



Town of Castle Rock

Agenda Memorandum

Agenda Date: 2/20/2018

Item #: 6. **File #:** ID 2018-015

To: Honorable Mayor and Members of Town Council

From: Kristin Zagurski, Assistant to the Town Manager

Update: Legislative Update

Executive Summary

The 2018 regular session of the Colorado General Assembly is more than one-quarter over, and more than 400 bills have been introduced to date. With assistance from the Colorado Municipal League (CML) and other sources, staff is monitoring - and providing Council with regular updates on - legislative activity that is of municipal interest.

Staff does not take a position on any legislation unless so directed by Council. Staff presents summaries of potential bills of interest below for Council information. Additionally, attached are lists of all of the legislation CML is following thus far this legislative session. If Council is interested in additional information on any of these - or any other - bills, staff will provide such information in a future update.

Transportation Bills

As reported in the February 6 update, transportation funding bills have been introduced in both the House (HB 1119) and Senate (SB 001). Both bills call for November 2018 ballot questions that would provide for additional transportation funding within the State without raising taxes. CML has maintained a neutral position on both bills, which remain in committees in their respective chambers. (The House bill has a scheduled hearing before the Transportation & Energy Committee on February 21.)

Council on February 6 expressed interest in taking a support position on SB 001. The draft letter to the Douglas County legislative delegation that is attached to this memo provides the opportunity for Council to take that action. To provide a bit more detail about SB 001, following is CML's summary of that bill:

“Senate Bill 1 repeals the provisions required by SB-267 that provide revenue generated through lease purchase agreements to be used for transportation projects. In its place, it offers a 20-year bonding proposal, subject to voter approval in 2018, similar to the Trans Bonds issued in 1999 that funded the TRex project in South Denver. The bond would be paid for by allocating 10 percent of existing sales tax revenue. The bill still maintains many of the general requirements outlined in SB-

267 including requiring 25 percent of the money (to) go to state highway projects in rural areas and 10 percent of the money (to go) to transit. Any remaining money that is not required to repay the bonds would go to projects included in USDOT's Strategic Transportation Project Investment Program and designated to tier 1 funding."

Follow the link from the attached list of CML-followed bills for the full text of this legislation.

Water Bills

Mussel-free Colorado Act

At Council's February 6 meeting, staff highlighted the Mussel Free Colorado Act (HB 1008) and its importance to the Town and its water partners - especially in light of the Town's storage ownership in Chatfield and Rueter-Hess Reservoirs.

Council expressed interest in taking a support position on this bill, which CML and the South Metro Water Supply Authority also are supporting. The draft letter attached to this memo provides the opportunity for Council to take this action. To provide a bit more detail about HB 1008, following is CML's summary of that bill:

"HB-1008 creates several new funding and enforcement mechanisms to support Colorado's Division of Parks and Wildlife's Aquatic Nuisance Species Program. Specifically, the bill:

- Authorizes the Division of Parks and Wildlife to seek reimbursement for motor vehicles or water craft impounded for (being) suspected of aquatic nuisance species
- Requires the purchase of a special aquatic nuisance stamp for boat use in Colorado, costing \$25 resident, \$50 nonresident
- Increases penalties related to aquatic nuisance species and for failing to purchase a stamp
- Combines the Division of Parks and Outdoor Recreation Aquatic Nuisance Species Fund and the Division of Wildlife Aquatic Nuisance Species Fund into a single fund"

As presently written, the bill applies to motorboats and sailboats. Castle Rock Water Director Mark Marlowe has prepared a memo with additional details on this bill and on the below bill; his memo is attached to this report.

Aquifer Storage and Recovery Plans

There is a second piece of water legislation that Castle Rock Water staff recommends supporting. House Bill 1199 would have the State Groundwater Commission create rules to allow aquifer storage and recovery in designated groundwater basins.

The Town owns water rights in the Lost Creek that are in a designated groundwater basin and wishes to be able to store renewable water in that area and then use its wells to recover that water.

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CML is neutral on this legislation and has not prepared a summary. Additional details are available in the attached memo from Mark Marlowe.

Attachment

Attachment A: Draft Letter to Douglas County Legislative Delegation
Attachment B: Memo from Mark Marlowe Regarding Water Bills
Attachment C: CML Followed Bills as of February 14



February 20, 2018

Sens. Chris Holbert and Jim Smallwood
Reps. Polly Lawrence, Patrick Neville, Kim Ransom and Kevin Van Winkle
200 East Colfax Street
Denver, CO 80203

Dear Douglas County Legislative Delegation:

On behalf of the Castle Rock Town Council, I am writing to express our support for three pieces of legislation that have been introduced in the 2018 session: Senate Bill 001 (Transportation Infrastructure Funding) and House Bills 1008 (Mussel-free Colorado Act) and 1199 (Aquifer Storage-and-recovery Plans). Enhancing our transportation and securing our water future are two of the Town's top priorities, and these bills would help further the Town's efforts in these areas, as further explained herein.

SB 001 would authorize a ballot question that could provide for much-needed additional Statewide transportation infrastructure funding. As the delegation is aware, numerous state transportation facilities traverse the Town, including Interstate 25, U.S. Highway 85 and Colorado Highway 86. Improvements are needed on all of those corridors. The Town of Castle Rock supports increased funds to address pressing transportation needs when the proposed funding method does not include a tax increase.

HB 1008 would further protect from aquatic nuisance species water sources on which the Town's long-term water plans rely. Specifically, the Town owns water storage space in Rueter-Hess Reservoir and is participating in the Chatfield Reallocation Project to allow future water storage capabilities there. Both of these projects are expected to help Castle Rock reach its goal of using 75 percent renewable water by 2050. Putting additional measures in place to protect these and other water sources from aquatic nuisance species is in Castle Rock's long-term interest, which is why we support HB 1008.

HB 1199 would create rules to allow aquifer storage and recovery in designated groundwater basins. The Town of Castle Rock owns water rights in Lost Creek that are in a designated groundwater basin and wishes to be able to store renewable water in that area and then use its wells to recover that water. The Town and the City of Aurora are presently collaborating to investigate this opportunity and plan to operate such a project in the future if it proves feasible. HB 1199 would allow for that option, which is another effort to further the Town's long-term renewable water goals.

The Castle Rock Town Council respectfully requests our Douglas County Legislative Delegation's support of increased transportation infrastructure funding with no tax increase, as well as of legislation that would protect and enhance the Town's abilities to secure water for our community's future.

Sincerely,

Jennifer Green
Mayor

cc: *Colorado Municipal League*



To: Honorable Mayor and Members of Town Council
From: Mark Marlowe, P.E., Director of Castle Rock Water
Title **Update: Water Legislation, HB18-1008 and HB18-1199**

Executive Summary

This memo provides an update on two pieces of legislation currently proposed in this legislative session. Council indicated the desire to actively support HB18-1008, and this memo provides information to help Council make a final determination. For the second item, Castle Rock Water staff seeks permission from Council to actively support HB18-1199. This bill is designed to provide statutory authority for the Groundwater Commission to develop regulations for Aquifer Storage and Recovery in designated groundwater basins.

HB18-1008

The first item is HB18-1008, also known as the Mussel Free Colorado Act. The key goal of this act is to begin to provide a stable source of funding for Colorado Parks and Wildlife to continue with the aquatic nuisance species program established in 2008 by the Colorado legislature. It is estimated that this bill will provide about \$2.4 million towards funding in 2019 and beyond by charging for an annual stamp for motor boats and sail boats of \$25 for residents and \$50 for non-residents. The remainder of the program costs (\$4.5-\$5 million) will continue to be funded by Tier 2 Severance Tax appropriations.

The bill also raises fines for violations (\$50 to \$100 for launching without an inspection and \$150 to \$500 for knowing importation of one of the nuisance species). Additionally, it allows CPW to charge labor costs for storing and decontaminating intercepted vessels. Finally, the bill encourages federal funding for inspections at federally managed reservoirs.

This program has been put in place to ensure that quagga and zebra mussels do not invade Colorado reservoirs. In 2017, Colorado intercepted 26 boats that were infested. Once an infestation occurs it is almost impossible to get rid of the infestation. This ultimately leads to huge costs for water providers to manage the issue. A good example is Metropolitan Water District of Southern California which spends on the order of \$10M to \$15M to deal with operations and maintenance costs from quagga mussels in their Colorado River Aqueduct and terminal reservoirs.

The bill has support from Colorado Water Congress, the South Metro Water Supply Authority and the Colorado Municipal League. Castle Rock Water staff also recommend

support for this bill. A fact sheet on the bill is provided as **Attachment A**. The current draft of the bill is provided as **Attachment B**.

HB18-1199

The second item is a bill that gives the Ground Water Commission authority for developing rules to approve aquifer storage and recovery plans in designated groundwater basins. Why is this important to Castle Rock Water? In 2017, Castle Rock purchased 1,035 acre feet of renewable groundwater and seven alluvial wells in the Lost Creek basin, which is a designated groundwater basin, for about \$10 million. Also in 2017, Castle Rock Water and Aurora Water received a \$100,000 grant to study the use of the Lost Creek basin for aquifer storage and recovery. While Castle Rock Water does not need aquifer storage and recovery in order to use the water rights we purchased, the ability to do aquifer storage and recovery in the Lost Creek basin will not only make our water rights more valuable and flexible, but it will also make our wells more valuable.

This legislation would allow Castle Rock Water to create an aquifer storage and recovery plan to store junior renewable water rights on the South Platte and our existing non-tributary water rights when excess water is available in the systems in our existing wells or new wells that we might install. This essentially creates another potential storage reservoir for Castle Rock Water that does not have concerns with evaporation. In addition, the State is studying the Lost Creek basin as a potential large reservoir solution for other water providers in the area.

Aurora Water is the entity that has generated this legislation. The House sponsors include Catlin, Covarrubias, Arndt, and Becker J. The Senate sponsor is Coram. It is not clear yet whether Colorado Water Congress and South Metro Water Supply Authority will support the bill. **Attachment C** provides the current bill. As a parallel track, the Groundwater Commission is currently working on rule making associated with aquifer storage and recovery. Castle Rock has submitted a position statement as has Aurora Water. Aurora Water also has redlined the rules suggested by the Commission. **Attachment D** provides Castle Rock's position statement. Castle Rock Water staff recommends that the Town take a position to strongly support this bill.

Attachments

Attachment A:	Fact Sheet
Attachment B:	HB18-1008\
Attachment C:	HB18-1199
Attachment D:	Castle Rock's position paper

CPW Supports the Mussel-Free Colorado Act



HB18-1008: SUPPORTING HEALTHY WATERS IN COLORADO

Why do we need a mussel-free Colorado?

Zebra and quagga mussels are not native to the nation's rivers, lakes and reservoirs and are considered our most serious aquatic nuisance species (ANS) threat. Adult infestations harm aquatic ecosystems and fisheries by disrupting the food web and outcompeting native species. They cause enormous problems for water infrastructure used for municipal, agriculture and industrial purposes by attaching to, clogging and impairing water storage, treatment and distribution systems.

Eradicating an adult mussel infestation in an open water body is nearly impossible. Controlling infestations becomes a permanent and expensive part of normal operations post invasion. For example, the Metropolitan Water District of Southern California will spend \$10–15 million annually in operations and maintenance costs to address quagga mussel infestation in its Colorado River Aqueduct and terminal reservoirs.

