

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 10-1326

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert, Fischer;  
also SENATOR(S) Tapia, Keller, White.

CONCERNING AN INCREASE IN THE AMOUNT OF AUTHORIZED  
APPROPRIATIONS FROM THE OPERATIONAL ACCOUNT OF THE  
SEVERANCE TAX TRUST FUND TO THE DIVISION OF PARKS AND  
OUTDOOR RECREATION, AND, IN CONNECTION THEREWITH, ADJUSTING  
THE 2009 LONG BILL.

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

**SECTION 1.** 39-29-109.3 (1) (a) (I) and (1) (f), Colorado Revised  
Statutes, are amended to read:

**39-29-109.3. Operational account of the severance tax trust fund**  
**- repeal.** (1) For fiscal years commencing on and after July 1, 1997, the  
executive director of the department of natural resources shall submit with  
the department's budget request for each fiscal year a list and description of  
the programs the executive director recommends to be funded from the  
operational account of the severance tax trust fund created in section  
39-29-109 (2) (b), referred to in this section as the "operational account".  
The minerals, energy, and geology policy advisory board established  
pursuant to section 34-20-104, C.R.S., shall review the executive director's

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

recommendation before submittal. The general assembly may appropriate moneys from the total moneys available in the operational account to fund recommended programs as follows:

(a) (I) For programs or projects within the Colorado oil and gas conservation commission, ~~up to forty-five percent of the moneys in the operational account for fiscal years commencing before July 1, 2008, and~~ up to ~~forty~~ THIRTY-FIVE percent of the moneys in the operational account for fiscal years commencing on or after July 1, ~~2008~~ 2009.

(f) For fiscal years commencing on or after July 1, ~~2008, only,~~ 2009, for programs within the division of parks and outdoor recreation that operate, maintain, or improve state parks in any region of the state in which production activity is occurring, up to ~~five~~ TEN percent of the moneys in the operational account. ~~which moneys shall not supplant moneys that would otherwise be made available for such programs.~~

**SECTION 2.** 39-29-109.3 (2) (a) (I) (C) and (2) (a) (I) (D), Colorado Revised Statutes, are amended, and the said 39-29-109.3 (2) (a) (I) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

**39-29-109.3. Operational account of the severance tax trust fund - repeal.** (2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred percent of the moneys in the operational account as specified in subsection (1) of this section, the state treasurer shall transfer the following:

(a) (I) To the water supply reserve account created in section 39-29-109 (2) (c), the following amounts:

(C) For the state fiscal year commencing July 1, 2010, ~~ten~~ SIX million dollars. This sub-subparagraph (C) is repealed, effective July 1, 2012.

(D) For the state fiscal year commencing July 1, 2011, ~~and for each state fiscal year thereafter,~~ ~~ten~~ SEVEN million dollars. THIS SUB-SUBPARAGRAPH (D) IS REPEALED, EFFECTIVE JULY 1, 2013.

(E) FOR EACH STATE FISCAL YEAR COMMENCING ON OR AFTER JULY

1, 2012, TEN MILLION DOLLARS.

**SECTION 3.** Part XIV (6) (A) and the affected totals of section 2 of chapter 464, Session Laws of Colorado 2009, are amended to read:

Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

**PART XIV**

**DEPARTMENT OF NATURAL RESOURCES**

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**(6) PARKS AND OUTDOOR RECREATION**

<b>(A) State Park Operations</b>	24,063,248		3,866,992		19,758,961 <sup>a</sup>		437,295 <sup>b</sup>
			1,719,577		21,906,376 <sup>a</sup>		
	(260.7 FTE)						

<sup>a</sup> Of this amount, \$17,565,348 shall be from the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111 (1), C.R.S., ~~\$1,234,058~~ \$3,381,473 shall be from the Operational Account of the Severance Tax Trust Fund pursuant to Section 39-29-109.3 (1) (f), C.R.S., \$505,806 shall be from Lottery proceeds (including reserves from prior years) and is shown for informational purposes only, \$396,254 shall be from various sources of cash funds, \$50,058 shall be from the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S., and \$7,437 shall be from the Off-highway Vehicle Recreation Fund established pursuant to Section 33-14.5-106 (1), C.R.S.

<sup>b</sup> This amount is anticipated to be received from the United States Bureau of Reclamation through a cost-sharing agreement to address the net operating deficit of Paonia, Vega, Rifle Gap, Crawford, and Navajo State parks, and is shown for informational purposes only.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1		36,128,365					
2							
3	<b>TOTALS PART XIV</b>						
4	<b>(NATURAL</b>						
5	<b>RESOURCES)</b>	\$212,045,852	\$29,680,331		\$157,654,223 <sup>a</sup>	\$7,310,734	\$17,400,564
6			\$27,532,916		\$159,801,638 <sup>a</sup>		
7							

8 <sup>a</sup> This amount includes ~~\$13,534,671~~ \$15,682,086 from the Operational Account of the Severance Tax Trust Fund pursuant to Section 39-29-109.3 (1), C.R.S.; this includes  
9 \$1,124,432 in the Executive Director's Office which is shown as being from various sources of cash funds.

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**SECTION 4. 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.

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO