

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 10-0807.01 Thomas Morris

HOUSE BILL 10-1326

HOUSE SPONSORSHIP

**Pommer**, Ferrandino, Lambert

SENATE SPONSORSHIP

**Tapia**, Keller, White

House Committees  
Appropriations

Senate Committees  
Appropriations

A BILL FOR AN ACT

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

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

**Budget Package Bill.** Section 1 of the bill adjusts the

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.*

SENATE  
2nd Reading Unam ended  
February 24, 2010

HOUSE  
3rd Reading Unam ended  
February 19, 2010

HOUSE  
Am ended 2nd Reading  
February 17, 2010

authorization of appropriations from the operational account of the severance tax trust fund for tax years beginning on or after July 1, 2009, as follows:

- ! Decreases the authorization to the Colorado oil and gas conservation commission from up to 40% to up to 35% of the account;
- ! Increases the authorization to the division of parks and outdoor recreation (parks division) from up to 5% to up to 10% of the account; and
- ! Allows the increased appropriation to supplant moneys that would otherwise be available to the parks division.

**Section 2** decreases the 2009 long bill general fund appropriation to the parks division by \$2,147,415 and increases its cash fund appropriation by the same amount.

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

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

4 **39-29-109.3. Operational account of the severance tax trust**  
5 **fund - repeal.** (1) For fiscal years commencing on and after July 1,  
6 1997, the executive director of the department of natural resources shall  
7 submit with the department's budget request for each fiscal year a list and  
8 description of the programs the executive director recommends to be  
9 funded from the operational account of the severance tax trust fund  
10 created in section 39-29-109 (2) (b), referred to in this section as the  
11 "operational account". The minerals, energy, and geology policy advisory  
12 board established pursuant to section 34-20-104, C.R.S., shall review the  
13 executive director's recommendation before submittal. The general  
14 assembly may appropriate moneys from the total moneys available in the  
15 operational account to fund recommended programs as follows:

16 (a) (I) For programs or projects within the Colorado oil and gas  
17 conservation commission, ~~up to forty-five percent of the moneys in the~~

1 operational account for fiscal years commencing before July 1, 2008, and  
2 up to ~~forty~~ THIRTY-FIVE percent of the moneys in the operational account  
3 for fiscal years commencing on or after July 1, ~~2008~~ 2009.

4 (f) For fiscal years commencing on or after July 1, ~~2008, only,~~  
5 2009, for programs within the division of parks and outdoor recreation  
6 that operate, maintain, or improve state parks in any region of the state in  
7 which production activity is occurring, up to ~~five~~ TEN percent of the  
8 moneys in the operational account. ~~which moneys shall not supplant~~  
9 ~~moneys that would otherwise be made available for such programs.~~

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

14 **39-29-109.3. Operational account of the severance tax trust**  
15 **fund - repeal.** (2) Subject to the requirements of subsections (3) and (4)  
16 of this section, if the general assembly chooses not to spend up to one  
17 hundred percent of the moneys in the operational account as specified in  
18 subsection (1) of this section, the state treasurer shall transfer the  
19 following:

20 (a) (I) To the water supply reserve account created in section  
21 39-29-109 (2) (c), the following amounts:

22 (C) For the state fiscal year commencing July 1, 2010, ~~ten~~ SIX  
23 million dollars. This sub-subparagraph (C) is repealed, effective July 1,  
24 2012.

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

1 (E) FOR EACH STATE FISCAL YEAR COMMENCING ON OR AFTER  
2 JULY 1, 2012, TEN MILLION DOLLARS.

3 **SECTION 3.** Part XIV (6) (A) and the affected totals of section  
4 2 of chapter 464, Session Laws of Colorado 2009, are amended to read:

5 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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1           **SECTION 4. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.