovery activities following flood or
12 drought events and disasters. The moneys in the response fund are hereby
13 continuously appropriated to the board for flood and drought response
14 purposes, including the immediate availability of funds for aerial
15 photography of flooded areas, flood and drought documentation and
16 identification of specific hazards, evaluations and revisions of floodplain
17 designations and drought-prone areas, flood and drought forecasting and
18 preparation, and development of disaster and recovery mitigation plans.
19 The state treasurer shall credit all interest derived from the investment of
20 moneys in the response fund to the Colorado water conservation board
21 construction fund. Any balance remaining in the response fund at the end
22 of any fiscal year remains in the fund.

23 (2) (a) FOR THE PURPOSE OF MAKING GRANTS TO HELP PAY THE

1 COSTS OF WATERSHED CLEANUP AND STREAM RESTORATION IN AREAS
2 AFFECTED BY THE SEPTEMBER 2013 FLOOD, THERE IS HEREBY CREATED IN
3 THE RESPONSE FUND THE STREAM RESTORATION GRANT ACCOUNT,
4 REFERRED TO IN THIS SUBSECTION (2) AS THE "STREAM RESTORATION
5 ACCOUNT". THE COLORADO WATER CONSERVATION BOARD SHALL
6 APPROVE GRANTS BASED SOLELY ON CRITERIA AND PROCEDURES ADOPTED
7 BY THE BOARD. AS PART OF THE CRITERIA AND PROCEDURES THAT THE
8 BOARD ADOPT UNDER THIS SUBSECTION (2), THE BOARD SHALL PERMIT
9 PRIVATE ENTITIES AND INDIVIDUALS TO APPLY FOR GRANTS.

10 (b) THE MONEYS IN THE STREAM RESTORATION ACCOUNT ARE
11 CONTINUOUSLY APPROPRIATED TO THE COLORADO WATER CONSERVATION
12 BOARD FOR GRANT-MAKING PURPOSES IN ACCORDANCE WITH PARAGRAPH
13 (a) OF THIS SUBSECTION (2). ALL INTEREST EARNED FROM THE
14 INVESTMENT OF MONEYS IN THE STREAM RESTORATION ACCOUNT IS
15 CREDITED TO THE STREAM RESTORATION ACCOUNT. ANY MONEYS NOT
16 EXPENDED AT THE END OF THE FISCAL YEAR REVERT TO THE RESPONSE
17 FUND AND DO NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

18 (c) ON THE EFFECTIVE DATE OF THIS SUBSECTION (2), THE STATE
19 TREASURER SHALL TRANSFER FROM THE DISASTER EMERGENCY FUND
20 CREATED IN SECTION 24-33.5-706 (2) (a), C.R.S., TO THE STREAM
21 RESTORATION ACCOUNT THE SUM OF TWO MILLION FIVE HUNDRED
22 THOUSAND DOLLARS.

23 (d) THE COLORADO WATER CONSERVATION BOARD IS AUTHORIZED
24 TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR
25 PUBLIC SOURCES FOR THE PURPOSES OF THIS SUBSECTION (2); EXCEPT
26 THAT THE COLORADO WATER CONSERVATION BOARD MAY NOT ACCEPT A
27 GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE

1 INCONSISTENT WITH THIS SUBSECTION (2) OR ANY OTHER LAW OF THE
2 STATE. THE COLORADO WATER CONSERVATION BOARD SHALL TRANSMIT
3 ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR
4 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE
5 STREAM RESTORATION ACCOUNT.

6 (e) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2015.

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