

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0878.01 Megan Waples x4348

SENATE BILL 18-176

SENATE SPONSORSHIP

Coram,

HOUSE SPONSORSHIP

McLachlan and Catlin,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING CHANGES TO THE REQUIREMENTS FOR MEETING DATES
102 FOR THE BOARD OF THE SOUTHWESTERN WATER CONSERVATION
103 DISTRICT.

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://leg.colorado.gov>.)

The board of the southwestern water conservation district (board) is currently required to meet on the fourth Tuesday of January, April, July, and October. **Section 1** of the bill requires the board to meet once every 3 months and eliminates the specific date requirement. **Section 2** makes conforming amendments to the provisions governing the terms of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

board members and of the board president.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 37-47-108 as
3 follows:

4 **37-47-108. Principal office - meetings.** The board of directors of
5 the district shall designate a place within the district where the principal
6 office is to be maintained and may change such place from time to time.
7 Regular ~~quarterly~~ meetings of said board shall be held at said office ~~on~~
8 ~~the fourth Tuesday in the months of January, April, July, and October~~ AT
9 LEAST ONCE EVERY THREE MONTHS. The board is also empowered to hold
10 such special meetings as may be required for the proper transaction of
11 business. All special meetings of the board shall be held at locations
12 which are within the boundaries of the district or which are within the
13 boundaries of any county in which the district is located, in whole or in
14 part, or in any county so long as the meeting location does not exceed
15 twenty miles from the district boundaries. The provisions of this section
16 governing the location of meetings may be waived only if the proposed
17 change of location of a meeting of the board appears on the agenda of a
18 regular or special meeting of the board and if a resolution is adopted by
19 the board stating the reason for which a meeting of the board is to be held
20 in a location other than under the provisions of this section and further
21 stating the date, time, and place of such meeting. Special meetings may
22 be called by the president of the board or by any three directors. Meetings
23 of the board shall be public, and proper minutes of the proceedings of
24 said board shall be preserved and shall be open to the inspection of any
25 elector of the district during business hours.

1 **SECTION 2.** In Colorado Revised Statutes, 37-47-104, **amend**
2 (1) and (2) as follows:

3 **37-47-104. Board of directors.** (1) The southwestern water
4 conservation district shall be managed and controlled by a board of nine
5 directors. The members of said board shall hold their office for staggered
6 terms of three years, with three members appointed each year, and until
7 their successors are appointed and qualified. One member of said board
8 shall be selected from each of the respective counties in said water
9 conservation district and, at the time of his OR HER appointment, shall
10 have been a resident of said county or, if only a part of a county is
11 included within the boundaries of said district, a resident of such included
12 part for at least two years prior to the date of his OR HER appointment and
13 shall be a freeholder who has paid taxes upon real estate in the county of
14 his OR HER residence during the calendar year next preceding his OR HER
15 appointment. ~~He~~ THE MEMBER shall be appointed by the board of county
16 commissioners of the county in which ~~he~~ THE MEMBER resides. ~~He~~ THE
17 MEMBER may be a member of the board of county commissioners of such
18 county. The members of said board shall annually select one of their
19 number to act as president and presiding officer until the ~~fourth Tuesday~~
20 ~~in January following his appointment~~ FIRST REGULAR BOARD MEETING OF
21 THE NEXT CALENDAR YEAR.

22 (2) (a) Immediately upon organization the members of said board
23 shall be divided by lot or chance into three classes. The term of office of
24 the members of the first class shall expire on the third Tuesday in January,
25 1942; the term of office of the members of the second class shall expire
26 on the third Tuesday in January, 1943; and the term of office of the
27 members of the third class shall expire on the third Tuesday in January,

1 1944; except that, on and after March 11, 1943, terms of office shall
2 expire on the fourth Tuesday in January, instead of the third Tuesday in
3 January, as provided in this subsection (2).

4 (b) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, ON
5 AND AFTER SEPTEMBER 1, 2018, TERMS OF OFFICE EXPIRE ON THE DAY OF
6 THE FIRST REGULAR BOARD MEETING HELD IN THE FOURTH CALENDAR
7 YEAR FOLLOWING THE MEMBER'S APPOINTMENT. At the first meeting of the
8 board of county commissioners held ~~after the second Tuesday~~ in January,
9 and every three years thereafter, the boards of county commissioners of
10 the counties of residence of the members whose terms expire shall
11 appoint successors to take office on the ~~fourth Tuesday in January~~
12 ~~following~~ DATE OF THE FIRST REGULAR MEETING OF THE BOARD OF THE
13 SOUTHWESTERN WATER CONSERVATION DISTRICT FOLLOWING SUCH
14 APPOINTMENTS.

15 **SECTION 3. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2018 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.