

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Senator Sonnenberg  
Representative Vigil

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Date Prepared: April 20, 2015

**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/15/15.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
None.	

**Current Appropriations Clause in Bill**

The bill includes appropriations clauses that provide a total of \$5,580,000 cash funds from the Colorado Water Conservation Board (CWCB) Construction Fund to the Department of Natural Resources for specific water-related projects in FY 2015-16. The bill also authorizes \$3,400,000 in transfers as follows:

- \$2,200,000 from the Severance Tax Operational Fund to the CWCB Construction Fund;
- \$500,000 from Severance Tax Perpetual Base Fund to the CWCB Construction Fund;
- \$500,000 from the CWCB Construction Fund to the Flood and Drought Response Fund; and
- \$200,000 from the CWCB Construction Fund to the Litigation Fund.

**Points to Consider**

*Technical Issue*

During the 2014 session, legislators raised concerns regarding the absence of end dates for appropriations made in the 2014 CWCB Projects Bill (H.B. 14-1333). Similarly, the appropriations clauses in the current bill do not include a specific end date, but allow agencies in the Department

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of Natural Resources access to appropriated cash funds for the designated purpose until those funds are fully expended. Pursuant to Section 37-60-121, C.R.S., the CWCB has the authority, but not an obligation, to deauthorize any remaining funds upon completion of a project or when a project is no longer feasible. The Department has indicated that the CWCB's internal financial policy is to revisit grants and loans every three years to evaluate whether they should continue at the same level or be deauthorized, either in full or in part, and reverted to the appropriation or the CWCB Construction Fund.