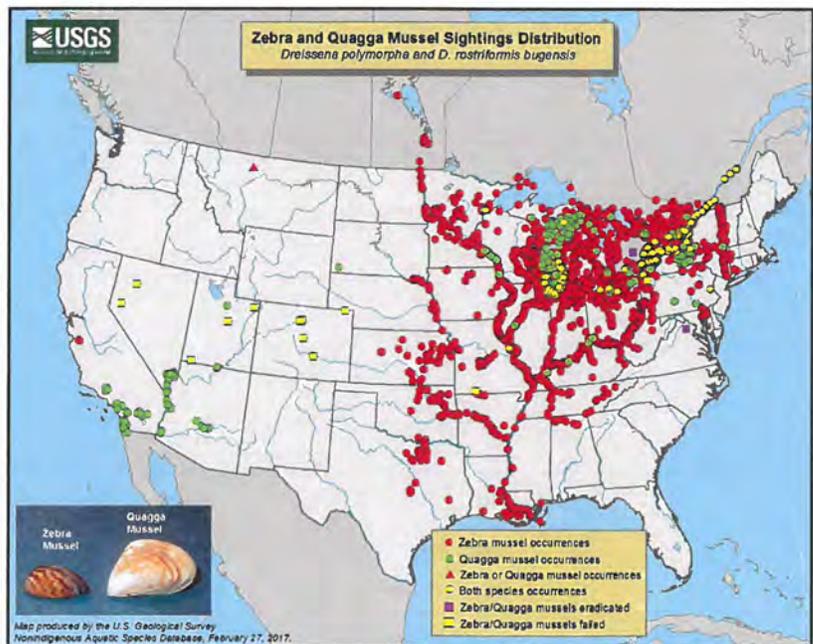
To avoid these damaging and costly control operations in perpetuity, Colorado has implemented an effective prevention program to stop mussel introduction by inspecting watercraft before they enter our waters and ensuring that users clean, drain and dry watercraft.

A mandatory watercraft inspection and decontamination (WID) program is Colorado's answer to prevent introduction. Inspections are effective because mussels can move overland great distances by attaching to watercraft and as microscopic larvae hidden in water on board. As a headwater State, there are no mussels upstream of Colorado that could naturally spread. Therefore, we are managing the most common vector of movement into our state, as that's the only way Colorado's waters can become infested.



Threats to Colorado Waters

Invasion of mussels from out-of-state waters continues to be a threat, and will likely increase.



- Almost all states to the east of Colorado have a zebra or quagga mussel infestation. The closest is Cedar Bluff Reservoir which is only 150 miles from our border in Kansas.
- The southwest US has many widespread infestations including Lake Powell, Lake Mead, Lake Mohave, and Lake Havasu, which are all frequented by Colorado boaters.
- Without mandatory WID prevention in place, western states such as AZ, KS, NE, OK, and TX, along with eastern states, continue to lose waters to invasive mussels each year.



ALL PHOTOS © CPW INVASIVE SPECIES PROGRAM UNLESS OTHERWISE INDICATED



Are Invasive Mussels Really Being Moved by Watercraft?

In 2017, Colorado inspectors intercepted 26 boats infested with adult mussels coming in from out of state—a new record. Colorado has intercepted a total of 144 boats infested with adult mussels since the ANS Program began in 2008.



Can Mussels Survive in Colorado?

Colorado Parks and Wildlife has collected data from 177 reservoirs over five years in collaboration with Colorado Department of Public Health and Environment. Together, they have compared over 281,000 data points to peer-reviewed scientific literature and performed detailed analysis related to the habitat requirements and thresholds for zebra and quagga mussels.

The results of those studies are clear—mussels can survive and reproduce in ALL Colorado waters.

Colorado's ANS Program is in Jeopardy

The Colorado ANS Program was authorized by the Colorado Legislature in 2008 utilizing severance tax funds. CPW has leveraged those funds with federal and local grants to fund the ANS Program since inception. However, severance tax is a fluctuating source and federal funds have been reduced in recent years. Additionally, in April 2016, the Colorado Supreme Court ruling in *BP Am. v Colorado Department of Revenue* drastically reduced severance tax availability.

The Colorado General Assembly provided funding to the ANS Program through SB17-259 which will help fund the 2018 boating season, but long-term funding for the program is uncertain.

The Mussel-Free Colorado Act

- This bill provides a stable funding source of \$2.4 million for the ANS program in 2019 and beyond by requiring boats to purchase an ANS stamp.
 - Colorado resident boats: \$25
 - Non-resident boats: \$50
- Continues Tier 2 Severance Tax appropriations, when available, to cover the remainder of the \$4.5–\$5 million annual cost of ANS program implementation.
- Increases fines for ANS related violations.
 - Raises the fine for unlawful boat launches without inspection from \$50 to \$100.
 - Raises the fine for knowing importation of ANS into the state from \$150 to \$500 for a first offense.
- Allows CPW to charge labor/costs incurred to store and decontaminate intercepted vessels.
- Encourages federal partners to take responsibility for ANS inspection funding at their reservoirs.



Sustainable funding for the ANS Program is essential to protect our waters and water infrastructure from irreversible invasion!



For questions about the bill, please contact Doug Vilsack, DNR Legislative Liaison at douglas.vilsack@state.co.us or 720-456-8956.

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0224.01 Jennifer Berman x3286

HOUSE BILL 18-1008

HOUSE SPONSORSHIP

Esgar and Arndt, Hansen, Willett

SENATE SPONSORSHIP

Donovan and Coram, Baumgardner, Jones, Sonnenberg

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE FINANCING OF THE DIVISION OF PARKS AND**
102 **WILDLIFE'S AQUATIC NUISANCE SPECIES PROGRAM, AND, IN**
103 **CONNECTION THEREWITH, CREATING AN AQUATIC NUISANCE**
104 **SPECIES STAMP FOR THE OPERATION OF MOTORBOATS AND**
105 **SAILBOATS IN WATERS OF THE STATE, INCREASING PENALTIES**
106 **RELATED TO THE INTRODUCTION OF AQUATIC NUISANCE SPECIES**
107 **INTO THE WATERS OF THE STATE, AND COMBINING TWO**
108 **SEPARATE FUNDS RELATED TO THE AQUATIC NUISANCE SPECIES**
109 **PROGRAM INTO ONE FUND.**

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Water Resources Review Committee. Section 3 of the bill updates a legislative declaration concerning aquatic nuisance species to encourage the federal government to dedicate sufficient funding and resources to the detection, prevention, control, and eradication of aquatic nuisance species for federally owned or managed aquatic resources and water infrastructure in Colorado.

Section 4 defines "motorboat" and "sailboat".

Section 5 authorizes the division of parks and wildlife (division) to seek reimbursement from a conveyance owner (*i.e.*, motor vehicles, trailers, and watercraft) for the storage and decontamination of a conveyance that has been impounded and quarantined due to the suspected presence of an aquatic nuisance species.

Section 6 requires an in-state resident registering a motorboat or sailboat in Colorado for use on or after January 1, 2019, to pay a \$25 fee for an aquatic nuisance species stamp in addition to the watercraft registration fee. A nonresident using a motorboat or sailboat in waters of the state on or after January 1, 2019, is required to pay a \$50 fee for an aquatic nuisance species stamp.

Section 7 increases penalties related to aquatic nuisance species and creates new penalties for failing to purchase an aquatic nuisance species stamp; failing to comply with a qualified peace officer's or an authorized agent's request to stop, detain, and inspect a vessel; and launching a vessel without first obtaining a vessel inspection at an aquatic nuisance species check station.

Section 8 combines the division of parks and outdoor recreation aquatic nuisance species fund and the division of wildlife aquatic nuisance species fund into a single fund: The division of parks and wildlife aquatic nuisance species fund.

Sections 1, 2, 9, and 10 make conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, 33-1-112, **repeal**

3 (1)(b) as follows:

4 **33-1-112. Funds - cost accounting - definition - repeal.**

5 (1) (b) ~~For the fiscal year commencing July 1, 2008, there shall be~~
6 ~~transferred one million two hundred fifty thousand dollars from the~~
7 ~~wildlife cash fund to the division of wildlife aquatic nuisance species~~

1 fund, created in section ~~33-10.5-108~~.

2 **SECTION 2.** In Colorado Revised Statutes, 33-10-111, **amend**
3 (1) as follows:

4 **33-10-111. Parks and outdoor recreation cash fund - parks for**
5 **future generations trust fund - creation - fees - accounting**
6 **expenditures for roads and highways - definition.** (1) Except as
7 provided in subsection (6) of this section and ~~sections 33-14-106~~
8 SECTIONS 33-10.5-104.5, 33-10.5-105, 33-14-106, 33-14.5-106, and
9 33-15-103, all ~~moneys~~ MONEY derived pursuant to articles 10 to 15 of this
10 ~~title~~ TITLE 33 from division facilities and fees, and all interest earned on
11 ~~such moneys~~ THE MONEY, shall be credited to the parks and outdoor
12 recreation cash fund, which is hereby created, together with all ~~moneys~~
13 MONEY donated, transferred, or appropriated from whatever source for the
14 use of the division in administering, managing, and supervising the state
15 parks and outdoor recreation system and in the financing of impact
16 assistance grants pursuant to part 3 of article 25 of title 30. ~~C.R.S.~~ All
17 cash receipts from state-owned desert, saline, and internal improvement
18 lands shall be credited to the parks and outdoor recreation cash fund.

19 **SECTION 3.** In Colorado Revised Statutes, **amend** 33-10.5-101
20 as follows:

21 **33-10.5-101. Legislative declaration.** (1) The general assembly
22 hereby ~~recognizes the~~ FINDS, DETERMINES, AND DECLARES THAT:

23 (a) AQUATIC NUISANCE SPECIES HAVE devastating economic,
24 environmental, and social impacts ~~of aquatic nuisance species~~ on the
25 aquatic resources and water infrastructure of the state;

26 (b) ~~The general assembly further recognizes the potential of~~
27 Recreational vessels ~~to be~~ ARE a significant source of the spread of

1 aquatic nuisance species in Colorado;

2 (c) ONE OF THE DIVISION'S HIGHEST PRIORITIES SHOULD BE THE
3 PREVENTION, CONTAINMENT, AND ERADICATION OF AQUATIC NUISANCE
4 SPECIES IN WATERS OF THE STATE IN WHICH THE SPECIES HAVE BEEN
5 DETECTED OR ARE LIKELY TO BE INTRODUCED; AND

6 (d) Therefore, ~~the general assembly finds, determines, and~~
7 ~~declares that~~ the purposes of enacting this article ARTICLE 10.5 are:

8 (I) To implement actions to detect, prevent, contain, control,
9 monitor, and, whenever possible, eradicate aquatic nuisance species from
10 the waters of the state and to protect human health, safety, and welfare
11 from aquatic nuisance species; ~~It is the intent of the general assembly~~ AND

12 (II) To foster and encourage, to the greatest extent possible,
13 voluntary compliance with this article. ~~It is the intent of the general~~
14 ~~assembly that prevention, containment, and eradication of aquatic~~
15 ~~nuisance species in waters of the state in which such species have been~~
16 ~~detected or are likely to be introduced, shall be the division's highest~~
17 ~~priorities~~ ARTICLE 10.5.

