

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 07-0459.01 Thomas Morris

HOUSE BILL 07-1182

HOUSE SPONSORSHIP

Curry,

SENATE SPONSORSHIP

Isgar,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE SPECIES CONSERVATION TRUST FUND, AND, IN**
102 **CONNECTION THEREWITH, APPROVING THE SPECIES**
103 **CONSERVATION ELIGIBILITY LIST, RECAPITALIZING THE SPECIES**
104 **CONSERVATION TRUST FUND, AND MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Appropriates money from the species conservation trust fund ("trust 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

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.

federal law, or are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service. Transfers \$6 million on or after July 1, 2007, \$7 million on or after July 1, 2008, and \$6 million on or after July 1, 2009, from the operational account of the severance tax trust fund to the capital account of the trust fund.

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 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, the executive director of the department of natural resources, after consulting with the Colorado water conservation board and its director, the wildlife commission, and the director of the division of 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

(c) Section 24-33-111 (3), Colorado Revised Statutes, prior to 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 recommended expenditures described in the species conservation eligibility list to be in the interest of the people of the state.

1 The moneys specified in this subsection (1) shall be available in fiscal
2 year 2007-08 and shall remain available for the designated purposes until
3 they are fully expended:

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

8	PROGRAM / SPECIES	AMOUNT
9	Three State Species Recovery Agreement	
10	on the Platte river	\$ 6,000,000
11	Total capital account appropriation:	\$ 6,000,000

12 (b) The executive director of the department of natural resources
13 is authorized to obligate and expend four hundred eighty-five thousand
14 dollars (\$485,000) from the operation and maintenance account of the
15 species conservation trust fund for the following activities, programs, and
16 species in the following amounts:

17	PROGRAM / SPECIES	AMOUNT
18	(I) Sagebrush-associated species; shortgrass	
19	prairie-dependent species; and South Platte	
20	and Arkansas river aquatic species	\$ 400,000
21	(II) San Luis Valley Regional Habitat	
22	Conservation Plan for the Southwestern	
23	Willow Flycatcher	\$ 85,000
24	Total operation and maintenance account	
25	appropriation:	\$ 485,000

26 **SECTION 3.** 39-29-109 (1) (k) (III), Colorado Revised Statutes,
27 is amended, and the said 39-29-109 (1) (k) is further amended BY THE

1 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

2 **39-29-109. Severance tax trust fund - created - administration**
3 **- use of moneys - definitions - repeal.** (1) (k) (III) SUBPARAGRAPHS (I)
4 AND (II) OF this paragraph (k) ~~is~~ AND THIS SUBPARAGRAPH (III) ARE
5 repealed, effective July 1, 2007.

6 (IV) THE STATE TREASURER SHALL DEDUCT FROM THE
7 OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND CREATED IN
8 SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (1):

9 (A) SIX MILLION DOLLARS AND TRANSFER SUCH SUM TO THE
10 CAPITAL ACCOUNT OF THE SPECIES CONSERVATION TRUST FUND CREATED
11 IN SECTION 24-33-111 (2) (a), C.R.S., ON OR AFTER JULY 1, 2007;

12 (B) SEVEN MILLION DOLLARS AND TRANSFER SUCH SUM TO THE
13 CAPITAL ACCOUNT OF THE SPECIES CONSERVATION TRUST FUND CREATED
14 IN SECTION 24-33-111 (2) (a), C.R.S., ON OR AFTER JULY 1, 2008;

15 (C) SIX MILLION DOLLARS AND TRANSFER SUCH SUM TO THE
16 CAPITAL ACCOUNT OF THE SPECIES CONSERVATION TRUST FUND CREATED
17 IN SECTION 24-33-111 (2) (a), C.R.S., ON OR AFTER JULY 1, 2009;

18 (V) SUBPARAGRAPH (IV) OF THIS PARAGRAPH (k) AND THIS
19 SUBPARAGRAPH (V) ARE REPEALED, EFFECTIVE JULY 1, 2010.

20 **SECTION 4. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.