

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

PREAMENDED

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

LLS NO. 11-0114.01 Kate Meyer

SENATE BILL 11-090

SENATE SPONSORSHIP

Schwartz, Giron, Guzman

HOUSE SPONSORSHIP

Baumgardner,

Senate Committees

Agriculture and Natural Resources
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE ISSUANCE OF PERMITS FOR**
102 **WEATHER MODIFICATION OPERATIONS, AND, IN CONNECTION**
103 **THEREWITH, IMPLEMENTING A SUNSET REVIEW**
104 **RECOMMENDATION OF THE DEPARTMENT OF REGULATORY**
105 **AGENCIES AND CONTINUING INDEFINITELY THE "WEATHER**
106 **MODIFICATION ACT OF 1972".**

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>.)

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.

Sunset Process - Senate Agriculture and Natural Resources Committee. The bill implements the recommendations made by the department of regulatory agencies (DORA) in DORA's 2010 sunset review of the "Weather Modification Act of 1972". **Sections 1, 2, and 3** of the bill extend weather modification permitting by the executive director of the department of natural resources (executive director) until September 1, 2020. **Section 4** requires the executive director to adopt rules by June 30, 2012.

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

2 **SECTION 1. Repeal.** 24-34-104 (42) (a), Colorado Revised
3 Statutes, is repealed as follows:

4 **24-34-104. General assembly review of regulatory agencies
5 and functions for termination, continuation, or reestablishment.**

6 (42) The following agencies, functions, or both, shall terminate on July
7 1, 2011:

8 (a) ~~The issuance of permits for specific weather modification
9 operations through the executive director of the department of natural
10 resources in accordance with article 20 of title 36, C.R.S.;~~

11 ==

12 **SECTION 2. Repeal.** 36-20-127, Colorado Revised Statutes, is
13 repealed as follows:

14 **36-20-127. Repeal of article.** This article is repealed, effective
15 July 1, 2011. Prior to such repeal, the function of the issuance of permits
16 for specific weather modifications operations through the director shall
17 be reviewed as provided for in section 24-34-104, C.R.S.

18 ==

19 **SECTION 3.** 36-20-107 (1), Colorado Revised Statutes, is
20 amended, and the said 36-20-107 is further amended BY THE
21 ADDITION OF A NEW SUBSECTION, to read:

1 **36-20-107. Duties of the director - rules - repeal.** (1) The
2 director shall ~~establish~~ PROMULGATE rules, ~~and regulations~~, in accordance
3 with article 4 of title 24, C.R.S., necessary to effectuate the purposes of
4 this article.

5 (3) (a) NO LATER THAN JUNE 30, 2012, THE DIRECTOR, ACTING BY
6 RULE, SHALL ENSURE THAT ALL RULES ESTABLISHED PURSUANT TO THIS
7 ARTICLE ARE UP TO DATE AND CONSISTENT WITH THIS ARTICLE.

8 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1,
9 2013.

10 **SECTION 4. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.