18 (2) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND
19 DECLARES THAT:

20 (a) SOME OF THE AQUATIC RESOURCES AND WATER
21 INFRASTRUCTURE WITHIN THE STATE ARE OWNED OR MANAGED BY THE
22 UNITED STATES BUREAU OF RECLAMATION, THE UNITED STATES ARMY
23 CORPS OF ENGINEERS, THE UNITED STATES FOREST SERVICE, OR ANOTHER
24 AGENCY OF THE FEDERAL GOVERNMENT, AND NOT BY THE DIVISION;

25 (b) A FAILURE TO DETECT, PREVENT, CONTAIN, AND, WHEN
26 POSSIBLE, ERADICATE AQUATIC NUISANCE SPECIES FROM ANY ONE OF
27 THESE FEDERALLY MANAGED AQUATIC RESOURCES OR WATER

1 INFRASTRUCTURE FACILITIES WOULD THREATEN THE HEALTH AND
2 VIBRANCY OF ALL AQUATIC RESOURCES AND WATER INFRASTRUCTURE
3 FACILITIES WITHIN THE STATE; AND

4 (c) THEREFORE, THE PURPOSES FOR WHICH THIS ARTICLE 10.5 IS
5 ENACTED MAY BE ACHIEVED ONLY IF THE FEDERAL GOVERNMENT
6 DEDICATES SUFFICIENT FUNDING AND RESOURCES TO THE PREVENTION,
7 CONTAINMENT, AND, WHEN POSSIBLE, ERADICATION OF AQUATIC
8 NUISANCE SPECIES FROM THE AQUATIC RESOURCES AND WATER
9 INFRASTRUCTURE MANAGED BY FEDERAL AGENCIES WITHIN THE STATE.

10 **SECTION 4.** In Colorado Revised Statutes, 33-10.5-102, **amend**
11 the introductory portion; and **add** (8.5) and (10) as follows:

12 **33-10.5-102. Definitions.** As used in this ~~article~~ ARTICLE 10.5,
13 unless the context otherwise requires:

14 (8.5) "MOTORBOAT" HAS THE SAME MEANING AS SET FORTH IN
15 SECTION 33-13-102 (1).

16 (10) "SAILBOAT" HAS THE SAME MEANING AS SET FORTH IN
17 SECTION 33-13-102 (4).

18 **SECTION 5.** In Colorado Revised Statutes, 33-10.5-104, **amend**
19 (3); and **add** (6) as follows:

20 **33-10.5-104. Inspection of conveyances - impoundment and**
21 **quarantine - reimbursement - rules.** (3) The impoundment and
22 quarantine of a conveyance may continue for the reasonable period
23 necessary to inspect and decontaminate the conveyance and ensure that
24 the aquatic nuisance species has been completely ~~eradicated~~ REMOVED
25 from the conveyance and is no longer living.

26 (6) WHEN A CONVEYANCE THAT HAS BEEN IMPOUNDED AND
27 QUARANTINED PURSUANT TO THIS SECTION IS DECONTAMINATED, THE

1 DIVISION MAY CHARGE THE OWNER OF THE CONVEYANCE THE COST
2 INCURRED BY THE DIVISION OR ITS CONTRACTOR IN STORING AND
3 DECONTAMINATING THE CONVEYANCE.

4 **SECTION 6.** In Colorado Revised Statutes, **add** 33-10.5-104.5
5 as follows:

6 **33-10.5-104.5. Aquatic nuisance species stamp - creation -**
7 **short title - rules.** (1) THE SHORT TITLE OF THIS SECTION IS THE
8 "MUSSEL-FREE COLORADO ACT".

9 (2) (a) WHEN OBTAINING A VESSEL REGISTRATION FROM THE
10 DIVISION PURSUANT TO SECTION 33-13-103 FOR 2019 AND SUBSEQUENT
11 YEARS, A PERSON SHALL ALSO PURCHASE AN AQUATIC NUISANCE SPECIES
12 STAMP FROM THE DIVISION AT A COST OF TWENTY-FIVE DOLLARS. THE
13 PERSON'S VESSEL REGISTRATION SUFFICIENTLY DEMONSTRATES PAYMENT
14 FOR THE AQUATIC NUISANCE SPECIES STAMP.

15 (b) ON AND AFTER JANUARY 1, 2019, FOR ANY MOTORBOAT OR
16 SAILBOAT EXEMPTED FROM REGISTRATION IN COLORADO PURSUANT TO
17 SECTION 33-13-103 (1)(b) TO (1)(d), A PERSON SHALL PURCHASE AN
18 AQUATIC NUISANCE SPECIES STAMP FROM THE DIVISION AT A COST OF
19 FIFTY DOLLARS TO OPERATE OR USE THE MOTORBOAT OR SAILBOAT ON THE
20 WATERS OF THIS STATE OR TO POSSESS THE MOTORBOAT OR SAILBOAT AT
21 A VESSEL STAGING AREA; EXCEPT THAT A PERSON EXEMPTED FROM
22 REGISTRATION IN COLORADO UNDER SECTION 33-13-103 (1)(b), BUT WHO
23 IS A COLORADO RESIDENT, NEED ONLY PAY TWENTY-FIVE DOLLARS FOR AN
24 AQUATIC NUISANCE SPECIES STAMP PURSUANT TO SUBSECTION (2)(a) OF
25 THIS SECTION. A PERSON WHO PAYS FOR AN AQUATIC NUISANCE SPECIES
26 STAMP FOR A MOTORBOAT OR SAILBOAT PURSUANT TO THIS SUBSECTION
27 (2)(b) SHALL, WHEN OPERATING THE MOTORBOAT OR SAILBOAT, RETAIN

1 THE STAMP RECEIPT ON HIS OR HER PERSON OR ON THE MOTORBOAT OR
2 SAILBOAT.

3 (3) THE PARKS AND WILDLIFE COMMISSION MAY, BY RULE
4 ADOPTED AFTER THE EFFECTIVE DATE OF THIS SECTION, ADJUST THE
5 AMOUNT OF THE AQUATIC NUISANCE SPECIES STAMP DESCRIBED IN
6 SUBSECTION (2) OF THIS SECTION BY AN AMOUNT UP TO THE TOTAL
7 AMOUNT REFLECTED BY THE CHANGES MADE IN THE UNITED STATES
8 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR THE
9 DENVER-BOULDER-GREELEY CONSOLIDATED METROPOLITAN STATISTICAL
10 AREA FOR ALL URBAN CONSUMERS AND ALL GOODS, OR ITS SUCCESSOR
11 INDEX.

12 (4) THE DIVISION SHALL TRANSMIT THE STAMP FEES COLLECTED
13 PURSUANT TO THIS SECTION TO THE STATE TREASURER, WHO SHALL
14 CREDIT THEM TO THE DIVISION OF PARKS AND WILDLIFE AQUATIC
15 NUISANCE SPECIES FUND CREATED IN SECTION 33-10.5-108.

16 **SECTION 7.** In Colorado Revised Statutes, **amend** 33-10.5-105
17 as follows:

18 **33-10.5-105. Prohibition of aquatic nuisance species -**
19 **penalties.** (1) ~~No~~ A person shall NOT:

20 (a) Possess, import, export, ship, or transport an aquatic nuisance
21 species;

22 (b) Release, place, plant, or cause to be released, placed, or
23 planted into the waters of the state an aquatic nuisance species; or

24 (c) Refuse to comply with a proper order issued under this ~~article~~
25 ARTICLE 10.5; OR

26 (d) FAIL OR REFUSE TO REIMBURSE THE DIVISION IN ACCORDANCE
27 WITH SECTION 33-10.5-104 (6).

1 (2) (a) A person who knowingly or willfully violates subsection
2 (1) of this section:

3 (a) (I) For a first offense, is guilty of a class 2 petty offense, as
4 defined by section 18-1.3-503, ~~C.R.S.~~, and, upon conviction, shall be
5 ~~subject to a fine of one hundred fifty~~ FINED FIVE HUNDRED dollars and
6 ~~shall be~~ issued a warning FROM THE DIVISION of the increased penalties
7 for subsequent violations; ~~from the division;~~

8 (b) (II) For a second offense, is guilty of a misdemeanor and, upon
9 conviction, shall be fined one thousand dollars; and

10 (c) (III) For a third and any subsequent offense, commits a class
11 2 misdemeanor and, upon conviction, shall be punished as provided in
12 section 18-1.3-501. ~~C.R.S.~~

13 (b) THE FINE AMOUNTS COLLECTED PURSUANT TO THIS
14 SUBSECTION (2) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
15 SHALL CREDIT THE AMOUNTS TO THE DIVISION OF PARKS AND WILDLIFE
16 AQUATIC NUISANCE SPECIES FUND, CREATED IN SECTION 33-10.5-108.

17 (3) (a) A PERSON SHALL NOT:

18 (I) FAIL OR REFUSE TO COMPLY WITH A QUALIFIED PEACE OFFICER'S
19 OR AN AUTHORIZED AGENT'S REQUEST, PURSUANT TO SECTION
20 33-10.5-104, TO STOP, DETAIN, AND INSPECT ANY CONVEYANCE THAT THE
21 PERSON IS OPERATING;

22 (II) LAUNCH A VESSEL WITHOUT OBTAINING A CONVEYANCE
23 INSPECTION AT AN AQUATIC NUISANCE SPECIES CHECK STATION PURSUANT
24 TO SECTION 33-10.5-103; OR

25 (III) IF REQUIRED TO PURCHASE AN AQUATIC NUISANCE SPECIES
26 STAMP PURSUANT TO SECTION 33-10.5-104.5, FAIL OR REFUSE TO
27 PURCHASE THE STAMP.

1 (b) A PERSON WHO VIOLATES SUBSECTION (3)(a) OF THIS SECTION
2 IS GUILTY OF A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE
3 PUNISHED BY A FINE OF ONE HUNDRED DOLLARS.

4 (c) THE PROCEEDS FROM COLLECTION OF THE FINES IMPOSED
5 PURSUANT TO THIS SUBSECTION (3) SHALL BE TRANSMITTED TO THE STATE
6 TREASURER, WHO SHALL CREDIT THE AMOUNTS COLLECTED TO THE
7 DIVISION OF PARKS AND WILDLIFE AQUATIC NUISANCE SPECIES FUND
8 CREATED IN SECTION 33-10.5-108.

9 **SECTION 8.** In Colorado Revised Statutes, **amend** 33-10.5-108
10 as follows:

11 **33-10.5-108. Division of parks and wildlife aquatic nuisance**
12 **species fund - creation - repeal.** (1) (a) (I) There is hereby created in the
13 state treasury the division of parks and ~~outdoor recreation~~ WILDLIFE
14 aquatic nuisance species fund, ALSO REFERRED TO IN THIS SECTION AS THE
15 "FUND", which shall be administered by the division. ~~of parks and wildlife~~
16 ~~in the department of natural resources and~~ THE FUND consists of all
17 money transferred by the STATE treasurer as specified in ~~section~~ SECTIONS
18 39-29-109.3 (2)(m), ~~and subsection (1.5)(a) of this section~~ 33-10.5-104.5,
19 AND 33-10.5-105. All money in the fund is continuously appropriated to
20 the division ~~of parks and wildlife~~ for the purpose of implementing the
21 ~~provisions of~~ this article 10.5. All money in the fund at the end of each
22 fiscal year ~~shall remain~~ REMAINS in the fund and ~~shall~~ DOES not revert to
23 the general fund or any other fund.

