

Second Regular Session
Sixty-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 02-0513.01 Ed DeCecco

HOUSE BILL 02-1142

HOUSE SPONSORSHIP

Alexander,

SENATE SPONSORSHIP

Entz,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE LIMITED USE OF A PORTION OF THE DOLORES STATE
102 WILDLIFE AREA FOR PARK PURPOSES, AND MAKING AN
103 APPROPRIATION THEREFOR.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Appropriates a specified amount to the wildlife cash fund to be used by the division of wildlife in the department of natural resources for the purposes set forth in the statutes related to the division.

Makes legislative findings and declarations.

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

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 hereby finds and declares that it is necessary to make an appropriation
4 from the state general fund to the wildlife cash fund so that the American
5 legion may continue to operate a park on approximately three and
6 one-half acres of state land located in the Dolores state wildlife area. In
7 order to qualify for federal matching moneys under the
8 "Pittman-Robertson Wildlife Restoration Act", 16 U.S.C. sec. 669 et seq.,
9 and the "Dingell-Johnson Sport Fish Restoration Act", 16 U.S.C. sec. 777
10 et seq., the division of wildlife in the department of natural resources
11 must use the state license fees it collects solely for wildlife purposes. The
12 Dolores state wildlife area was purchased, in part, by moneys from the
13 state wildlife cash fund, which includes state license fees collected by the
14 division of wildlife. The United States fish and wildlife service has
15 determined that the park operated by the American legion is a
16 non-wildlife use of the land. Accordingly, continued operation of the
17 park by the American legion could affect the right of the state to receive
18 federal matching moneys. However, if the land utilized by the American
19 legion was not purchased by moneys in the wildlife cash fund, the use of
20 the land by the American legion as a park could not jeopardize any
21 federal funding. Accordingly, this one-time appropriation will reimburse
22 the division of wildlife for moneys expended from the wildlife cash fund
23 to purchase the portion of the Dolores state wildlife area that the
24 American legion currently leases. As a result, the division may continue
25 to allow the American legion to operate a park on such land, which would
26 ultimately benefit the people of this state.

27 **SECTION 2. Appropriation.** In addition to any other

1 appropriation, for the fiscal year beginning July 1, 2002, there is hereby
2 appropriated, out of any moneys in the general fund not otherwise
3 appropriated, to the wildlife cash fund created in section 33-1-112,
4 Colorado Revised Statutes, the sum of one hundred sixty thousand dollars
5 (\$160,000), and such sum, or so much thereof as may be necessary, is
6 further appropriated to the division of wildlife in the department of
7 natural resources, for the purposes consistent with the provisions of
8 articles 1 to 6 of title 33, Colorado Revised Statutes.

9 **SECTION 3. Effective date.** This act shall take effect at 12:01
10 a.m. on the day following the expiration of the ninety-day period after
11 final adjournment of the general assembly that is allowed for submitting
12 a referendum petition pursuant to article V, section 1 (3) of the state
13 constitution; except that, if a referendum petition is filed against this act
14 or an item, section, or part of this act within such period, then the act,
15 item, section, or part, if approved by the people, shall take effect on the
16 date of the official declaration of the vote thereon by proclamation of the
17 governor.