

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 16-1264.01 Thomas Morris x4218

SENATE BILL 16-200

SENATE SPONSORSHIP

Sonnenberg,

HOUSE SPONSORSHIP

Vigil, Coram

Senate Committees

Agriculture, Natural Resources, & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A POSITION IN THE OFFICE OF THE**
102 **GOVERNOR THAT COORDINATES THE PERMITTING OF WATER**
103 **PROJECTS.**

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/bills summaries>.)

Section 1 of the bill creates a position in the office of the governor, designated as the director of water project permitting, to coordinate the permitting of:

- ! Raw water diversion, storage, or delivery projects, including associated hydroelectric facilities and both

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.*

consumptive and nonconsumptive uses of water; and
! Water projects that are either assessed a water quality certification fee or are eligible for financing from the Colorado water conservation board construction fund.

Sections 2 and 3 direct the annual transfer of \$__ each from the water quality certification sector fund and the Colorado water conservation board construction fund to the newly created water permitting coordination fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-20-114 as
3 follows:

4 **24-20-114. Director of water project permitting - water**
5 **permitting coordination fund - repeal.** (1) (a) THERE IS HEREBY
6 CREATED IN THE OFFICE OF THE GOVERNOR THE POSITION OF DIRECTOR OF
7 WATER PROJECT PERMITTING.

8 (b) THE ORGANIZATIONAL LOCATION OF THE DIRECTOR IS AT THE
9 DISCRETION OF THE GOVERNOR. IN ORDER TO REDUCE THE COSTS
10 ASSOCIATED WITH CREATING THE WATER PROJECT PERMITTING POSITION,
11 NOTHING IN THIS SECTION PRECLUDES THE PERSON NAMED TO THE
12 POSITION ESTABLISHED UNDER PARAGRAPH (a) OF THIS SUBSECTION (1)
13 FROM HOLDING OTHER TITLES OR PERFORMING OTHER FUNCTIONS WITHIN
14 THE GOVERNOR'S OFFICE. THE DIRECTOR SHALL IMPLEMENT THE DUTIES
15 AND POWERS CONFERRED BY THIS SECTION WITHIN EXISTING RESOURCES.

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17 (2) THE DIRECTOR SHALL ANNUALLY PROVIDE AN UPDATE
18 REGARDING THE DIRECTOR'S ACTIVITIES TO A JOINT HEARING OF THE
19 GENERAL ASSEMBLY'S COMMITTEES WITH JURISDICTION OVER NATURAL
20 RESOURCES.

21 (3) THE DIRECTOR SHALL ASSIST IN THE COORDINATION OF

1 PERMITTING BY FEDERAL, STATE, AND LOCAL GOVERNMENTS OF:

2 (a) RAW WATER DIVERSION, STORAGE, OR DELIVERY PROJECTS,
3 INCLUDING ASSOCIATED HYDROELECTRIC FACILITIES AND BOTH
4 CONSUMPTIVE AND NONCONSUMPTIVE USES OF WATER; AND

5 (b) WATER PROJECTS THAT ARE EITHER:

6 (I) ASSESSED A WATER QUALITY CERTIFICATION FEE PURSUANT TO
7 SECTION 25-8-502 (1.2), C.R.S.; OR

8 (II) ELIGIBLE FOR FINANCING FROM THE COLORADO WATER
9 CONSERVATION BOARD CONSTRUCTION FUND CREATED IN SECTION
10 37-60-121 (1) (a), C.R.S.

11 (4) NOTHING IN THIS SECTION EITHER GRANTS ANY JURISDICTION
12 TO THE DIRECTOR OVER ANY FEDERAL, STATE, OR LOCAL GOVERNMENT,
13 OR CURTAILS THE JURISDICTION OF ANY FEDERAL, STATE, OR LOCAL
14 GOVERNMENT TO FULFILL ITS STATUTORY RESPONSIBILITIES.

15 (4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019.

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17 **SECTION 2.** **Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2016 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.