

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 13-0615.02 Thomas Morris x4218

HOUSE BILL 13-1191

HOUSE SPONSORSHIP

Fischer, Vigil

SENATE SPONSORSHIP

Schwartz, Giron

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING GRANTS FOR DOMESTIC WASTEWATER TREATMENT**
102 **PLANTS TO COMPLY WITH THE WATER QUALITY CONTROL**
103 **COMMISSION'S NUTRIENTS MANAGEMENT CONTROL**
104 **REGULATION, AND, IN CONNECTION THEREWITH, MAKING AN**
105 **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>.)

Capital Development Committee. The bill creates a nutrients

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.

grant fund and directs the division of administration in the department of public health and environment to award grants from the fund to local governments pursuant to rules promulgated by the water quality control commission for the planning, design, construction, or improvement of domestic wastewater treatment works owned or operated by a local government that are needed to comply with the commission's nutrients management control regulation. The fund is repealed on September 1, 2016.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-8-608.5 as
3 follows:

4 **25-8-608.5. Nutrients grant fund - rules - repeal.** (1) THE
5 NUTRIENTS GRANT FUND IS HEREBY CREATED IN THE STATE TREASURY.
6 MONEYS IN THE FUND, INCLUDING INTEREST EARNED ON THE INVESTMENT
7 OF MONEYS IN THE FUND, ARE SUBJECT TO APPROPRIATION FOR THE
8 PURPOSE SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

9 (2) (a) THE DIVISION SHALL EXPEND MONEYS IN THE FUND TO
10 AWARD GRANTS TO LOCAL GOVERNMENTS FOR THE PLANNING, DESIGN,
11 CONSTRUCTION, OR IMPROVEMENT OF DOMESTIC WASTEWATER
12 TREATMENT WORKS OWNED OR OPERATED BY A LOCAL GOVERNMENT
13 THAT ARE NEEDED TO COMPLY WITH THE COMMISSION'S NUTRIENTS
14 MANAGEMENT CONTROL REGULATION.

15 (b) THE DIVISION MAY RETAIN UP TO FIVE PERCENT OF THE
16 MONEYS IN THE FUND TO COVER THE COST OF ADMINISTERING THE
17 PROJECTS OR GRANTS UNDER THIS SECTION.

18 (3) THE COMMISSION SHALL PROMULGATE RULES IN ACCORDANCE
19 WITH ARTICLE 4 OF TITLE 24, C.R.S., AS NECESSARY TO ADMINISTER THIS
20 SECTION, INCLUDING RULES DEFINING WHO IS ELIGIBLE FOR GRANTS AND
21 THE CRITERIA TO BE USED IN AWARDING GRANTS. THE CRITERIA MUST

1 GIVE PRIORITY TO APPLICANTS THAT HAVE THE LOWEST FINANCIAL
2 ABILITY TO PAY FOR THE NECESSARY CONSTRUCTION OR IMPROVEMENTS.
3 THE RULES MAY BE INCORPORATED INTO AND PROMULGATED AS AN
4 AMENDMENT TO THE RULES PROMULGATED UNDER SECTION 25-8-608
5 (1.7).

6 (4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2016.

7 **SECTION 2. Appropriation.** In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 nutrients grant fund created in section 25-8-608.5 (1), Colorado Revised
10 Statutes, not otherwise appropriated, to the department of public health
11 and environment, for the fiscal year beginning July 1, 2013, the sum of
12 \$79,828 and 1.0 FTE, or so much thereof as may be necessary, for
13 allocation to the clean water program for administrative activities related
14 to the implementation of this act.

15 **SECTION 3. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.