

37-60-119. Construction of water and power facilities - contracts with and charges against users.

(1) (a) In order to promote the general welfare and safety of the citizens of this state and to protect the allocation of interstate waters to the state, the board may, subject to the provisions in section 37-60-122, construct, rehabilitate, enlarge, or improve, or loan moneys to enable the construction, rehabilitation, enlargement, or improvement of, such flood control, water supply, and hydroelectric energy facilities, excluding domestic water treatment and distribution systems, together with related recreational facilities, in whole or in part, as will, in the opinion of the board, abate floods or conserve, effect more efficient use of, develop, or protect the water and hydroelectric energy resources and supplies of the state of Colorado.

(b) In carrying out this subsection (1), the board shall place special emphasis upon the adoption and incorporation of measures that will encourage the conservation and more efficient use of water, including the installation of water meters or such other measuring and control devices as the board deems appropriate in each particular case.

(2) The board may, subject to the provisions in section 37-60-122, enter into contracts for the use of, or to loan moneys to enable the construction, rehabilitation, enlargement, or improvement of, said flood control, water, power, and any related recreational facilities, excluding domestic water treatment and distribution systems, with any agency or political subdivision of this state or the federal government, individuals, corporations, or organizations composed of citizens of this state. Any such contracts may provide for such charges to the using entity as, in the opinion of the board, are necessary and reasonable to recover the board's capital investment, together with operational, maintenance, and interest charges over the term of years agreed upon by contract. Interest charges shall be recommended by the board at between zero and seven percent on the basis of the project sponsor's ability to pay and the significance of the project to the development and protection of the water supplies of the state. Interest charges shall be credited to and made a part of the Colorado water conservation board construction fund. Any other charges, as determined appropriate by the board, shall be continuously appropriated to the Colorado water conservation board for supplemental operational expenditures.

(3) (Deleted by amendment, L. 2002, p. 456, § 29, effective May 23, 2002.)

Source: L. 71: p. 1343, § 2. C.R.S. 1963: § 149-1-19. L. 78: Entire section R&RE, p. 465, § 1, effective May 4. L. 79: Entire section amended, p. 1361, § 1, effective July 1. L. 81: (2) amended, p. 1768, § 2, effective June 16. L. 84: Entire section amended, p. 958, § 9, effective May 21. L. 86: Entire section amended, p. 1085, § 6, effective April 24. L. 92: Entire section amended, p. 2283, § 3, effective May 27. L. 96: (3) amended, p. 1223, § 25, effective August 7. L. 2002: (2) and (3) amended, p. 456, § 29, effective May 23. L. 2004: (1)(b) and (2) amended, p. 888, § 21, effective May 21.

Editor's note: Section 21 of House Bill 04-1221 (chapter 253) amended subsection (1), resulting in paragraph designations being added to the subsection; however, during the legislative process, paragraph (a) of the subsection was removed from the bill by a house second reading floor amendment. For clarity of the legislative intent the entire subsection is set out with the amendments made in said bill.

Cross references: For the legislative declaration contained in the 1996 act amending subsection (3), see section 1 of chapter 237, Session Laws of Colorado 1996.