

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

REVISED

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

LLS NO. 17-0277.01 Kristen Forrestal x4217

HOUSE BILL 17-1257

HOUSE SPONSORSHIP

Arndt, Hooton, Nordberg, Thurlow

SENATE SPONSORSHIP

Tate, Kerr, Martinez Humenik, Moreno

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

Agriculture, Natural Resources, & Energy

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF NATURAL RESOURCES TO THE GENERAL**
103 **ASSEMBLY.**

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/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

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.

SENATE
2nd Reading Unamended
April 28, 2017

HOUSE
3rd Reading Unamended
April 10, 2017

HOUSE
2nd Reading Unamended
April 7, 2017

acting by bill, continues the requirement.

The bill continues indefinitely reporting requirements of the department of natural resources that were scheduled to repeal according to section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1303, **amend**
3 (3)(b)(II) as follows:

4 **24-30-1303. Office of the state architect - responsibilities.**

5 (3) (b) Projects under the supervision of the division of parks and
6 wildlife that are excluded from paragraph (a) of this subsection (3), shall:

7 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), report the
8 current record of balances by capital project on or before September 15,
9 2001, not less than one time annually on or before each September 15
10 thereafter to the office of state planning and budgeting, the joint budget
11 committee, and the capital development committee.

12 **SECTION 2.** In Colorado Revised Statutes, 24-33-111, **amend**
13 (3)(a) as follows:

14 **24-33-111. Conservation of native species - fund created.**

15 (3) **Species conservation eligibility list and annual report.** (a) The
16 executive director of the department of natural resources, after
17 consultation with the Colorado water conservation board and its director,
18 the parks and wildlife commission, and the director of the division of
19 parks and wildlife, shall annually prepare a species conservation
20 eligibility list describing programs and associated costs that are eligible
21 to receive funding pursuant to this section. The species conservation
22 eligibility list is subject to modification and adoption through passage of
23 a bill. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), at the same time

1 as the species conservation eligibility list is submitted, the director of the
2 department of natural resources, after consultation with the Colorado
3 water conservation board and its director, the parks and wildlife
4 commission, and the director of the division of parks and wildlife, shall
5 also provide a detailed report to the general assembly on the progress and
6 status of activities to date and their effectiveness in the recovery of the
7 species and identify proposed future activities. The report shall include
8 an assessment of habitat benefits, both public and private, attributable to
9 such activities.

10 **SECTION 3.** In Colorado Revised Statutes, 33-1-105.5, **amend**
11 (9) as follows:

12 **33-1-105.5. Acquisition of property - procedure.**

13 (9) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission
14 shall include in its annual report, which report shall be submitted to the
15 capital development committee and to the agriculture, livestock, and
16 natural resources committee of the house of representatives and the
17 agriculture, natural resources, and energy committee of the senate, a
18 listing of all acquisitions of real property or interests in water made
19 pursuant to the provisions of this section. Such report shall describe all
20 property and interests in water acquired since July 1, 1992, the acquisition
21 cost of each such property or interest in water, and the appraised value of
22 each such property or interest in water, and shall contain a description of
23 all pending acquisitions of property and interests in water.

24 **SECTION 4.** In Colorado Revised Statutes, 33-1-112, **amend**
25 (7)(a)(III) and (8)(b) as follows:

26 **33-1-112. Funds - cost accounting - definition - repeal.**

27 (7) (a) (III) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the

1 commission shall submit an annual report of the ~~moneys~~ MONEY
2 expended from the fund and matters accomplished by the expenditures
3 from the preceding fiscal year to the senate agriculture, natural resources,
4 and energy committee and the house of representatives agriculture,
5 livestock, and natural resources committee, or their successor committees,
6 by the convening date of each regular session of the general assembly in
7 accordance with section 24-1-136 (9). ~~C.R.S.~~ The commission shall also
8 submit to these committees a report on ~~moneys~~ MONEY proposed to be
9 expended from the fund and the matters to be accomplished by the
10 expenditures in the upcoming fiscal year.

11 (8) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the
12 council shall submit an annual report to the commission the senate and
13 house agriculture committees, and the executive director of the
14 department of natural resources specifically stating the items for which
15 it has expended ~~moneys~~ MONEY from the fund and the purpose of such
16 items.

