

NOTE: The governor signed this measure on 5/17/2014.

An Act

SENATE BILL 14-188

BY SENATOR(S) Schwartz and Baumgardner, Aguilar, Guzman, Johnston, Jones, Kefalas, Newell, Nicholson, Roberts;
also REPRESENTATIVE(S) Fischer and Rankin, Becker, Fields, Ginal, Hamner, Hulinghorst, McLachlan, Mitsch Bush, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Sonnenberg, Tyler.

CONCERNING MEASURES TO EFFECTUATE THE CONSERVATION OF NATIVE SPECIES IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING 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 are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(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 parks and wildlife board, 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

(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. The moneys specified in this subsection (1) are available in fiscal year 2014-15 and remain available for the designated purposes until they are fully expended:

(a) The executive director of the department of natural resources is authorized to obligate and expend six million five hundred thousand dollars (\$6,500,000) from the species conservation trust fund for the following activities, programs, and species in the following amounts:

PROGRAM / SPECIES	AMOUNT
(I) Selenium management program	\$ 500,000
(II) Yampa basin nonnative species control program	\$ 500,000
(III) Morgan bottom infrastructure upgrade and habitat restoration project	\$ 500,000
(IV) Native fish passage design and construction at flood-affected diversions	\$ 500,000
(V) Native terrestrial wildlife conservation	\$ 638,000

(VI) Native aquatic wildlife conservation	\$ 1,012,000
(VII) Colorado natural areas program	\$ 350,000
(VIII) Native species management, monitoring, and propagation	\$ 1,000,000
(IX) Federal endangered species act litigation program	\$ 1,500,000
Total authorization:	\$ 6,500,000

SECTION 3. In Colorado Revised Statutes, 39-29-109.3, **add** (2) (e) (VII), (2) (e) (VIII), (2) (e) (IX), (2) (e) (X), and (2) (e) (XI) 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 moneys in the operational fund as specified in subsection (1) of this section, the state treasurer shall transfer the following:

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

(VII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2014, SIX MILLION FIVE HUNDRED THOUSAND DOLLARS.

(B) THIS SUBPARAGRAPH (VII) IS REPEALED, EFFECTIVE JULY 1, 2016.

(VIII) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2015, FIVE MILLION DOLLARS.

(B) THIS SUBPARAGRAPH (VIII) IS REPEALED, EFFECTIVE JULY 1, 2017.

(IX) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2016, FIVE MILLION DOLLARS.

(B) THIS SUBPARAGRAPH (IX) IS REPEALED, EFFECTIVE JULY 1, 2018.

(X) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2017, FIVE MILLION DOLLARS.

(B) THIS SUBPARAGRAPH (X) IS REPEALED, EFFECTIVE JULY 1, 2019.

(XI) (A) FOR THE STATE FISCAL YEAR COMMENCING JULY 1, 2018, FIVE MILLION DOLLARS.

(B) THIS SUBPARAGRAPH (XI) IS REPEALED, EFFECTIVE JULY 1, 2020.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2014, the sum of \$163,944 and 1.0 FTE, or so much thereof as may be necessary, for the provision of legal services for the department of natural resources related to the implementation of this act. Said sum is from reappropriated funds received from the department of natural resources out of the appropriation made in paragraph (a) of subsection (1) of section 2 of this bill.

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.

Morgan Carroll
PRESIDENT OF
THE SENATE

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO