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Authorizing the Conveyance of State Lands to the Federal Government for the Establishment of a Solar Energy Research Institute.

Colorado General Assembly

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CHAPTER 342

GOVERNMENT — STATE

SOLAR ENERGY RESEARCH INSTITUTE

HOUSE BILL NO. 1055. BY REPRESENTATIVES Strahle, Valdez, Baca-Barragan, Boley, Brinton, Brown, Burford, Castro, DeHerrera, DeMoulin, DeNier, Dick, Dittemore, Eckelberry, Frank, Gustafson, Hamlin, Hefley, Hilsmeier, Hume, Jones, Kirscht, Knox, Lloyd, Lucero, Massari, Neale, Orten, Reeves, Showalter, Smith, Spann, Taylor, Waldow, Wayland, Winkler, Witherspoon, and Zakheim; also SENATORS Anderson, Kogovsek, Schieffelin, Cooper, H. Fowler, Gallagher, Harding, Hatcher, Kinnie, Meiklejohn, Phelps, Smedley, Stockton, and Wunsch.

AN ACT

AUTHORIZING THE CONVEYANCE OF STATE LANDS TO THE FEDERAL GOVERNMENT FOR THE ESTABLISHMENT OF A SOLAR ENERGY RESEARCH INSTITUTE.

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

Section 1. Article 82 of title 24, Colorado Revised Statutes 1973, as amended, is amended BY THE ADDITION OF A NEW PART to read:

PART 5

SOLAR ENERGY RESEARCH INSTITUTE

24-82-501. Short title. This part 5 shall be known and may be cited as the "Solar Energy Research and Development Act of 1977".

24-82-502. Legislative declaration. The general assembly hereby finds and declares that the enactment of this part 5 is in the interest of the people of the state of Colorado and of the United States and is for a public purpose; that the selection of a site within the state of Colorado for the construction and operation of a federal facility for the purpose of conducting solar energy research and development and other related forms of energy research is desirable and consistent with scientific, industrial, and commercial development of this state; and that the state should facilitate research which will protect and enhance the preservation of natural resources and the environment of the state, including its land, air, and water and the health and welfare of its citizens. It is the purpose of this part 5 to facilitate the acquisition and use of land or interests in land, which may be needed or desirable for a permanent site suitable for a federal facility to conduct solar energy research and development. It is further declared that the development of renewable, fuel resource-conserving, and nonpolluting forms of energy is a

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

matter of statewide concern and affected with the public interest and that the provisions of this part 5 are enacted in the exercise of the police powers of this state for the purpose of protecting the health, peace, safety, and general welfare of the people of this state.

24-82-503. Conveyance of state lands authorized — description. (1) Any other provision of law to the contrary notwithstanding, including, but not limited to, section 28-3-106, C.R.S. 1973, the adjutant general and the governor, assisted by the attorney general, may enter into an option agreement, exercisable by the federal government at any time within a five-year period, to convey, and may convey within such period, to the federal government, without compensation, the real property interest of the state of Colorado in section thirty-six, township three south, range seventy west of the sixth principal meridian, located in Jefferson county, or so much thereof as the governor, in consultation with the appropriate federal agency, deems necessary for purposes of a solar energy research institute. The state's interest in this property shall not be conveyed in any other manner or for any other purpose.

(2) A conveyance made pursuant to subsection (1) of this section shall be made only when the federal government is prepared to accept the conveyance according to a schedule for site preparation and construction of the facility as it deems appropriate. Any such conveyance may contain provisions for a reversion of title to the property to the state of Colorado if said property is not used or ceases to be used for or in connection with the purposes and functions of a solar energy research institute.

(3) The provisions of this section shall not apply to any interest in such property retained as state school land indemnity interest, but the state board of land commissioners, in a manner consistent with federal law and the constitution of the state, may lease, subordinate, grant, or otherwise dispose of such interest to the federal government for the purposes of guaranteeing the uninterrupted and sole use of such land for the life of its use for a solar energy research institute by the federal government. The procedural requirements of article 1 of title 36, C.R.S. 1973, regarding leasing or sale of state lands shall not apply to such lease, subordination, grant, or other disposal. The state school indemnity interest in such property shall not be leased, subordinated, granted, or otherwise disposed of, or utilized in any other manner or for any other purpose other than that which is necessary for the on-site development of the institute.

24-82-504. Siting of institute. Any other provision of law to the contrary notwithstanding, including, but not limited to, article 23 of title 31, article 28 of title 30, article 65.1 of title 24, and part 3 of article 1 of title 34, C.R.S. 1973, use of the property described in section 24-82-503 (1) is authorized and approved for purpose of a solar energy research facility by the federal government, but, insofar as feasible, the facility shall conform to the substantive standards of any state or local building, fire, safety, health, and environmental control code or any other requirement which would otherwise be applicable.

Section 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: February 1, 1977