The House Agriculture, Natural Resources and Energy Committee will be awash in water legislation this week, as it begins work on the first of more than a dozen bills on water issues expected this session.

The interim Water Resources Review Committee sent six bills and two resolutions to lawmakers for the 2013 legislative session. That committee was co-chaired by Rep. Jerry Sonnenberg (R-Sterling), then-chair of the House ag committee. Its 10 members also included Sen. Greg Brophy (R-Wray).

In hearings this week, Sonnenberg will ask for ag committee approval on two measures from the interim water committee. They are House Bill (HB) 13-1013, on protecting water rights for lease holders, and House Joint Resolution 13-1044, which opposes efforts by the U.S. Forest Service to obtain the water rights on lands leased to ski areas and other permitted users.

Both measures are tied to problems with the Forest Service, which wants the water rights of the state's 22 ski areas that lease national forest lands. The Forest Service changed a long-standing policy last year that allowed the ski areas to use the water rights as they saw fit. The new policy, now the subject of a federal lawsuit, requires lease holders to turn over their water rights to the Forest Service.

During hearings last fall, the water resources committee heard from Glenn Porzak, an attorney who represents the ski areas in the lawsuit. "All water right owners should be concerned about this precedent," Porzak told the committee. He explained that a significant percentage of Colorado water arises on national forest service lands. The change in Forest Service policy may be an attempt to do an "end run" around state water law through its permitting process, Porzak said.

The Forest Service also "quietly issued a similar directive" to impose those rules on all other water users on national forest service lands. That includes municipalities and other users that divert water originating on national forest lands. A Forest Service representative declined to comment during the Sept. 6 hearing because of the lawsuit.

Sonnenberg has one other bill in the ag committee this week: HB 1034, which would move the receipt process for commodity elevators into the 21st century.

HB 1034 would allow commodity elevators or warehouses to use electronic receipts instead of the current process of recording transactions on paper receipts. Sonnenberg said it will protect farmers and ranchers who sell their products to the elevators or warehouses on one date and take payment at a later date.

This common practice allows farmers and ranchers to take advantage of higher commodity prices at different times of the year, he said. In addition, having the receipts available to the banks electronically shows that the sale has taken place, even if money has not yet changed hands.

Also up for action this week: Brophy's Senate Bill (SB) 13-054, which would allow restaurants and other places that sell alcohol to serve someone 18 years of age or older but under the age of 21, as long as a parent or legal guardian purchases the alcohol. The parent or legal guardian must be over 21 years of age and accompany the person who's consuming the beverage.

The bill's origins are in Brophy's own experience, as well as conversations he's had on Facebook and Twitter. He pointed out that nine other states already have similar laws, and that 18-year-olds can do almost everything a 21-year-old can do, including sign legally-binding contracts or serve in the military. "We treat these people as adults in almost every other aspect" of their lives, he said.

The bill has gotten a lot of state and national media attention, but it's also drawn opposition from the Colorado Restaurant Association. "This is an unbelievably modest proposal that is drawing a lot of attention because it's novel in Colorado," Brophy said.

SB 54 is assigned to the Senate State, Veterans and Military Affairs Committee, which is usually where the leadership sends bills to be killed. Brophy acknowledges that passage may not be easy, but he's willing to keep at it, as he has done with other successful proposals over the years. "Don't ever count Brophy out," he said with a smile. SB 54 was scheduled for its hearing Wednesday afternoon, Jan. 30.

Finally, the bill to grant in-state tuition rates to illegal immigrants passed the Senate Education Committee last Thursday, Jan. 24 on a 6-3 vote. SB 33 is known as ASSET, or Advancing Students for a Stronger Economy Tomorrow. The bill would allow illegal immigrants to get

in-state tuition rates to attend the state's public colleges and universities. This year's bill is the seventh time supporters have attempted to get in-state tuition rates for illegal immigrants, efforts that began in 2003.

The fiscal note for SB 33, which estimates how much the bill might cost the state and how much revenue, if any, it would bring in, said about 500 students would attend Colorado public colleges and universities under ASSET. Another 250 students per year would be added after the initial year.

In its first year, the fiscal note said, the state could spend about $930,000 in general funds dollars for the College Opportunity Fund vouchers that would go to illegal immigrants who attend college. The change in tuition status for those students could bring in more than $2 million in revenue to those colleges.

SB 33 co-sponsor Sen. Michael Johnston (D-Denver) noted that public opinion regarding ASSET has changed from 2010, when opponents took the addresses of the students from the sign-in sheets and turned them over to Immigration and Naturalization Services for possible deportation. "We no longer see [these students] as threats. We see them as assets."

Johnston joked that as the students finished their testimony and left the hearing, the college and university representatives were fighting over who would get the students, most whom are at the top of their high school classes.

During Thursday's hearing, ASSET got support from the Colorado Commission on Higher Education, Metropolitan State University of Denver, several chambers of commerce, high school and college students and Gov. John Hickenlooper. John Brick from the Colorado Alliance for Immigration Reform was the only person to testify against SB 33.

The bill passed, unamended, with all Democrats in support as well as Sen. Owen Hill (R-Colorado Springs). It moves on to Senate Appropriations for further action.

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