24 (II) ON THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), THE
25 STATE TREASURER SHALL TRANSFER THE UNOBLIGATED BALANCE OF THE
26 DIVISION OF WILDLIFE AQUATIC NUISANCE SPECIES FUND, AS IT EXISTED
27 PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (1)(a)(II), TO THE

1 FUND. THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE JULY 1, 2019.

2 (b) In the use of ~~such moneys~~ THE MONEY IN THE FUND, priority
3 shall be given to containment and eradication of aquatic nuisance species
4 in the waters of the state in which ~~such~~ AQUATIC NUISANCE species have
5 been detected and prevention of the introduction of AQUATIC nuisance
6 species in areas determined to be most vulnerable to such an introduction.

7 (1.5) ~~On July 1, 2017, the state treasurer shall transfer from the~~
8 ~~general fund:~~

9 (a) ~~Two million four hundred fifty-two thousand one hundred~~
10 ~~ninety-three dollars to the division of parks and outdoor recreation aquatic~~
11 ~~nuisance species fund; and~~

12 (b) ~~One million one hundred eighty-four thousand one hundred~~
13 ~~seventy-one dollars to the division of wildlife aquatic nuisance species~~
14 ~~fund:~~

15 (2) (a) ~~There is hereby created in the state treasury the division of~~
16 ~~wildlife aquatic nuisance species fund, which shall be administered by the~~
17 ~~division of parks and wildlife in the department of natural resources and~~
18 ~~consists of all money transferred by the treasurer as specified in sections~~
19 ~~33-1-112 and 39-29-109.3 (2)(m) and subsection (1.5)(b) of this section:~~
20 ~~All money in the fund is continuously appropriated to the division of~~
21 ~~parks and wildlife for the purpose of implementing the provisions of this~~
22 ~~article 10.5. All money in the fund at the end of each fiscal year shall~~
23 ~~remain in the fund and shall not revert to the general fund or any other~~
24 ~~fund:~~

25 (b) ~~In the use of such moneys, priority shall be given to~~
26 ~~containment and eradication of aquatic nuisance species in the waters of~~
27 ~~the state in which such species have been detected and prevention of the~~

1 ~~introduction of nuisance species in areas determined to be most~~
2 ~~vulnerable to such an introduction.~~

3 **SECTION 9.** In Colorado Revised Statutes, 33-15-103, **amend**
4 (1)(a) as follows:

5 **33-15-103. Disposition of fines - notice of court decisions.**

6 (1) (a) EXCEPT AS PROVIDED IN SECTION 33-10.5-105 (2)(b), all ~~moneys~~
7 MONEY collected for fines under this ~~article~~ ARTICLE 15 and articles 10 to
8 13 and 32 of this ~~title~~ TITLE 33, either by payment of a penalty assessment
9 or assessed by a court upon conviction, shall be transmitted to the state
10 treasurer, who shall credit ~~such moneys~~ THE MONEY to the parks and
11 outdoor recreation cash fund; except that, when an arrest has been made
12 or the citation for any offense, including those committed under article 14
13 of this ~~title~~ TITLE 33, has been issued by a wildlife officer of the division
14 of parks and wildlife, all ~~moneys~~ MONEY collected for the fine shall be
15 transmitted to the state treasurer, who shall credit one-half to the wildlife
16 cash fund and one-half to the general fund.

17 **SECTION 10.** In Colorado Revised Statutes, 39-29-109.3,
18 **amend** (2)(m) as follows:

19 **39-29-109.3. Severance tax operational fund - repeal.**

20 (2) Subject to the requirements of subsections (3) and (4) of this section,
21 if the general assembly chooses not to spend up to one hundred percent
22 of the money in the operational fund as specified in subsection (1) of this
23 section, the state treasurer shall transfer the following:

24 (m) For the mitigation of aquatic nuisance species as specified in
25 article 10.5 of title 33: ~~C.R.S.:~~

26 (I) Repealed.

27 (II) For the state fiscal year commencing July 1, 2009, and every

1 state fiscal year thereafter, four million six thousand five dollars as
2 follows: ~~Two million seven hundred one thousand four hundred sixty-one~~
3 ~~dollars~~ to the division of parks and ~~outdoor recreation~~ WILDLIFE aquatic
4 nuisance species fund created in section 33-10.5-108 (1). ~~C.R.S.~~; and one
5 million three hundred four thousand five hundred forty-four dollars to the
6 ~~division of wildlife aquatic nuisance species fund created in section~~
7 ~~33-10.5-108 (2), C.R.S.~~

8 **SECTION 11. Act subject to petition - effective date -**
9 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
10 the expiration of the ninety-day period after final adjournment of the
11 general assembly (August 8, 2018, if adjournment sine die is on May 9,
12 2018); except that, if a referendum petition is filed pursuant to section 1
13 (3) of article V of the state constitution against this act or an item, section,
14 or part of this act within such period, then the act, item, section, or part
15 will not take effect unless approved by the people at the general election
16 to be held in November 2018 and, in such case, will take effect on the
17 date of the official declaration of the vote thereon by the governor.

18 (2) This act applies to offenses committed and conveyances
19 registered on or after the applicable effective date of this act.

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0638.01 Jennifer Berman x3286

HOUSE BILL 18-1199

HOUSE SPONSORSHIP

Catlin, Covarrubias, Arndt, Becker J.

SENATE SPONSORSHIP

Coram,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A PROCESS FOR THE GROUND WATER COMMISSION TO
102 USE FOR APPROVING AQUIFER STORAGE-AND-RECOVERY PLANS,
103 AND, IN CONNECTION THEREWITH, REQUIRING THAT THE
104 GROUND WATER COMMISSION PROMULGATE RULES GOVERNING
105 ITS IMPLEMENTATION OF THE PROCESS.

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://leg.colorado.gov>.)

The bill authorizes a person to apply to the ground water commission (commission) for approval of an aquifer

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

storage-and-recovery plan and requires the commission to promulgate rules governing the application process and the requirements that an aquifer storage-and-recovery plan must meet to be approved.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 37-90-107.6 as
3 follows:

4 **37-90-107.6. Aquifer storage-and-recovery plans - publication**
5 **- objection - hearing - rules.** IF A PERSON SEEKS TO OBTAIN AN
6 APPROVAL OF AN AQUIFER STORAGE-AND-RECOVERY PLAN WITHIN THE
7 BOUNDARIES OF A DESIGNATED GROUNDWATER BASIN PURSUANT TO THIS
8 ARTICLE 90, THE PERSON MUST APPLY TO THE COMMISSION IN A FORM AND
9 MANNER DETERMINED BY THE COMMISSION BY RULE. WHEN SUBMITTING
10 THE APPLICATION TO THE COMMISSION, THE APPLICANT MUST ALSO SUBMIT
11 A SUMMARY OF THE APPLICATION TO THE COMMISSION FOR PUBLICATION.
12 IF THE COMMISSION DETERMINES THAT THE APPLICATION IS COMPLETE,
13 THE APPLICATION SHALL BE PUBLISHED PURSUANT TO SECTION 37-90-112
14 WITHIN SIXTY DAYS AFTER THE FILING OF THE COMPLETED APPLICATION.
15 IF AN OBJECTION TO THE APPLICATION IS FILED, THE COMMISSION SHALL
16 HOLD A HEARING ON THE APPLICATION PURSUANT TO SECTION 37-90-113.
17 THE COMMISSION SHALL APPROVE AN AQUIFER STORAGE-AND-RECOVERY
18 PLAN THAT MEETS THE REQUIREMENTS OF THIS ARTICLE 90 AND THE
19 REQUIREMENTS ESTABLISHED BY THE COMMISSION BY RULE PURSUANT
20 THIS SECTION.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2018 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.

Before the Ground Water Commission, Colorado 1313 Sherman St., Rm 821, Denver, CO 80203	
IN THE MATTER OF A PROPOSAL TO THE COLORADO GROUND WATER COMMISSION FOR RULEMAKING TO AMEND RULES 5.6 AND 5.8 OF THE RULES AND REGULATIONS FOR THE MANAGEMENT AND CONTROL OF DESIGNATED GROUND WATER TO PROVIDE FOR MORE DETAIL AND CLARITY ON THE REQUIREMENTS FOR APPROVAL OF REPLACEMENT PLANS	COMMISSION USE ONLY
Jeffrey J. Kahn - No. 6894 Madoline Wallace-Gross - No. 32255 Attorneys for Town of Castle Rock Lyons Gaddis Kahn Hall Jeffers Dworak & Grant, PC P.O. Box 978 Longmont, CO 80502-0978 Telephone: (303) 776-9900 <i>jkahn@lyonsgaddis.com; mwg@lyonsgaddis.com</i>	Case No. 17GW05
TOWN OF CASTLE ROCK'S POSITION STATEMENT	

Pursuant to the Notice of Prehearing Conference and Applicable Prehearing Orders dated January 23, 2018 ("Orders"), the Town of Castle Rock ("Castle Rock") hereby submits its position statement on the Ground Water Commission ("Commission") staff's ("Staff") proposal for rulemaking dated November 27, 2017 to amend Rules 5.6 and 5.8 of 4 C.C.R. 410-1 ("Staff's Proposed Rules").

1. Castle Rock is a home-rule municipality that provides potable water service to customers in Douglas County. Castle Rock owns wells in the Lost Creek Designated Ground Water Basin represented by Amended Final Permit Nos. 12123-RFP, 12124-RFP, 14860-RFP, 31526-FP, 31527-FP, 31640-FP and 31643-FP and changed by decrees in Case Nos. 98CV1727 and 99CV97, District Court, Adams County. Castle Rock's designated groundwater is one component of Castle Rock's long-term water supply.

2. **Support of ASR in the Designated Basins.** Castle Rock strongly supports aquifer storage and recovery projects ("ASR") in the designated ground water basins and specifically in the Lost Creek Basin.

2.1. The Colorado Water Plan sets an "objective of attaining 400,000 acre-feet of water storage" to "meet growing needs and face the changing climate." See 10.2.E. More specifically, it states that "[n]ew storage projects will be increasingly innovative, and will rely on technologies such ... as aquifer storage and recharge." See *id.*

2.2. Recognizing the Colorado Water Plan's objective, the Colorado General Assembly sanctioned a study to identify "all water storage possibilities along the South Platte River Basin, including the construction of ... aquifer recharge." C.R.S. § 37-60-115(a)(11)(III). The benefits include "an increased ability to address Colorado's predicted future water supply gaps...." C.R.S. § 37-60-115(a)(11)(II)(A).

2.3. In *Park County v. Park County Sportsman's Ranch*, 45 P.3d 693, fn. 18 (Colo. 2002), the Colorado Supreme Court stated that:

Storage of water underground ... has a number of advantages that implement the legislature's purpose to maximize the beneficial use of all of the state's waters. For example, water stored underground is not lost to evaporation; the water can be used as an emergency supply in the event of disruption to surface water systems; storing water in an aquifer raises the water table and can reduce energy demand and energy costs otherwise needed for well pumping; and storing water underground helps to reduce committing additional surface land to additional large reservoirs, conveyance systems, and stream modifications.

2.4. Castle Rock believes that ASR is vital and essential to meeting its current and future water demand. To this end, in May 2017, the City of Aurora ("Aurora") (in collaboration with Castle Rock and the Lost Creek Designated Ground Water Management District) received Colorado Water Conservation Board funding to conduct an ASR pilot project in the Lost Creek alluvial aquifer. The pilot project will identify a suitable location to construct and operate an ASR project. If ASR within the Lost Creek Basin is technically and financially feasible, then Castle Rock may construct and operate a stand-alone ASR project.

