

CHAPTER 208

NATURAL RESOURCES

HOUSE BILL 19-1259

BY REPRESENTATIVE(S) Roberts and Pelton, Arndt, Bird, Buentello, Catlin, Cutter, Duran, Esgar, Exum, Galindo, Gray, Herod, Hooton, McCluskie, McLachlan, Michaelson Jenet, Sirota, Snyder, Titone, Valdez A., Valdez D., Will, Becker; also SENATOR(S) Donovan, Bridges, Coram, Crowder, Ginal, Hill, Hisey, Moreno, Pettersen, Rankin, Story, Todd, Winter.

AN ACT

CONCERNING SUPPORT FOR SPECIES CONSERVATION TRUST FUND PROJECTS, AND, IN CONNECTION THEREWITH, MAKING TRANSFERS TO AND APPROPRIATIONS FROM THE SPECIES CONSERVATION TRUST FUND FOR PURPOSES RECOMMENDED BY THE DEPARTMENT OF NATURAL RESOURCES.

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

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

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

(b) Section 24-33-111 (3), Colorado Revised Statutes:

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

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

SECTION 2. Eligibility list - approval. (1) The general assembly deems the

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

PROGRAM/SPECIES	AMOUNT
(a) Native terrestrial wildlife conservation	\$615,500
(b) Native aquatic wildlife conservation	\$839,000
(c) Platte river recovery implementation program	\$1,940,000
(d) Colorado river basin native fish recovery programs	\$205,500
(e) Federal endangered species act litigation program	\$300,000
Total authorization	\$3,900,000

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

37-60-121. Colorado water conservation board construction fund - creation - nature of fund - funds for investigations - contributions - use for augmenting the general fund - funds created - repeal. (8) (a) Notwithstanding any provision in this section or section 37-60-122 to the contrary, ON JULY 1, 2019, the state treasurer shall ~~deduct five~~ TRANSFER SIX hundred thousand dollars from the Colorado water conservation board construction fund ~~and transfer such sum to the capital account of the~~ species conservation trust fund created in section 24-33-111 (2). C.R.S.

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

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

39-29-109.3. Severance tax operational fund - repeal. (2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred percent of the money in the operational fund as specified in subsection (1) of this section, the state treasurer shall transfer the following amounts: ~~with the exception of the fiscal year commencing on July 1, 2018:~~

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

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

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

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 17, 2019