

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 14-0992.01 Duane Gall x4335

SENATE BILL 14-188

SENATE SPONSORSHIP

Schwartz and Baumgardner,

HOUSE SPONSORSHIP

Fischer and Rankin,

Senate Committees

Agriculture, Natural Resources, & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO EFFECTUATE THE CONSERVATION OF**
102 **NATIVE SPECIES IN COLORADO, AND, IN CONNECTION**
103 **THEREWITH, MAKING APPROPRIATIONS FROM THE SPECIES**
104 **CONSERVATION TRUST FUND FOR PURPOSES RECOMMENDED BY**
105 **THE DEPARTMENT OF NATURAL RESOURCES.**

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/bills summaries>.)

The bill appropriates money from the species conservation trust

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
3rd Reading Unamended
April 25, 2014

SENATE
Amended 2nd Reading
April 24, 2014

fund for programs submitted by the executive director of the department of natural resources that are designed to conserve native species that have been listed as threatened or endangered under state or federal law, or are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service.

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

2 **SECTION 1. Legislative declaration.** (1) Pursuant to:

3 (a) Section 24-33-111 (2), Colorado Revised Statutes, the species
4 conservation trust fund has been created in the state treasury to fund
5 programs designed to conserve native species that have been listed as
6 threatened or endangered under state or federal law, or are candidate
7 species or are likely to become candidate species as determined by the
8 United States fish and wildlife service;

9 (b) Section 24-33-111 (3), Colorado Revised Statutes, the
10 executive director of the department of natural resources, after consulting
11 with the Colorado water conservation board and its director, the parks and
12 wildlife board, and the director of the division of parks and wildlife, has
13 prepared and delivered to the general assembly a species conservation
14 eligibility list describing programs and associated costs that are eligible
15 to receive funding from the species conservation trust fund; and

16 (c) Section 24-33-111 (3), Colorado Revised Statutes, prior to
17 obligating funds from the species conservation trust fund, the species
18 conservation eligibility list is subject to modification and adoption
19 through the passage of a bill.

20 **SECTION 2. Eligibility list - approval.** (1) The general
21 assembly deems the recommended expenditures described in the species
22 conservation eligibility list to be in the interest of the people of the state.
23 The moneys specified in this subsection (1) are available in fiscal year

1 2014-15 and remain available for the designated purposes until they are
2 fully expended:

3 (a) The executive director of the department of natural resources
4 is authorized to obligate and expend six million five hundred thousand
5 dollars (\$6,500,000) from the species conservation trust fund for the
6 following activities, programs, and species in the following amounts:

| 7 | PROGRAM / SPECIES | AMOUNT |
|----|-------------------------------------|---------------------|
| 8 | (I) Selenium management program | \$ 500,000 |
| 9 | (II) Yampa basin nonnative species | \$ 500,000 |
| 10 | control program | |
| 11 | (III) Morgan bottom infrastructure | \$ 500,000 |
| 12 | upgrade and habitat restoration | |
| 13 | project | |
| 14 | (IV) Native fish passage design and | \$ 500,000 |
| 15 | construction at flood-affected | |
| 16 | diversions | |
| 17 | (V) Native terrestrial wildlife | \$ 638,000 |
| 18 | conservation | |
| 19 | (VI) Native aquatic wildlife | \$ 1,012,000 |
| 20 | conservation | |
| 21 | (VII) Colorado natural areas | \$ 350,000 |
| 22 | program | |
| 23 | (VIII) Native species management, | \$ 1,000,000 |
| 24 | monitoring, and propagation | |
| 25 | (IX) Federal endangered species act | \$ 1,500,000 |
| 26 | litigation program | |
| 27 | Total authorization: | \$ 6,500,000 |

28 **SECTION 3.** In Colorado Revised Statutes, 39-29-109.3, **add** (2)

1 (e) (VII), (2) (e) (VIII), (2) (e) (IX), (2) (e) (X), and (2) (e) (XI) as
2 follows:

3 **39-29-109.3. Severance tax operational fund - repeal.**

4 (2) Subject to the requirements of subsections (3) and (4) of this section,
5 if the general assembly chooses not to spend up to one hundred percent
6 of the moneys in the operational fund as specified in subsection (1) of this
7 section, the state treasurer shall transfer the following:

8 (e) To the species conservation trust fund created in section
9 24-33-111 (2) (a), C.R.S., the following amounts:

10 (VII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2014,
11 SIX MILLION FIVE HUNDRED THOUSAND DOLLARS.

12 (B) THIS SUBPARAGRAPH (VII) IS REPEALED, EFFECTIVE JULY 1,
13 2016.

14 (VIII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1,
15 2015, FIVE MILLION DOLLARS.

16 (B) THIS SUBPARAGRAPH (VIII) IS REPEALED, EFFECTIVE JULY 1,
17 2017.

18 (IX) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2016,
19 FIVE MILLION DOLLARS.

20 (B) THIS SUBPARAGRAPH (IX) IS REPEALED, EFFECTIVE JULY 1,
21 2018.

22 (X) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2017,
23 FIVE MILLION DOLLARS.

24 (B) THIS SUBPARAGRAPH (X) IS REPEALED, EFFECTIVE JULY 1,
25 2019.

26 (XI) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2018,
27 FIVE MILLION DOLLARS.

1 (B) THIS SUBPARAGRAPH (XI) IS REPEALED, EFFECTIVE JULY 1,
2 2020.

3 **SECTION 4. Appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated to the department of law, for
5 the fiscal year beginning July 1, 2014, the sum of \$163,944 and 1.0 FTE,
6 or so much thereof as may be necessary, for the provision of legal
7 services for the department of natural resources related to the
8 implementation of this act. Said sum is from reappropriated funds
9 received from the department of natural resources out of the appropriation
10 made in paragraph (a) of subsection (1) of section 2 of this bill.

11 **SECTION 5. 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.