

HB1051\_L.001

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Agriculture, Livestock, & Natural Resources.

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

HB09-1051 be amended as follows:

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

3 "SECTION 1. 34-63-102 (1) (a) (II), Colorado Revised Statutes,  
4 is amended, and the said 34-63-102 is further amended BY THE  
5 ADDITION OF A NEW SUBSECTION, to read:

6 **34-63-102 Creation of mineral leasing fund - distribution -**  
7 **advisory committee - definitions.** (1) (a) (II) (A) On and after July 1,  
8 2008, EXCEPT FOR STATE FISCAL YEARS 2009-10 TO 2020-21, all moneys,  
9 including any interest and income derived therefrom, received by the state  
10 treasurer pursuant to the provisions of the federal "Mineral Lands Leasing  
11 Act" of February 25, 1920, as amended, except those moneys described  
12 in section 34-63-104, shall be deposited by the state treasurer into the  
13 mineral leasing fund for use by state agencies, public schools, and  
14 political subdivisions of the state as described in subsections (5.3) and  
15 (5.4) of this section and for transfer to the higher education federal  
16 mineral lease revenues fund created in section 23-19.9-102 (1) (a),  
17 C.R.S., the higher education maintenance and reserve fund created in  
18 section 23-19.9-102 (2) (a), C.R.S., and the local government permanent  
19 fund created in sub-subparagraph (A) of subparagraph (I) of paragraph (a)  
20 of subsection (5.3) of this section, as required by this section and section  
21 23-19.9-102, C.R.S.

22 (B) FOR STATE FISCAL YEARS 2009-10 TO 2020-21, TEN PERCENT  
23 OF ALL MONEYS, INCLUDING ANY INTEREST AND INCOME DERIVED



1 THEREFROM, RECEIVED BY THE STATE TREASURER PURSUANT TO THE  
2 PROVISIONS OF THE FEDERAL "MINERAL LANDS LEASING ACT" OF  
3 FEBRUARY 25, 1920, AS AMENDED, EXCEPT THOSE MONEYS DESCRIBED IN  
4 SECTION 34-63-104, SHALL BE DEPOSITED BY THE STATE TREASURER INTO  
5 THE COUNTY OF ORIGIN CONSTRUCTION CASH FUND, CREATED IN  
6 SUBSECTION (6.5) OF THIS SECTION FOR USE BY COUNTIES AND  
7 MUNICIPALITIES OF THE STATE AS DESCRIBED IN SAID SUBSECTION. THE  
8 REMAINING NINETY PERCENT OF SAID MONEYS RECEIVED DURING SUCH  
9 STATE FISCAL YEARS SHALL BE DEPOSITED BY THE STATE TREASURER INTO  
10 THE MINERAL LEASING FUND FOR USE BY STATE AGENCIES, PUBLIC  
11 SCHOOLS, AND POLITICAL SUBDIVISIONS OF THE STATE AS DESCRIBED IN  
12 SUBSECTIONS (5.3) AND (5.4) OF THIS SECTION AND FOR TRANSFER TO THE  
13 HIGHER EDUCATION FEDERAL MINERAL LEASE REVENUES FUND CREATED  
14 IN SECTION 23-19.9-102 (1) (a), C.R.S., THE HIGHER EDUCATION  
15 MAINTENANCE AND RESERVE FUND CREATED IN SECTION 23-19.9-102 (2)  
16 (a), C.R.S., AND THE LOCAL GOVERNMENT PERMANENT FUND CREATED IN  
17 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF  
18 SUBSECTION (5.3) OF THIS SECTION, AS REQUIRED BY THIS SECTION AND  
19 SECTION 23-19.9-102, C.R.S.

20 (6.5) THE COUNTY OF ORIGIN CONSTRUCTION CASH FUND IS  
21 HEREBY CREATED IN THE STATE TREASURY. THE FUND SHALL CONSIST OF  
22 ALL MONEYS CREDITED TO THE FUND PURSUANT TO SUB-SUBPARAGRAPH  
23 (B) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS  
24 SECTION. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN  
25 THE FUND SHALL BE CREDITED TO THE FUND. TEN WORKING DAYS AFTER  
26 RECEIPT OF THE LAST MONTHLY PAYMENT IN EACH QUARTER, THE STATE  
27 TREASURER SHALL DISTRIBUTE ALL MONEYS IN THE FUND AS OF SUCH TIME  
28 AMONG THOSE RESPECTIVE COUNTIES OF THIS STATE FROM WHICH THE  
29 FEDERAL LEASING MONEY IS DERIVED IN PROPORTION TO THE AMOUNT OF  
30 SAID FEDERAL LEASING MONEY DERIVED FROM EACH OF THE RESPECTIVE  
31 COUNTIES. A COUNTY SHALL USE THE MONEYS FOR THE CONSTRUCTION  
32 OF PUBLIC FACILITIES; EXCEPT THAT A COUNTY MAY ALSO DISTRIBUTE THE  
33 MONEYS TO A MUNICIPALITY LOCATED WITHIN THE COUNTY FOR  
34 CONSTRUCTION OF PUBLIC FACILITIES BY THE MUNICIPALITY.

35 **SECTION 2. Safety clause.** The general assembly hereby finds,  
36 determines, and declares that this act is necessary for the immediate  
37 preservation of the public peace, health, and safety."

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