

SB098_L.002

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee_____
DateCommittee on Agriculture and Natural Resources.

After consideration on the merits, the Committee recommends the following:

SB10-098 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1. Legislative declaration.** (1) The general
4 assembly hereby finds, determines, and declares that:

5 (a) Noxious and invasive weeds are a threat to the long-term
6 conservation of the state's natural resources and will have a dramatically
7 adverse impact upon the state's future health and prosperity;

8 (b) By passing the "Colorado Noxious Weed Act", codified at
9 article 5.5 of title 35, Colorado Revised Statutes, the state has mandated
10 that noxious weeds be addressed by county governments in Colorado;

11 (c) The majority of county governments within the state have
12 attempted to address the problem of noxious weed infestation;

13 (d) The funding for noxious weed programs by county and
14 municipal governments and special districts comes mostly from general
15 fund dollars or assessments based upon taxable property. The reliance
16 upon these sources of revenue results in widely disparate means available
17 to county and municipal governments and special districts throughout the
18 state to address the problem of noxious weed infestation.

19 (e) Moneys used to finance efforts to conserve the state's natural
20 resources, reflected in the creation of conservation districts across the



1 state and the creation of the state conservation board, are largely
2 dependent on general fund moneys, and a program to provide grants to
3 conservation districts was eliminated in 2009 as a result of budget
4 shortfalls. These challenges have adversely affected the ability of the
5 state's conservation districts to achieve their mission of developing action
6 plans at the local level to address emerging natural resource issues across
7 the state.

8 (f) By enacting the Great Outdoors Colorado Program in 1992,
9 codified in Article XXVII of the state constitution, the people of the state
10 created, among other things:

11 (I) A program to identify, acquire, and manage unique open space
12 and natural areas of statewide significance through grants to the Colorado
13 Divisions of Parks and Outdoor Recreation and Wildlife, or
14 municipalities, counties, or other political subdivision of the state, or
15 nonprofit land conservation organizations, and which will encourage
16 cooperative investments by other public or private entities for these
17 purposes; and

18 (II) A program for grants to match local investments to acquire,
19 develop, and manage open space, parks, and environmental education
20 facilities, and which will encourage cooperative investments by other
21 public or private entities for these purposes.

22 (2) (a) A certain portion of moneys automatically flows into the
23 Conservation Trust Fund, created in the Division of Local Government
24 in the Department of Local Affairs, each year out of moneys collected by
25 the state pursuant to Article XXVII of the state constitution. The purpose
26 of Senate Bill 10-98, enacted in 2010, is to allow county governments to
27 cooperate or contract with conservation districts and local noxious weed
28 control programs in the utilization of moneys from the fund.

29 (b) Allowing counties to cooperate or contract with conservation
30 districts and local noxious weed control programs in the utilization of
31 moneys from the fund will assist these entities in securing funding
32 sources that will enable them to develop, administer, and maintain soil
33 conservation and noxious weed control efforts. In the area of the
34 conservation of natural resources in particular, the moneys made available
35 by Senate Bill 10-98 will enable conservation districts to finance projects
36 that will address small acreage management, the protection of rangeland

1 and wildlife habitat, improvements in water delivery systems and water
2 quality, forest health, energy conservation, and reduction of soil erosion.
3 With respect to both the conservation of natural resources and noxious
4 weed control, the funding made available by this act may assist these
5 conservation districts, county and municipal governments, and local
6 noxious weed control programs in hiring employees, purchasing needed
7 equipment, leveraging grant moneys to obtain additional funding from
8 other sources, and, in the specific area of noxious weed control, allowing
9 for the development and administration of cooperative weed management
10 areas throughout the state. The general assembly further intends that
11 Senate Bill 10-98 shall be liberally construed to secure these objectives.

12 **SECTION 2.** 29-21-101 (5), Colorado Revised Statutes, is
13 amended to read:

14 **29-21-101. Conservation trust funds - definitions.** (5) In the
15 utilization of moneys received pursuant to this section, each eligible entity
16 may cooperate or contract with any other government or political
17 subdivision, INCLUDING A CONSERVATION DISTRICT ESTABLISHED IN
18 ACCORDANCE WITH THE PROVISIONS OF ARTICLE 70 OF TITLE 35, C.R.S.,
19 OR A LOCAL NOXIOUS WEED CONTROL PROGRAM, pursuant to part 2 of
20 article 1 of this title. Subject to the separate accounting requirement of
21 subparagraph (II) of paragraph (b) of subsection (2) of this section, such
22 cooperation may include the sharing of moneys held by any such entities
23 in their respective conservation trust funds for joint expenditures for the
24 acquisition, development, and maintenance of new conservation sites.

25 **SECTION 3. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety."

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