

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0499.01 Thomas Morris

HOUSE BILL 11-1150

HOUSE SPONSORSHIP

Becker, Sonnenberg

SENATE SPONSORSHIP

Jahn,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ADDITIONAL REVENUES FOR WATER STORAGE PROJECTS.

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>.)

Section 1 of the bill transfers \$5 million per year for 10 years from the wildlife cash fund to the Colorado water conservation board construction fund. **Section 2** allows the Colorado water conservation board to expend these revenues only for water storage projects that will enhance, create, or preserve wildlife habitat or contribute to a wildlife restoration project, a fish restoration or management project, or the conservation of wildlife, and only if the board determines that doing so

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.

does not violate federal law.

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

2 **SECTION 1.** 33-1-112 (1) (a), Colorado Revised Statutes, is
3 amended, and the said 33-1-112 is further amended BY THE ADDITION
4 OF A NEW SUBSECTION, to read:

5 **33-1-112. Funds and cost accounting - repeal.** (1) (a) Except
6 as provided in subsections (7) and (8) of this section, sections 33-1-112.5
7 and 33-6-105, and in part 7 of article 22 of title 39, C.R.S., all moneys
8 received from wildlife license fees, and all moneys from all other wildlife
9 sources, and all interest earned on such moneys shall be deposited in the
10 state treasury and credited to the wildlife cash fund, which fund is hereby
11 created. ~~and such~~ Moneys IN THE FUND shall be utilized for expenditures
12 authorized or contemplated by and not inconsistent with ~~the provisions of~~
13 articles 1 to 6 of this title for wildlife activities and functions, and for the
14 financing of impact assistance grants pursuant to part 3 of article 25 of
15 title 30, C.R.S. All moneys ~~so~~ deposited in the wildlife cash fund shall
16 remain in ~~such~~ THE fund to be used for the purposes set forth in ~~the~~
17 ~~provisions of~~ articles 1 to 6 of this title and shall not be deposited in or
18 transferred to the general fund of the state of Colorado or any other fund
19 EXCEPT AS SPECIFIED BY SUBSECTION (9) OF THIS SECTION.

20 (9) (a) ON JULY 1 OF EACH FISCAL YEAR, BEGINNING ON JULY 1,
21 2011, AND ENDING ON JULY 1, 2020, THE STATE TREASURER SHALL
22 TRANSFER FIVE MILLION DOLLARS, FOR A CUMULATIVE TOTAL OF NO MORE
23 THAN FIFTY MILLION DOLLARS, AS OF JULY 1, 2020, FROM THE WILDLIFE
24 CASH FUND TO THE COLORADO WATER CONSERVATION BOARD
25 CONSTRUCTION FUND CREATED IN SECTION 37-60-121 (1) (a), C.R.S.

1 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2021.

2 **SECTION 2.** 37-60-121 (1) (a), Colorado Revised Statutes, is
3 amended to read:

4 **37-60-121. Colorado water conservation board construction**
5 **fund - creation of - nature of fund - funds for investigations -**
6 **contributions - use for augmenting the general fund - funds created**
7 **- repeal.** (1) (a) (I) There is hereby created a fund to be known as the

8 Colorado water conservation board construction fund, which ~~shall consist~~
9 CONSISTS of:

10 (A) All moneys ~~which may be~~ appropriated ~~thereto~~ TO THE FUND
11 by the general assembly or ~~which may be~~ otherwise made available to it
12 by the general assembly; ~~and~~

13 (B) ~~Such~~ ANY charges that may become a part ~~thereof~~ OF THE
14 FUND under ~~the terms of~~ section 37-60-119; AND

15 (C) REVENUES TRANSFERRED PURSUANT TO SECTION 33-1-112(9),
16 C.R.S. IN ADDITION TO THE CRITERIA OTHERWISE SPECIFIED BY LAW FOR
17 THE EXPENDITURE OF REVENUES IN THE FUND, THE BOARD MAY EXPEND
18 REVENUES TRANSFERRED PURSUANT TO THIS SUB-SUBPARAGRAPH (C)
19 ONLY FOR WATER STORAGE PROJECTS THAT WILL ENHANCE, CREATE, OR
20 PRESERVE WILDLIFE HABITAT OR CONTRIBUTE TO A WILDLIFE
21 RESTORATION PROJECT, A FISH RESTORATION OR MANAGEMENT PROJECT,
22 OR THE CONSERVATION OF WILDLIFE, AND ONLY IF THE BOARD
23 DETERMINES THAT SUCH EXPENDITURE DOES NOT VIOLATE FEDERAL LAW,
24 INCLUDING THE "PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT", 16
25 U.S.C. SEC. 669 ET SEQ., AND THE "DINGELL-JOHNSON SPORT FISH
26 RESTORATION ACT", 16 U.S.C. SEC. 777 ET SEQ. THE BOARD MAY
27 CONSULT WITH THE DIVISION OF WILDLIFE IN IMPLEMENTING THIS

1 SUB-SUBPARAGRAPH (C). THIS SUB-SUBPARAGRAPH (C) IS REPEALED,
2 EFFECTIVE JULY 1, 2021.

3 (II) All interest earned from the investment of moneys in the fund
4 shall be credited to the fund and become a part thereof. ~~Such~~ OF THE
5 FUND. THE fund ~~shall be~~ IS a continuing fund, to be expended in the
6 manner specified in section 37-60-122 AND SUB-SUBPARAGRAPH (C) OF
7 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), and ~~shall~~ DOES not revert to
8 the general fund of the state at the end of any fiscal year.

9 **SECTION 3. Effective date.** This act shall take effect July 1,
10 2011.

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