

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

2001



HOUSE BILL 01-1246

BY REPRESENTATIVE(S) Hoppe, Boyd, Coleman, Hodge, Mace, Plant, Rippey, Romanoff, Snook, Tochtrop, and Young;  
also SENATOR(S) Dennis, Chlouber, Dyer (Durango), Epps, Evans, Hillman, Matsunaka, Musgrave, Owen, Perlmutter, Taylor, and Teck.

CONCERNING AN AUTHORIZATION FOR COUNTIES TO RECEIVE WASTEWATER CONSTRUCTION GRANTS ON BEHALF OF SMALL COMMUNITIES IN UNINCORPORATED AREAS.

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

**SECTION 1.** 25-8-703 (1), (3), (4), and (6), Colorado Revised Statutes, are amended to read:

**25-8-703. State contracts for construction of domestic wastewater treatment works - repeal.** (1) (a) To meet the responsibility of the state with respect to the protection of public health and to assist municipalities AND COUNTIES, the division, in the name of the state and to the extent of state funds appropriated therefor, may enter into contracts with municipalities with populations of not more than five thousand persons concerning the planning, design, or construction of domestic wastewater treatment works.

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

(b) (I) TO MEET THE RESPONSIBILITY OF THE STATE WITH RESPECT TO THE PROTECTION OF PUBLIC HEALTH AND TO ASSIST UNINCORPORATED AREAS IN COUNTIES, THE DIVISION, IN THE NAME OF THE STATE AND TO THE EXTENT OF STATE FUNDS APPROPRIATED THEREFOR, MAY ENTER INTO CONTRACTS WITH COUNTIES ON BEHALF OF UNINCORPORATED AREAS EXISTING ON JANUARY 1, 2001, WITH HIGH-PRIORITY WASTEWATER TREATMENT NEEDS AND THAT SERVE POPULATIONS OF NOT MORE THAN FIVE THOUSAND PERSONS CONCERNING THE PLANNING, DESIGN, OR CONSTRUCTION OF DOMESTIC WASTEWATER TREATMENT WORKS.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2006.

(3) Domestic wastewater treatment grants ~~for municipalities with populations of not more than five thousand persons~~ shall be authorized based upon water quality needs and public health related problems. The commission shall promulgate a project categorization system for use in determining the relative priority of proposed domestic wastewater projects. The division shall review applications for state funds and may approve only those applications ~~which~~ THAT are consistent with the project categorization system.

(4) During the review process the division shall seek from the division of local government in the department of local affairs a fiscal analysis of the ~~applying municipality~~ APPLICANT to determine financial need. Based upon its fiscal analysis, the division of local government shall issue or deny a certificate of financial need. If a certificate of financial need is issued, the division may authorize a state grant percentage contribution to the project in accordance with the recommendation of the division of local government and with the project categorization adopted by the commission.

(6) In connection with each contract concerning an eligible project, the division shall keep accurate records on the project, including, but not limited to, records of the amount of payment by the state and the amount of federal assistance received by the ~~municipality~~ APPLICANT. Such records may establish the basis for application for federal reimbursement of such payments made by the state, and the division is authorized to make such application in appropriate cases.

**SECTION 2. 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.

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Doug Dean  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Stan Matsunaka  
PRESIDENT OF  
THE SENATE

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Judith Rodrigue  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Owens  
GOVERNOR OF THE STATE OF COLORADO