

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 22, 2024
Date

Committee on Agriculture, Water & Natural Resources.

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

HB24-1117 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, after line 1 insert:
- 2 **"SECTION 1. Legislative declaration.** (1) The general
- 3 assembly finds and declares that:
- 4 (a) Colorado's policy is to protect and enhance biodiversity
- 5 because biodiversity is necessary for ecosystem health; supports
- 6 agricultural productivity by aiding pollination, pest control, and soil
- 7 fertility; and increases ecosystem resilience to drought and extreme
- 8 weather events;
- 9 (b) Healthy ecosystems underpin delivery of water supplies and
- 10 water quality and guard against water-related hazards and disasters;
- 11 (c) Studies show that 34% of plant species and 40% of animal
- 12 species may become extinct and 41% of ecosystems may collapse;
- 13 (d) Invertebrates provide vital ecosystem services, including
- 14 pollination, pest control, nutrient cycling, and sustenance for wildlife;
- 15 (e) Without conservation, invertebrates will continue to decline,
- 16 likely having profound effects on the environment, humans, and wildlife;
- 17 (f) Native rare plants are essential to both wildlife and humans,
- 18 and they contribute to clean air and water, carbon sequestration, food
- 19 sources, healthy ecosystems, and wildlife habitat;
- 20 (g) The state wildlife action plan identifies 75 invertebrates and
- 21 117 rare plants as species of greatest conservation need, over half of
- 22 which are endemic to Colorado;
- 23 (h) Information on habitats, threats, and conservation needs is
- 24 sorely lacking for Colorado's invertebrate and native rare plant species;
- 25 (i) With a few exceptions, Colorado parks and wildlife does not
- 26 have statutory authority over invertebrate species, nor does any state
- 27 agency have oversight of native rare plants;
- 28 (j) Lack of data limits Colorado's ability to assess the status of,
- 29 threats to, and conservation needs of invertebrates and rare plants;

- 1 (k) Creating programs designed to support conservation of native
2 rare plants and invertebrates can lessen the likelihood that the species will
3 be added to federal threatened or endangered lists;
- 4 (l) Addressing data gaps and creating voluntary conservation
5 programs for native rare plants and invertebrates can affect federal listing
6 decisions, which undercut private land management with regulations; and
7 (m) Authorizing surveys and investigations on these species
8 allows the state to fill data gaps; it does not grant the state the authority
9 to regulate the take of these species without further legislation.
- 10 (2) Therefore, the general assembly determines that the parks and
11 wildlife division should study and determine the conservation needs of
12 native rare plants and invertebrates and implement voluntary programs to
13 conserve and protect them."

14 Renumber succeeding sections accordingly.

15 Page 2, line 2, after "**add**" insert "(28.3) and".

16 Page 2, after line 5 insert:

17 "(28.3) "NATIVE PLANT" MEANS A PLANT SPECIES THAT IS
18 INDIGENOUS TO THE STATE OF COLORADO."

19 Page 2, line 6, strike "PLANT SPECIES" and substitute "NATIVE PLANTS".

20 Page 3, strike lines 10 through 14 and substitute:

- 21 "(2) THE GENERAL ASSEMBLY ALSO FINDS AND DECLARES THAT:
22 (a) RARE PLANTS AND INVERTEBRATES ARE NECESSARY ELEMENTS
23 OF HEALTHY AND RESILIENT ECOSYSTEMS;
24 (b) IT IS THE POLICY OF THIS STATE TO:
25 (I) PROTECT AND ENHANCE BIODIVERSITY AND RESILIENT
26 ECOSYSTEMS IN THE FACE OF POPULATION GROWTH, DEVELOPMENT, AND
27 CLIMATE CHANGE;
28 (II) PROTECT AND CONSERVE RARE PLANTS AND INVERTEBRATES
29 AS MEMBERS OF ECOSYSTEMS;
30 (III) SUPPORT THE WILDLIFE THAT DEPENDS ON RARE PLANTS AND
31 INVERTEBRATES; AND
32 (IV) PREVENT THE DECLINE OF RARE PLANTS AND INVERTEBRATES
33 BEFORE THEIR CONTINUED EXISTENCE IN THE STATE IS IMPERILLED;
34 (c) THE DIVISION SHOULD STUDY AND DETERMINE THE
35 CONSERVATION NEEDS OF RARE PLANTS AND INVERTEBRATES FOUND IN
36 THIS STATE AND IMPLEMENT VOLUNTARY PROGRAMS TO PROTECT THESE

- 1 SPECIES."
- 2 Page 3, line 17, strike "**plants.**" and substitute "**plants - repeal.**".
- 3 Page 3, strike line 18 and substitute "(1) THE DIVISION SHALL".
- 4 Page 3, line 24, after "UNDERTAKE" insert "VOLUNTARY".
- 5 Page 3, after line 25 insert:
- 6 "(3) (a) BEGINNING IN JANUARY 2026, AND IN JANUARY EVERY
7 YEAR THEREAFTER, THE DEPARTMENT SHALL INCLUDE, AS PART OF ITS
8 PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY SECTION
9 2-7-203, INFORMATION CONCERNING THE INVESTIGATIONS CONDUCTED IN
10 ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION.
11 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JUNE 30, 2029."
- 12 Page 4, line 8, after "UNDERTAKE" insert "VOLUNTARY".
- 13 Page 4, line 10, after "(3)" insert "(a)".
- 14 Page 4, after line 14 insert:
- 15 "(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JUNE 30,
16 2029."
- 17 Page 4, strike line 21.

** ** ** ** **