

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 19-0979.01 Richard Sweetman x4333

HOUSE BILL 19-1259

HOUSE SPONSORSHIP

Roberts and Pelton,

SENATE SPONSORSHIP

Donovan,

House Committees

Rural Affairs & Agriculture
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SUPPORT FOR SPECIES CONSERVATION TRUST FUND**
102 **PROJECTS, AND, IN CONNECTION THEREWITH, MAKING**
103 **TRANSFERS TO AND 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://leg.colorado.gov>.)

The bill appropriates \$3.9 million from the species conservation trust fund for programs submitted by the executive director of the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
April 9, 2019

department of natural resources that are designed to conserve native species that state or federal law list as threatened or endangered or that are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service, allocated as follows:

- ! Native terrestrial wildlife conservation, \$615,500;
- ! Native aquatic wildlife conservation, \$839,000;
- ! Platte river recovery implementation program, \$1,940,000;
- ! Colorado river basin native fish recovery programs, \$205,500; and
- ! Federal endangered species act litigation program, \$300,000.

On July 1, 2019, the bill transfers \$600,000 from the Colorado water conservation board construction fund to the species conservation trust fund.

For the 2019-20 fiscal year and each of the 4 subsequent fiscal years, the bill transfers \$5,000,000 from the severance tax operational fund to the species conservation trust fund.

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 that 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:

10 (I) The executive director of the department of natural resources,
11 after consulting with the Colorado water conservation board and its
12 director, the parks and wildlife commission, and the director of the
13 division of parks and wildlife, has prepared and delivered to the general
14 assembly a species conservation eligibility list describing programs and
15 associated costs that are eligible to receive funding from the species

1 conservation trust fund; and

2 (II) Before obligating funds from the species conservation trust
3 fund, the species conservation eligibility list is subject to modification
4 and adoption through the passage of a bill.

5 **SECTION 2. Eligibility list - approval.** (1) The general
6 assembly deems the recommended expenditures described in the species
7 conservation eligibility list to be in the interest of the people of the state.
8 The money specified in this subsection (1) is available in fiscal year
9 2019-20 and remains available for the designated purposes until it is fully
10 expended. The executive director of the department of natural resources
11 is authorized to obligate and expend three million nine hundred thousand
12 dollars (\$3,900,000) from the species conservation trust fund for the
13 following activities, programs, and species in the following amounts:

14	PROGRAM/SPECIES	AMOUNT
15	(a) Native terrestrial wildlife	\$615,500
16	conservation	
17	(b) Native aquatic wildlife	\$839,000
18	conservation	
19	(c) Platte river recovery	\$1,940,000
20	implementation program	
21	(d) Colorado river basin native	\$205,500
22	fish recovery programs	
23	(e) Federal endangered species	\$300,000
24	act litigation program	
25	Total authorization	\$3,900,000

26 **SECTION 3.** In Colorado Revised Statutes, 37-60-121, **amend**
27 (8) as follows:

28 **37-60-121. Colorado water conservation board construction**

1 **fund - creation - nature of fund - funds for investigations -**
2 **contributions - use for augmenting the general fund - funds created**
3 **- repeal.** (8) (a) Notwithstanding any provision in this section or section
4 37-60-122 to the contrary, ON JULY 1, 2019, the state treasurer shall
5 ~~deduct five~~ TRANSFER SIX hundred thousand dollars from the Colorado
6 water conservation board construction fund ~~and transfer such sum~~ to the
7 ~~capital account of the~~ species conservation trust fund created in section
8 24-33-111 (2). ~~C.R.S.~~

9 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2021.

10 **SECTION 4.** In Colorado Revised Statutes, 39-29-109.3, **amend**
11 (2) introductory portion and (2)(e) introductory portion; and **add**
12 (2)(e)(XII) as follows:

13 **39-29-109.3. Severance tax operational fund - repeal.**

14 (2) Subject to the requirements of subsections (3) and (4) of this section,
15 if the general assembly chooses not to spend up to one hundred percent
16 of the money in the operational fund as specified in subsection (1) of this
17 section, the state treasurer shall transfer the following amounts: ~~with the~~
18 ~~exception of the fiscal year commencing on July 1, 2018:~~

19 (e) To the species conservation trust fund created in section
20 24-33-111 (2)(a), ~~C.R.S.~~, the following amounts:

21 (XII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2019,
22 AND FOR EACH FISCAL YEAR THEREAFTER THROUGH THE STATE FISCAL
23 YEAR COMMENCING JULY 1, 2023, FIVE MILLION DOLLARS.

24 (B) THIS SUBSECTION (2)(e)(XII) IS REPEALED, EFFECTIVE JULY 1,
25 2025.

26 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.