3. **Support of Aurora's Proposed Rules.** Castle Rock supports the alternative version of the proposed rules submitted by the Aurora attached hereto as EXHIBIT A ("Aurora's Proposed Rules").

3.1. **Separate Rules.** Currently, the Commission's rules regarding ASR and replacement plans are located in Rules 5.8 and 5.6 respectively. In Staff's Proposed Rules, Staff seeks to remove Rule 5.8 entirely and to place ASR projects in Rule 5.6. Aurora's Proposed Rules differentiate between stand-alone ASR projects that do not involve the appropriation of designated groundwater and ASR projects that operate in conjunction with replacement plans and involve new appropriations of designated groundwater. Castle Rock's interest is in stand-alone ASR projects, and it seeks to keep the rules for stand-alone projects separate and independent for the reasons discussed below.

3.1.1. A stand-alone ASR project that simply uses an aquifer as an underground reservoir is fundamentally different than a replacement plan (with or without an ASR competent).

3.1.2. In *Park County*, 45 P.3d at 704, the Colorado Supreme Court stated that ASR contemplates a water user possessing and controlling water, artificially recharging it into an aquifer for storage and then recovering the water for subsequent use pursuant to a decreed water right. The Commission should utilize the Supreme Court's holding in *Park County* for guidance when describing stand-alone ASR projects in the designated basin.

3.1.3. A replacement plan is broader, as specified in C.R.S. § 37-90-103(12.7), and may or may not include an ASR component. Replacement plans are required to allow new appropriations from over-appropriated aquifers. Replacement plans offset out-of-priority depletions by replacing the amount of ground water withdrawn with other water such that no material injury occurs to water rights. See 4 C.C.R. 410-1-5.6.1.

3.2. Use of Imported and Designated Basin Groundwater. Aurora's Proposed Rules do not differentiate between use of imported water and designated groundwater in stand-alone ASR projects. For the reasons described below, Castle Rock specifically supports this aspect of Aurora's Proposed Rules and may present testimony on this issue, if it is challenged by other parties to the rulemaking.

3.2.1. Castle Rock believes that both imported water and native designated groundwater should be available for stand-alone ASR projects as long as the water is decreed or permitted for storage for future beneficial use prior to its use in the project.

3.2.2. Castle Rock owns quantified and changed designated groundwater described in ¶ 1 that has been permitted and decreed for storage for beneficial use as well as aquifer storage and recovery. It also owns nontributary groundwater outside of the designated basin that is decreed for storage for later beneficial use. Castle Rock owns South Platte River tributary water rights that could be changed in Water Court for storage for later beneficial use. There is no legitimate reason that Castle Rock should not be able to use any of its water assets in an ASR project. Moreover, the recharged water should maintain its originally decreed or permitted characteristics while in storage and then recovered from the aquifer.

3.3. Dominion and Control. Aurora's Proposed Rules provide the criteria for maintaining dominion and control of water recharged to the aquifer in stand-alone ASR projects. However, Aurora's Proposed Rules do not mandate a ground water model unless required by the Commission. Castle Rock specifically supports this aspect of Aurora's Proposed Rules, and the basis for such support follows.

3.3.1. In *Public Service Company of Colorado v. Willows Water District*, 856 P.2d 829, 833-35 (Colo. 1993), the Supreme Court ruled that an applicant can maintain the right to control, possess and use water introduced to a tributary

aquifer by performing engineering studies to determine the amount, timing and location of the water and to distinguish between native and the introduced water.

3.3.2. In *Park County*, 45 P.3d at fn. 19, the Colorado Supreme Court stated that an applicant would need to meet the following conditions, among others, "to utilize an aquifer for storage of artificially recharged water ... (7) have the intent and ability to recapture and use the stored water; and (8) have an accurate means for measuring and accounting for the water stored and extracted from storage in the aquifer."

3.3.3. Aurora's Proposed Rules draw on the concepts from *Public Service Company* and *Park County* to establish water user's dominion and control of groundwater in the stand-alone ASR context. Castle Rock believes that an applicant in an ASR project can use engineering studies to determine the volume, speed and location of recharged water as it moves through a designated groundwater aquifer with sufficient reliability that the applicant can operate a stand-alone ASR project without causing material injury to other appropriators' water rights.

WHEREFORE, Castle Rock respectfully requests that the Commission adopt Aurora's Proposed Rules.

Respectfully submitted this ____ day of February 2018.

ATTORNEYS FOR TOWN OF CASTLE ROCK

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of February 2018, I served a true and correct copy of the foregoing TOWN OF CASTLE ROCK'S POSITION STATEMENT, via e-mail to the following:

Joseph (Jody) Grantham
Hearing Officer
Colorado Ground Water Commission
1313 Sherman Street, Room 818
Denver, CO 80203
jody.grantham@state.co.us

Kevin Rein P.E.
Executive Director
Colorado Ground Water Commission
1313 Sherman Street, Room 818
Denver, CO 80203
kevin.rein@state.co.us

ADD ALL PARTIES

/s/ Jennifer Kaufman



LIST OF CML FOLLOWED HOUSE BILLS - 2018 SESSION

**Positions are staff recommendations if "Policy Committee" or "Board" is noted

Bill #	Staff	Board/Policy Committee	PI'd/Signed	Position	Calendar Notification	Short Title	Sponsors	Most Recent Status
HB18-1001	Kevin Bommer			Neutral	Wednesday, March 7 2018 Finance Upon Adjournment Room LSB-A (1) in house calendar.	FAMLI Family Medical Leave Insurance Program	F. Winter M. Gray / K. Donovan R. Fields	2/6/2018 House Committee on Business Affairs and Labor Refer Amended to Finance
HB18-1003	Meghan Dollar			Support	Tuesday, February 27 2018 Public Health Care & Human Services 1:30 p.m. Room 0107 (2) in house calendar.	Opioid Misuse Prevention	B. Pettersen / C. Jahn K. Priola	1/10/2018 Introduced In House - Assigned to Public Health Care & Human Services
HB18-1008	Morgan Cullen			Support	NOT ON CALENDAR	Mussel-free Colorado Act	J. Arndt D. Esgar / D. Coram K. Donovan	1/31/2018 House Committee on Finance Refer Unamended to Appropriations
HB18-1011	Kevin Bommer			Monitor	Monday, February 26 2018 Finance 1:30 p.m. Room LSB-A (2) in house calendar.	Marijuana Business Allow Publicly Traded Owners	D. Pabon / T. Neville C. Jahn	1/10/2018 Introduced In House - Assigned to Finance
HB18-1015	Meghan Dollar			Neutral	Wednesday, February 21 2018 State, Veterans, &	Repeal Ammunition Magazine Prohibition	S. Humphrey L. Saine / O. Hill	1/10/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs

Military Affairs
1:30 p.m. Room 271
(3) in house calendar.

HB18-1020	Meghan Dollar		Support	NOT ON CALENDAR	Civil Forfeiture Reforms	L. Herod / T. Neville D. Kagan	2/12/2018 House Committee on Finance Refer Amended to Appropriations
HB18-1021	Meghan Dollar		Neutral	NOT ON CALENDAR	Task Force For Youth Experiencing Homelessness	E. Hooton / J. Kefalas	1/30/2018 House Committee on Public Health Care & Human Services Refer Amended to Appropriations
HB18-1022	Dianne Criswell		Support	NOT ON CALENDAR	DOR Department Of Revenue Issue Sales Tax Request For Information	L. Sias T. Kraft-Tharp / C. Jahn T. Neville	2/12/2018 Senate Third Reading Passed - No Amendments
HB18-1023	Kevin Bommer		Neutral	Wednesday, February 21 2018 SENATE JUDICIARY COMMITTEE 1:30 PM SCR 352 (2) in senate calendar.	Relocate Title 12 Marijuana To New Title 44	L. Herod / B. Gardner	2/5/2018 Introduced In Senate - Assigned to Judiciary
HB18-1025	Kevin Bommer		Neutral	NOT ON CALENDAR	Relocate Title 12 Liquor Laws To Title 44	L. Herod / J. Cooke B. Gardner	1/23/2018 House Committee on Judiciary Refer Amended to Appropriations
HB18-1027	Meghan Dollar		Neutral	Wednesday, February 21 2018 SENATE JUDICIARY COMMITTEE 1:30 PM SCR 352 (5) in senate calendar.	Relocate Title 24 Lottery To New Title 44	C. Wist / D. Kagan	2/5/2018 Introduced In Senate - Assigned to Judiciary
HB18-1030	Kevin Bommer	Postponed Indefinitely	Neutral	NOT ON CALENDAR	Prohibit Discrimination Labor Union Participation	J. Everett / T. Neville	1/24/2018 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
HB18-1031	Dianne Criswell		Support	NOT ON CALENDAR	Employer Entry FPPA Fire And Police Pension Association Defined Benefit System	J. Melton K. Ransom / J. Cooke M. Jones	2/12/2018 Senate Third Reading Passed - No Amendments
HB18-1033	Dianne Criswell		Neutral	Wednesday, February 28 2018 SENATE STATE,	Employee Leave To Participate In Elections	M. Weissman / D. Coram	2/12/2018 Introduced In Senate - Assigned to State, Veterans, & Military Affairs

VETERANS, &
MILITARY AFFAIRS
COMMITTEE
1:30 PM SCR 357
(3) in senate
calendar.

HB18-1036	Dianne Criswell	Policy Committee - 2/16/18	Postponed Indefinitely	Oppose	NOT ON CALENDAR	Reduce Business Personal Property Taxes	T. Leonard / T. Neville	2/1/2018 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
HB18-1037	Meghan Dollar			Neutral	Wednesday, February 21 2018 State, Veterans, & Military Affairs 1:30 p.m. Room 271 (1) in house calendar.	Concealed Handguns On School Grounds	P. Neville / T. Neville	1/10/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1039	Meghan Dollar			Neutral	Wednesday, February 21 2018 SENATE STATE, VETERANS, & MILITARY AFFAIRS COMMITTEE 1:30 PM SCR 357 (1) in senate calendar.	Change Date Of Regular Special District Elections	K. Ransom / B. Gardner	2/12/2018 Introduced In Senate - Assigned to State, Veterans, & Military Affairs
HB18-1041	Meghan Dollar			Neutral	Tuesday, February 20 2018 SENATE LOCAL GOVERNMENT COMMITTEE 1:30 PM SCR 354 (1) in senate calendar.	Crime Of Cruelty To Certified Police Working Horse	M. Catlin / D. Coram	2/12/2018 Introduced In Senate - Assigned to Local Government
HB18-1042	Morgan Cullen			Neutral	NOT ON CALENDAR	Private Interstate Commercial Vehicle Registration	J. Ginal J. Becker / R. Scott R. Zenzinger	1/31/2018 House Committee on Transportation & Energy Refer Amended to Appropriations
HB18-1047	Dianne Criswell			Neutral	NOT ON CALENDAR	Fair Campaign Practices Act Technical Changes	S. Lontine / B. Gardner	2/14/2018 House Committee on State, Veterans, & Military Affairs Refer Amended to House Committee of the Whole
HB18-	Meghan			Support	NOT ON CALENDAR	Statutory Provisions	M. Hamner T.	2/14/2018 House Third Reading

