

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

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1.28.13

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LLS NO. 13-0615.02 Thomas Morris x4218

COMMITTEE BILL

Capital Development Committee

SHORT TITLE: "Nutrient Grant Domestic Wastewater Treatment Plant"

DEADLINES: Finalize by: 28 JAN 2013 File by: 30 JAN 2013

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.

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>.)

The bill creates a nutrients 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 The fund is repealed on September 1, 2016.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
22 GIVE PRIORITY TO APPLICANTS THAT HAVE THE LOWEST FINANCIAL

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

5 (4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2016.

6 **SECTION 2. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.