

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

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

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 THE SUNSET REVIEW
104 RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY
105 AGENCIES.

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>.)

Sunset Process - Senate Agriculture and Natural Resources

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.

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3 Statutes, is repealed as follows: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 **SECTION 2.** 24-34-104 (51.5), Colorado Revised Statutes, is
12 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

13 **24-34-104. General assembly review of regulatory agencies**
14 **and functions for termination, continuation, or reestablishment.**

15 (51.5) The following agencies, functions, or both, shall terminate on
16 September 1, 2020:

17 (c) THE ISSUANCE OF PERMITS FOR SPECIFIC WEATHER
18 MODIFICATION OPERATIONS THROUGH THE EXECUTIVE DIRECTOR OF THE
19 DEPARTMENT OF NATURAL RESOURCES IN ACCORDANCE WITH ARTICLE 20
20 OF TITLE 36, C.R.S.

21 **SECTION 3.** 36-20-127, Colorado Revised Statutes, is amended
22 to read:

1 **36-20-127. Repeal of article.** This article is repealed, effective
2 ~~July 1, 2011~~ SEPTEMBER 1, 2020. Prior to such repeal, the function of the
3 issuance of permits for specific weather modifications operations through
4 the director shall be reviewed as provided for in section 24-34-104,
5 C.R.S.

6 **SECTION 4.** 36-20-107 (1), Colorado Revised Statutes, is
7 amended, and the said 36-20-107 is further amended BY THE
8 ADDITION OF A NEW SUBSECTION, to read:

9 **36-20-107. Duties of the director - rules - repeal.** (1) The
10 director shall ~~establish~~ PROMULGATE rules, ~~and regulations~~, in accordance
11 with article 4 of title 24, C.R.S., necessary to effectuate the purposes of
12 this article.

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

16 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1,
17 2013.

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.