1051	Dollar					Extinguish Unattended Fires	Carver / D. Coram M. Merrifield	Passed - No Amendments
HB18-1053	Morgan Cullen		Neutral	NOT ON CALENDAR		Reclaimed Water Use For Marijuana Cultivation	J. Arndt C. Hansen / K. Donovan	1/29/2018 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Appropriations
HB18-1054	Dianne Criswell, Meghan Dollar		Postponed Indefinitely	Neutral	NOT ON CALENDAR	Affordable Housing Plastic Shopping Bag Tax	P. Rosenthal / L. Court	1/31/2018 House Committee on Local Government Postpone Indefinitely
HB18-1056	Dianne Criswell		Support	NOT ON CALENDAR		FPPA Fire And Police Pension Association Statewide Standard Health History Form	K. Van Winkle D. Williams / J. Cooke	2/13/2018 House Third Reading Passed - No Amendments
HB18-1057	Meghan Dollar		Neutral	NOT ON CALENDAR		Disclosure Of Information For Asset Recovery	H. McKean / D. Coram	2/12/2018 House Committee on Finance Refer Amended to Appropriations
HB18-1061	Meghan Dollar	Policy Committee - 2/16/18	Postponed Indefinitely	Oppose	NOT ON CALENDAR	No Encryption Of Dispatch Radio Communications	K. Van Winkle	1/18/2018 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
HB18-1062	Dianne Criswell		Postponed Indefinitely	Formerly Opposed	NOT ON CALENDAR	Sales Tax On Retail Marijuana	S. Lebsock	2/7/2018 House Committee on Finance Postpone Indefinitely
HB18-1066	Meghan Dollar		Neutral	NOT ON CALENDAR		Clarify Sexually Exploitative Material Discovery	Y. Willett M. Foote / J. Cooke	2/12/2018 Introduced In Senate - Assigned to Judiciary
HB18-1067	Meghan Dollar		Oppose	Wednesday, February 21 2018 Supreme Court Chamber Local Government 1:30 p.m. Room Old (1) in house calendar.		Right To Rest Act	J. Melton J. Salazar	1/10/2018 Introduced In House - Assigned to Local Government
HB18-1069	Morgan Cullen		Neutral	NOT ON CALENDAR		Reclaimed Water Use For Toilet Flushing	J. Arndt D. Thurlow / D. Coram	1/29/2018 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Appropriations
HB18-1071	Morgan Cullen	Policy Committee - 2/16/18	Neutral	NOT ON CALENDAR		Regulate Oil Gas Operations Protect Public Safety	J. Salazar / D. Moreno	2/12/2018 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy

HB18-1072	Meghan Dollar		Postponed Indefinitely	Oppose	NOT ON CALENDAR	Red Light Camera Repeal	S. Humphrey / T. Neville	2/14/2018 House Committee on Transportation & Energy Postpone Indefinitely
HB18-1073	Morgan Cullen			Neutral	NOT ON CALENDAR	Water District Ability Contract Water Assets	M. Gray / B. Gardner	2/13/2018 House Third Reading Passed - No Amendments
HB18-1074	Meghan Dollar			Neutral	Wednesday, February 21 2018 State, Veterans, & Military Affairs 1:30 p.m. Room 271 (2) in house calendar.	Deadly Force Against Intruder At A Business	J. Everett / V. Marble	1/16/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1076	Meghan Dollar	Policy Committee - 2/16/18		Staff Discretion to Support	Tuesday, February 20 2018 Judiciary 1:30 p.m. Room 0112 (4) in house calendar.	Peace Officers Standards and Training Board Revoke Certification For Untruthful Statement	J. Salazar	1/17/2018 Introduced In House - Assigned to Judiciary
HB18-1077	Meghan Dollar			Neutral	Thursday, February 15 2018 State, Veterans, & Military Affairs Upon Adjournment Room LSB-A (1) in house calendar.	Penalty For Burglary Of Firearms	L. Liston D. Valdez	1/17/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1078	Meghan Dollar			Neutral	Tuesday, February 20 2018 Judiciary 1:30 p.m. Room 0112 (1) in house calendar.	Court Programs For Veterans	L. Landgraf T. Exum	1/17/2018 Introduced In House - Assigned to Judiciary
HB18-1083	Dianne Criswell			Neutral	Thursday, February 22 2018 Business Affairs and Labor 1:30 p.m. Room LSB-A (1) in house calendar.	On-demand Air Carriers Sales And Use Tax Exemption	T. Kraft-Tharp L. Sias / J. Tate A. Williams	1/18/2018 Introduced In House - Assigned to Business Affairs and Labor + Finance
HB18-1084	Dianne Criswell			Oppose Unless	NOT ON CALENDAR	County Lodging Tax Revenue Allowable Uses	D. Thurlow M. Hamner / D.	2/14/2018 House Committee on Finance Postpone Indefinitely

			Amended	Coram				
HB18-1085	Morgan Cullen		Postponed Indefinitely	Neutral	NOT ON CALENDAR	Health Effects Industrial Wind Turbines	P. Lundeen	2/8/2018 House Committee on Transportation & Energy Postpone Indefinitely
HB18-1089	Meghan Dollar	Policy Committee - 2/16/18		Oppose	Thursday, February 22 2018 Judiciary 1:30 p.m. Room 0112 (4) in house calendar.	No Monetary Conditions Of Bond For Misdemeanors	A. Benavidez	1/18/2018 Introduced In House - Assigned to Judiciary
HB18-1092	Kevin Bommer	Policy Committee - 2/16/18		Neutral	NOT ON CALENDAR	Marijuana Delivery Pilot Project	J. Melton J. Singer / T. Neville	2/14/2018 House Committee on Finance Refer Amended to Appropriations
HB18-1093	Morgan Cullen			Neutral	NOT ON CALENDAR	Reclaimed Water Use For Edible Crops	J. Arndt / D. Coram	1/29/2018 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Appropriations
HB18-1096	Kevin Bommer			Support	NOT ON CALENDAR	Special Event Permit Alcohol Beverages	M. Gray / K. Priola	2/12/2018 Introduced In Senate - Assigned to Business, Labor, & Technology
HB18-1099	Kevin Bommer			Support	Wednesday, February 28 2018 House Transportation & Energy 1:30 p.m. Room 0112 (2) in house calendar.	Broadband Deployment Level Playing Field	M. Catlin B. McLachlan / D. Coram	1/18/2018 Introduced In House - Assigned to Transportation & Energy
HB18-1101	Dianne Criswell			Neutral	NOT ON CALENDAR	Retail Marijuana Sales Tax Appropriations For Schools	M. Hamner / K. Lambert	2/12/2018 Introduced In Senate - Assigned to Appropriations
HB18-1103	Morgan Cullen			Support	Thursday, February 15 2018 House Transportation & Energy Upon Adjournment Room 0112 (1) in house calendar.	Local Government Off-highway Vehicle Regulation	B. McLachlan / D. Coram	1/18/2018 Introduced In House - Assigned to Transportation & Energy
HB18-1105	Meghan Dollar			Neutral	NOT ON CALENDAR	Motor And Powersports Vehicle License Requirement	L. Liston J. Melton / J. Tate	2/12/2018 Introduced In Senate - Assigned to Business, Labor, &

								Technology
HB18-1106	Kevin Bommer		Postponed Indefinitely	Neutral	NOT ON CALENDAR	Minimum Wage Requirement Waiver	D. Williams	1/24/2018 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
HB18-1107	Meghan Dollar			Neutral	NOT ON CALENDAR	Prewire Residence For Electric Vehicle Charging Port	M. Weissman / K. Priola	2/14/2018 House Third Reading Passed - No Amendments
HB18-1111	Kevin Bommer			Neutral	NOT ON CALENDAR	Modifications To PERA Public Employees' Retirement Association Board Of Trustees	J. Everett / T. Neville	2/14/2018 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
HB18-1116	Kevin Bommer			Neutral	NOT ON CALENDAR	Broadband Deployment Board Apply For Federal Funds	B. Rankin / D. Moreno	1/29/2018 Governor Signed
HB18-1119	Morgan Cullen			Neutral	Wednesday, February 21 2018 House Transportation & Energy 1:30 p.m. Room 0112 (2) in house calendar.	Highway Building & Maintenance Funding	T. Leonard / T. Neville	1/19/2018 Introduced In House - Assigned to Transportation & Energy
HB18-1125	Meghan Dollar			Neutral	NOT ON CALENDAR	Tax Credit Employer-assisted Housing Pilot Program	J. Wilson	1/19/2018 Introduced In House - Assigned to Finance + Appropriations
HB18-1126	Meghan Dollar			Neutral	NOT ON CALENDAR	Limit Homeowners' Association Regulation Of Dogs By Size Or Breed	P. Rosenthal	2/14/2018 House Committee on Local Government Refer Amended to House Committee of the Whole
HB18-1127	Meghan Dollar			Neutral	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (1) in house calendar.	Residential Landlord Rental Application	D. Jackson C. Kennedy / S. Fenberg	2/12/2018 House Committee on Finance Refer Amended to House Committee of the Whole
HB18-1128	Dianne Criswell			Neutral	NOT ON CALENDAR	Protections For Consumer Data Privacy	C. Wist J. Bridges / K. Lambert L. Court	2/14/2018 House Committee on State, Veterans, & Military Affairs Refer Amended to Appropriations
HB18-1131	Meghan Dollar			Neutral	Tuesday, February 27 2018 Judiciary 1:30 p.m. Room 0112	Court System For Remote Participation In Hearings	D. Michaelson Jenet / L. Crowder R. Fields	1/22/2018 Introduced In House - Assigned to Judiciary

(3) in house calendar.

HB18-1133	Kevin Bommer	Neutral	NOT ON CALENDAR	Marijuana Processor Registration	S. Lebsock / V. Marble	1/22/2018 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources
HB18-1138	Dianne Criswell	Neutral	NOT ON CALENDAR	Public Official Oaths And Affirmations	J. Arndt / R. Zenzinger	2/14/2018 House Committee on State, Veterans, & Military Affairs Refer Amended to House Committee of the Whole
HB18-1140	Dianne Criswell	Neutral	NOT ON CALENDAR	Public Official Personal Surety Bonds	H. McKean / D. Moreno	2/14/2018 House Third Reading Passed - No Amendments
HB18-1145	Dianne Criswell	Neutral	Thursday, February 22 2018 State, Veterans, & Military Affairs Upon Adjournment Room LSB-A (2) in house calendar.	Enjoined Laws On Ballot Issue Petition Circulators	E. Hooton / D. Moreno	1/26/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1150	Morgan Cullen	Oppose	Wednesday, March 7 2018 State, Veterans, & Military Affairs 1:30 p.m. Room LSB-A (2) in house calendar.	Local Government Liable Fracking Ban Oil And Gas Moratorium	P. Buck	1/31/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1151	Morgan Cullen	Neutral	Monday, February 26 2018 Agriculture, Livestock, & Natural Resources 1:30 p.m. Room 0107 (1) in house calendar.	Colorado Water Conservation Board Approve Deficit Irrigation Pilot Projects	J. Arndt M. Catlin / L. Crowder	1/31/2018 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources
HB18-1152	Dianne Criswell	Neutral	Wednesday, March 7 2018 State, Veterans, & Military Affairs 1:30 p.m. Room LSB-A	Judicial Administrative And Budget Records Subject to Colorado Open Records Act	P. Lawrence / J. Cooke	1/31/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs

(1) in house calendar.

HB18-1154	Dianne Criswell		Neutral	NOT ON CALENDAR	Protect Consumer Solicit Public Record Copy For Fee	E. Hooton K. Van Winkle	1/31/2018 Introduced In House - Assigned to Finance
HB18-1178	Meghan Dollar	Policy Committee - 2/16	Oppose	Wednesday, March 14 2018 State, Veterans, & Military Affairs 1:30 p.m. Room LSB-A (1) in house calendar.	Hold Colorado Governments Accountable Sanctuary Jurisdictions	D. Williams / K. Lundberg V. Marble	2/2/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1180	Dianne Criswell		Neutral	Tuesday, February 20 2018 Public Health Care & Human Services 1:30 p.m. Room 0107 (1) in house calendar.	Mental Health Professional Dismissed Complaint Colorado Open Records Act Access	J. Melton	2/2/2018 Introduced In House - Assigned to Public Health Care & Human Services
HB18-1181	Dianne Criswell		Neutral	Thursday, March 1 2018 State, Veterans, & Military Affairs Upon Adjournment Room LSB-A (1) in house calendar.	Nonresident Electors And Special Districts	L. Liston / J. Tate	2/2/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
HB18-1184	Meghan Dollar	Policy Committee - 2/16/18	Support	NOT ON CALENDAR	Create Next Generation 911 Board	T. Exum P. Lawrence / I. Aguilar B. Gardner	2/2/2018 Introduced In House - Assigned to Business Affairs and Labor
HB18-1187	Kevin Bommer		Neutral	Tuesday, February 20 2018 Public Health Care & Human Services 1:30 p.m. Room 0107 (3) in house calendar.	Food And Drug Administration Cannabidiol Drug Use	J. Buckner L. Landgraf / J. Cooke D. Moreno	2/2/2018 Introduced In House - Assigned to Public Health Care & Human Services
HB18-1188	Morgan Cullen		Neutral	Thursday, February 22 2018 House Transportation &	Electronic Data Transportation Infrastructure	D. Jackson / O. Hill	2/2/2018 Introduced In House - Assigned to Transportation & Energy

Energy
Upon Adjournment
Room 0112
(2) in house calendar.

HB18-1190	Meghan Dollar	Policy Committee - 2/16/18	Support	NOT ON CALENDAR	Modify Job Creation Main Street Revitalization Act	D. Esgar H. McKean / J. Tate L. Garcia	2/2/2018 Introduced In House - Assigned to Finance
HB18-1191	Morgan Cullen		Neutral	Thursday, February 22 2018 House Transportation & Energy Upon Adjournment Room 0112 (1) in house calendar.	Local Government Alter Speed Limits	F. Winter / B. Martinez Humenik J. Kefalas	2/2/2018 Introduced In House - Assigned to Transportation & Energy
HB18-1194	Dianne Criswell		Neutral	NOT ON CALENDAR	Conservation Easement Transparency	K. Lewis / J. Sonnenberg V. Marble	2/5/2018 Introduced In House - Assigned to Health, Insurance, & Environment
HB18-1195	Meghan Dollar	Policy Committee - 2/16/18	Support	Monday, February 26 2018 Finance 1:30 p.m. Room LSB-A (3) in house calendar.	Tax Credit Contributions Organizations Affordable Housing	D. Pabon / J. Tate	2/5/2018 Introduced In House - Assigned to Finance + Appropriations
HB18-1199	Morgan Cullen		Neutral	Monday, February 26 2018 Agriculture, Livestock, & Natural Resources 1:30 p.m. Room 0107 (3) in house calendar.	Aquifer Storage-and-recovery Plans	M. Catlin / D. Coram	2/5/2018 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources
HB18-1200	Meghan Dollar		Neutral	NOT ON CALENDAR	Cybercrime Changes	P. Lundeen A. Garnett / D. Coram R. Fields	2/5/2018 Introduced In House - Assigned to Judiciary
HB18-1201	Kevin Bommer		Support	Monday, April 9 2018 Finance 1:30 p.m. Room LSB-	Severance Tax Voter-approved Revenue Change	D. Thurlow / D. Coram	2/5/2018 Introduced In House - Assigned to Finance + Appropriations

A
(1) in house calendar.

HB18-1215	Morgan Cullen		Neutral	NOT ON CALENDAR	Safe Disposal Naturally Occur Radioactive Material	J. Arndt	2/5/2018 Introduced In House - Assigned to Health, Insurance, & Environment
HB18-1218	Dianne Criswell		Neutral	NOT ON CALENDAR	Definition Of Veterans' Organizations For Sales And Use Tax	T. Carver J. Melton / L. Crowder N. Todd	2/5/2018 Introduced In House - Assigned to Finance + Appropriations
HB18-1234	Meghan Dollar	Policy Committee - 2/16/18	Support	NOT ON CALENDAR	Internet Sweepstakes Caf?? Revise Legal Terms	K. Becker P. Lundeen / K. Grantham T. Neville	2/6/2018 Introduced In House - Assigned to Business Affairs and Labor



LIST OF CML FOLLOWED SENATE BILLS - 2018 SESSION

**Positions are staff recommendations if "Policy Committee" or "Board" is noted

Bill #	Staff	Board/Policy Committee	PI'd/Signed	Position	Calendar Notification	Short Title	Sponsors	Most Recent Status
SB18-001	Morgan Cullen	Policy Committee - 2/16/18		Neutral	NOT ON CALENDAR	Transportation Infrastructure Funding	R. Baumgardner J. Cooke / P. Buck	1/23/2018 Senate Committee on Transportation Refer Amended to Finance
SB18-002	Kevin Bommer			Staff Discretion	NOT ON CALENDAR	Financing Rural Broadband Deployment	D. Coram J. Sonnenberg / K. Becker C. Duran	2/12/2018 Senate Third Reading Reconsidered - No Amendments
SB18-003	Morgan Cullen	Policy Committee - 2/16/18		Neutral	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (4) in senate calendar.	Colorado Energy Office	R. Scott	2/14/2018 Senate Committee on Appropriations Refer Unamended to Senate Committee of the Whole
SB18-005	Morgan Cullen			Support	NOT ON CALENDAR	Rural Economic Advancement Of Colorado Towns	K. Donovan R. Scott / D. Roberts	2/13/2018 Senate Third Reading Passed - No Amendments
SB18-006	Meghan Dollar		Postponed Indefinitely	Support	NOT ON CALENDAR	Recording Fee To Fund Attainable Housing	R. Zenzinger / F. Winter	2/5/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-007	Meghan Dollar			Support	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (5) in senate calendar.	Affordable Housing Tax Credit	J. Tate L. Guzman / C. Duran J. Becker	2/14/2018 Senate Committee on Appropriations Refer Unamended to Senate Committee of the Whole
SB18-	Morgan			Neutral	NOT ON CALENDAR	Allow Electric Utility	S. Fenberg K.	2/13/2018 Introduced In House -

009	Cullen				Customers Install Energy Storage Equipment	Priola / F. Winter P. Lawrence	Assigned to Transportation & Energy
SB18-015	Meghan Dollar		Neutral	Wednesday, March 21 2018 State, Veterans, & Military Affairs 1:30 p.m. Room LSB-A (1) in house calendar.	Protecting Homeowners And Deployed Military	B. Gardner O. Hill / D. Williams L. Liston	2/1/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
SB18-019	Morgan Cullen		Support	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS (2) in house calendar.	Expanded Duration For Colorado Water Resources And Power Development Authority Revolving Loans	K. Donovan D. Coram / C. Hansen J. Arndt	2/12/2018 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to House Committee of the Whole
SB18-021	Kevin Bommer	Postponed Indefinitely	Neutral	NOT ON CALENDAR	Marijuana Closed-loop Payment System Pilot Project	T. Neville C. Jahn / D. Pabon	2/5/2018 Senate Committee on Business, Labor, & Technology Postpone Indefinitely
SB18-024	Meghan Dollar		Support	NOT ON CALENDAR	Expand Access Behavioral Health Care Providers	C. Jahn J. Tate / J. Singer	1/25/2018 Senate Committee on Health & Human Services Refer Amended to Appropriations
SB18-025	Morgan Cullen		Neutral	NOT ON CALENDAR	Urban Drainage Flood Control District Elections	K. Priola / J. Coleman	2/14/2018 House Committee on Local Government Refer Unamended to House Committee of the Whole
SB18-026	Meghan Dollar		Neutral	NOT ON CALENDAR	Make Sex Offender Registration More Effective	D. Kagan	2/14/2018 Senate Committee on Judiciary Refer Amended to Senate Committee of the Whole
SB18-029	Kevin Bommer	Postponed Indefinitely	Neutral	NOT ON CALENDAR	Development of Marijuana Tracking Technology	K. Lambert L. Garcia / D. Pabon Y. Willett	2/7/2018 Senate Committee on Business, Labor, & Technology Postpone Indefinitely
SB18-034	Meghan Dollar		Neutral	Thursday, February 15 2018 CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (1) in senate calendar.	Relocate Title 12 Gaming To New Title 44	J. Cooke L. Guzman / C. Wist P. Lee	2/15/2018 Senate Considered House Amendments - Result was to Concur - Repass
SB18-035	Meghan Dollar		Neutral	NOT ON CALENDAR	Relocate Title 24 Gambling Intercept To Title 44	B. Gardner J. Cooke / C. Wist	2/14/2018 House Third Reading Passed - No Amendments

SB18-038	Morgan Cullen		Neutral	NOT ON CALENDAR	Reclaimed Water Use On Industrial Hemp	K. Donovan D. Coram / Y. Willett D. Esgar	1/18/2018 Senate Committee on Agriculture, Natural Resources, & Energy Refer Amended to Appropriations
SB18-039	Meghan Dollar		Neutral	NOT ON CALENDAR	Continue The Wildfire Matters Review Committee	J. Cooke M. Jones / T. Exum D. Thurlow	1/18/2018 Senate Committee on Agriculture, Natural Resources, & Energy Refer Unamended to Appropriations
SB18-040	Meghan Dollar		Neutral	NOT ON CALENDAR	Substance Use Disorder Harm Reduction	K. Lambert C. Jahn / J. Singer	2/14/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-041	Morgan Cullen		Neutral	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS (3) in house calendar.	Authorize Water Use Incidental Sand And Gravel Mines	D. Coram R. Baumgardner / L. Saine J. Arndt	2/12/2018 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to House Committee of the Whole
SB18-045	Morgan Cullen		Oppose	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (6) in senate calendar.	Repeal Architectural Paint Stewardship Act	K. Lundberg / K. Ransom	2/14/2018 Senate Committee on Appropriations Refer Amended to Senate Committee of the Whole
SB18-046	Morgan Cullen		Neutral	Wednesday, February 28 2018 House Transportation & Energy 1:30 p.m. Room 0112 (1) in house calendar.	Special License Plate Nonprofit Donation	D. Moreno / D. Michaelson Jenet	2/8/2018 Introduced In House - Assigned to Transportation & Energy
SB18-048	Morgan Cullen	Postponed Indefinitely	Support	NOT ON CALENDAR	Protect Act Local Government Authority Oil & Gas Facilities	M. Jones / M. Foote	1/29/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-049	Morgan Cullen	Postponed Indefinitely	Neutral	NOT ON CALENDAR	Use Of Mobile Electronic Devices While Driving	L. Court / J. Melton	1/24/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-051	Meghan Dollar		Neutral	Monday, February 26 2018 SENATE STATE, VETERANS, & MILITARY AFFAIRS COMMITTEE	Prohibit Multi-burst Trigger Activators	M. Merrifield	1/10/2018 Introduced In Senate - Assigned to State, Veterans, & Military Affairs

					1:30 PM SCR 357 (1) in senate calendar.			
SB18-052	Meghan Dollar			Neutral	Wednesday, February 28 2018 SENATE STATE, VETERANS, & MILITARY AFFAIRS COMMITTEE 1:30 PM SCR 357 (4) in senate calendar.	Repeal Ammunition Magazine Prohibition	O. Hill / S. Humphrey L. Saine	1/10/2018 Introduced In Senate - Assigned to State, Veterans, & Military Affairs
SB18-057	Meghan Dollar		Postponed Indefinitely	Oppose	NOT ON CALENDAR	Use Of Criminal Records With Respect To Housing	D. Kagan	2/7/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-058	Meghan Dollar			Neutral	NOT ON CALENDAR	Failure Report Child Abuse Statute Of Limitations	R. Fields / T. Carver	2/14/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-059	Meghan Dollar			Support	NOT ON CALENDAR	Public Safety Information-sharing System	R. Fields / D. Pabon	1/11/2018 Introduced In Senate - Assigned to Judiciary
SB18-060	Meghan Dollar			Neutral	Tuesday, February 27 2018 Judiciary 1:30 p.m. Room 0112 (1) in house calendar.	Protective Orders In Criminal Cases	D. Coram / M. Hamner	2/2/2018 Introduced In House - Assigned to Judiciary
SB18-061	Dianne Criswell			Neutral	NOT ON CALENDAR	Reduce The State Income Tax Rate	J. Sonnenberg K. Grantham	1/30/2018 Senate Committee on Finance Refer Unamended to Appropriations
SB18-063	Morgan Cullen		Postponed Indefinitely	Neutral	NOT ON CALENDAR	Oil Gas Higher Financial Assurance Reclamation Requirements	M. Jones / A. Benavidez	2/1/2018 Senate Committee on Agriculture, Natural Resources, & Energy Postpone Indefinitely
SB18-064	Morgan Cullen	Policy Committee - 2/16/18	Postponed Indefinitely	Oppose	NOT ON CALENDAR	Require 100% Renewable Energy By 2035	M. Jones / M. Foote	2/1/2018 Senate Committee on Agriculture, Natural Resources, & Energy Postpone Indefinitely
SB18-066	Meghan Dollar			Support	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (7) in senate calendar.	Extend Operation Of State Lottery Division	J. Sonnenberg L. Garcia / J. Arndt C. Wist	2/14/2018 Senate Committee on Appropriations Refer Unamended to Senate Committee of the Whole
SB18-067	Kevin Bommer			Support	Thursday, February 15 2018	Auction Alcohol In Sealed Container Special Events	R. Zenzinger K. Priola / T.	2/7/2018 Introduced In House - Assigned to Business Affairs and Labor

				Business Affairs and Labor 1:30 p.m. Room LSB-A (1) in house calendar.		Kraft-Tharp K. Van Winkle	
SB18-068	Meghan Dollar		Neutral	NOT ON CALENDAR	False Reporting Of An Emergency	J. Cooke / K. Van Winkle	1/29/2018 Senate Committee on Judiciary Refer Unamended to Appropriations
SB18-070	Dianne Criswell		Neutral	NOT ON CALENDAR	Church Property Tax Exemption	T. Neville / S. Humphrey T. Leonard	1/25/2018 Senate Committee on Finance Refer Unamended to Appropriations
SB18-072	Meghan Dollar		Neutral	NOT ON CALENDAR	Record Sealing Menacing And Third Degree Assault	D. Moreno	1/12/2018 Introduced In Senate - Assigned to Judiciary
SB18-076	Dianne Criswell			Thursday, March 1 2018 State, Veterans, & Military Affairs Upon Adjournment Room LSB-A (3) in house calendar.	Ban Vote Trading	K. Lundberg / J. Melton	2/7/2018 Introduced In House - Assigned to State, Veterans, & Military Affairs
SB18-077	Dianne Criswell		Neutral	NOT ON CALENDAR	State Sales Tax Exemption For Used Motor Vehicles	L. Crowder	2/1/2018 Senate Committee on Finance Refer Amended to Appropriations
SB18-078	Morgan Cullen		Neutral	NOT ON CALENDAR	Exempt Old Vehicles From Some Registration Charges	R. Baumgardner / J. Becker	1/12/2018 Introduced In Senate - Assigned to Transportation
SB18-079	Kevin Bommer		Neutral	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS - CONSENT CALENDAR (2) in senate calendar.	Sake Vinous Liquor Colorado Liquor Code	L. Guzman / D. Pabon	2/15/2018 Senate Second Reading Passed with Amendments - Committee
SB18-081	Meghan Dollar	Postponed Indefinitely	Neutral	NOT ON CALENDAR	Emergency Medical Service Providers Licensing	L. Garcia	1/24/2018 Senate Committee on Business, Labor, & Technology Postpone Indefinitely
SB18-084	Meghan Dollar	Policy Committee - 2/16/18	Oppose unless amended	Thursday, February 15 2018 SENATE HEALTH & HUMAN SERVICES COMMITTEE	Protection Minor Victims Of Human Trafficking	J. Kefalas / L. Landgraf P. Lundeen	1/16/2018 Introduced In Senate - Assigned to Health & Human Services

				1:30 PM SCR 354 (2) in senate calendar.			
SB18-088	Dianne Criswell		Neutral	NOT ON CALENDAR	Taxation Of Retail Marijuana Sales	B. Gardner / K. Becker	2/13/2018 Senate Considered House Amendments - Result was to Concur - Repass
SB18-097	Meghan Dollar		Neutral	NOT ON CALENDAR	Concealed Handgun Carry With No Permit	T. Neville / K. Van Winkle	2/14/2018 Senate Committee on State, Veterans, & Military Affairs Refer Unamended to Appropriations
SB18-098	Dianne Criswell		Neutral	NOT ON CALENDAR	Unconstitutional Language Interest On Damages	R. Zenzinger J. Tate / D. Thurlow E. Hooton	1/22/2018 Introduced In Senate - Assigned to Judiciary
SB18-104	Kevin Bommer		Neutral	NOT ON CALENDAR	Federal Funds For Rural Broadband Deployment	K. Donovan / Y. Willett B. McLachlan	2/14/2018 Introduced In House - Assigned to Finance
SB18-105	Kevin Bommer		Neutral	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS (5) in house calendar.	Correction To House Bill 17-1367 Change "And" To "Or"	R. Baumgardner / D. Pabon	2/12/2018 House Committee on Finance Refer Unamended to House Committee of the Whole
SB18-106	Dianne Criswell		Neutral	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS - CONSENT CALENDAR (2) in senate calendar.	Local Government Pledging Sales & Use Tax Capital Improvement	J. Tate / D. Thurlow	2/15/2018 Senate Second Reading Special Order - Passed with Amendments - Committee
SB18-107	Dianne Criswell		Support	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS - CONSENT CALENDAR (3) in senate calendar.	Repeal Nomination Vacancy Filling In Municipal Elections	R. Zenzinger / D. Thurlow	2/15/2018 Senate Second Reading Passed with Amendments - Committee
SB18-119	Meghan Dollar		Neutral	NOT ON CALENDAR	False Imprisonment Of A Minor	B. Gardner	2/7/2018 Senate Committee on Judiciary Refer Unamended to Appropriations
SB18-120	Meghan Dollar	Postponed Indefinitely	Neutral	NOT ON CALENDAR	Time Period For Tenant To Cure Unpaid Rent	A. Williams K. Priola / D.	2/14/2018 Senate Committee on Business, Labor, & Technology Postpone Indefinitely

						Jackson J. Wilson		
SB18-124	Kevin Bommer		Neutral	Tuesday, February 20 2018 Business Affairs and Labor 1:30 p.m. Room LSB-A (3) in house calendar.	Imported Alcohol Beverages Waiting Period	O. Hill / D. Pabon	2/13/2018 Introduced In House - Assigned to Business Affairs and Labor	
SB18-128	Kevin Bommer		Neutral	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (2) in senate calendar.	Legislative Approval For State Agency Fee Increase	B. Gardner / L. Liston	2/13/2018 Senate Committee on Finance Refer Unamended to Senate Committee of the Whole	
SB18-129	Dianne Criswell		Neutral	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS (1) in senate calendar.	Reorganize Drugs & Medical Devices Sales Tax Exemption	D. Moreno / J. Arndt	2/15/2018 Senate Second Reading Passed with Amendments - Committee, Floor	
SB18-134	Morgan Cullen		Neutral	NOT ON CALENDAR	Public Utilities Commission Deregulate Nonprofit Water Utilities	J. Cooke / J. Arndt	2/14/2018 Senate Third Reading Passed - No Amendments	
SB18-138	Kevin Bommer		Neutral	Thursday, February 15 2018 GENERAL ORDERS - SECOND READING OF BILLS - CONSENT CALENDAR (1) in senate calendar.	Transfer Alcohol From Surrendered License	B. Gardner A. Kerr / M. Gray L. Liston	2/15/2018 Senate Second Reading Passed with Amendments - Committee	
SB18-139	Dianne Criswell	Policy Committee - 2/16/18	Oppose	Wednesday, February 21 2018 SENATE BUSINESS, LABOR, & TECHNOLOGY COMMITTEE 2:00 PM SCR 354 (1) in senate calendar.	Statewide Regulation Of Products With Nicotine	J. Cooke / J. Singer	1/29/2018 Introduced In Senate - Assigned to Business, Labor, & Technology	
SB18-142	Meghan Dollar	Policy Committee - 2/16/18	Postponed Indefinitely	Oppose	NOT ON CALENDAR	Pilot Project For Sustainable Communities	L. Crowder J. Kefalas / J. Melton L. Herod	2/12/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely

SB18-144	Morgan Cullen		Neutral	Friday, February 16 2018 GENERAL ORDERS - SECOND READING OF BILLS (3) in senate calendar.	Bicycle Operation Approaching Intersection	A. Kerr / Y. Willett	2/13/2018 Senate Committee on State, Veterans, & Military Affairs Refer Unamended to Senate Committee of the Whole
SB18-155	Dianne Criswell		Neutral	NOT ON CALENDAR	Hospital Community Benefits Reporting Requirements	I. Aguilar / B. Pettersen	2/14/2018 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely
SB18-166	Meghan Dollar		Neutral	Wednesday, February 21 2018 SENATE JUDICIARY COMMITTEE 1:30 PM SCR 352 (6) in senate calendar.	Change Maximum Criminal Penalty One Year To 364 Days	D. Coram / L. Herod	2/5/2018 Introduced In Senate - Assigned to Judiciary
SB18-167	Morgan Cullen	Policy Committee - 2/16/18	Neutral	NOT ON CALENDAR	Enforce Requirements 811 Locate Underground Facilities	R. Scott K. Donovan / F. Winter L. Saine	2/12/2018 Introduced In Senate - Assigned to Transportation
SJR18-003	Morgan Cullen		Neutral	NOT ON CALENDAR	Water Projects Eligibility Lists	R. Baumgardner / J. Arndt	2/13/2018 Governor Signed