17 **SECTION 5.** In Colorado Revised Statutes, 33-3-111, **amend** (1)
18 introductory portion as follows:

19 **33-3-111. Annual report to the general assembly.**

20 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), commencing with
21 the second regular session of the sixty-seventh general assembly, the
22 division shall report at least annually, by January 31 of each year, to the
23 senate agriculture and natural resources committee and the house of
24 representatives agriculture, livestock, and natural resources committee,
25 or their successor committees, on game damage and game damage
26 prevention issues. Such report shall include, at a minimum:

27 **SECTION 6.** In Colorado Revised Statutes, 33-10-111, **amend**

1 (6)(c) as follows:

2 **33-10-111. Parks and outdoor recreation cash fund - parks for**
3 **future generations trust fund - created - fees - accounting**
4 **expenditures for roads and highways - definition - repeal.**

5 (6) (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission
6 shall submit an annual report of the ~~moneys~~ MONEY expended from the
7 fund and matters accomplished by the expenditures from the preceding
8 fiscal year to the senate agriculture, natural resources, and energy
9 committee and the house of representatives agriculture, livestock, and
10 natural resources committee, or their successor committees, by the
11 convening date of each regular session of the general assembly in
12 accordance with section 24-1-136 (9). ~~C.R.S.~~ The commission shall also
13 submit to these committees a report on ~~moneys~~ MONEY proposed to be
14 expended from the fund and the matters to be accomplished by the
15 expenditures in the upcoming fiscal year.

16 **SECTION 7.** In Colorado Revised Statutes, 33-10.5-103, **amend**
17 (5) as follows:

18 **33-10.5-103. Powers and duties of the division - annual report.**

19 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), beginning on
20 January 15, 2009, and on or before January 15 of each year thereafter, the
21 division and the water conservation board created in section 37-60-102
22 ~~C.R.S.~~, shall make an annual report of the efforts in addressing aquatic
23 nuisance species in Colorado for the preceding calendar year to the joint
24 house agriculture, livestock, and natural resources committee and the
25 senate agriculture, natural resources, and energy committee, or its
26 successor committee. Each such report shall set forth a complete
27 operating and financial statement covering the aquatic nuisance species

1 operations of the division during the year.

2 **SECTION 8.** In Colorado Revised Statutes, **amend** 33-60-106 as
3 follows:

4 **33-60-106. Report required - general appropriations act.**

5 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before September
6 1 of each year beginning with 1993, each state agency that has received
7 or is scheduled to receive ~~moneys~~ MONEY from the great outdoors
8 Colorado trust fund shall provide the senate agriculture, natural resources,
9 and energy committee and the house of representatives agriculture,
10 livestock, and natural resources committee with a detailed accounting of
11 all such ~~moneys~~ MONEY received or to be received along with a detailed
12 accounting of how such ~~moneys~~ ~~have~~ MONEY HAS been or will be
13 expended. For informational purposes, the expenditure of such ~~moneys~~
14 MONEY may be indicated in the annual general appropriation act.

15 **SECTION 9.** In Colorado Revised Statutes, 36-1-102, **amend** (8)
16 as follows:

17 **36-1-102. Employees - director - bonds - report.**

18 (8) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the state board of
19 land commissioners shall deliver a copy of the summary of land
20 transactions required pursuant to subsection (4) of this section, the
21 investment and development fund report required pursuant to section
22 36-1-153 (4), and the income and inventory report required pursuant to
23 section 36-1-153.5 (1) on or before November 1, 2011, and on or before
24 November 1 of each year thereafter, to the members of the house and
25 senate education committees, or any successor committees, the members
26 of the house agriculture, livestock, and natural resources committee and
27 the senate agriculture and natural resources committee, or any successor

1 committees, the members of the joint budget committee, the members of
2 the state board of education, and the state treasurer. In addition, the state
3 board of land commissioners shall make the summary of land
4 transactions, the investment and development fund report, and the income
5 and inventory report available to the public on the state board of land
6 commissioners website on or before November 1, 2011, and on or before
7 November 1 of each year thereafter.

8 **SECTION 10.** In Colorado Revised Statutes, 36-1-153.5, **amend**
9 (1) introductory portion as follows:

10 **36-1-153.5. Annual income and inventory report.**

11 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
12 November 1, 2011, and on or before each November 1 thereafter, the
13 state board of land commissioners shall prepare an annual income and
14 inventory report. The report shall include the following:

15 **SECTION 11.** In Colorado Revised Statutes, 37-60-121, **amend**
16 (2.5)(d) as follows:

17 **37-60-121. Colorado water conservation board construction**
18 **fund - creation - nature of fund - funds for investigations -**
19 **contributions - use for augmenting the general fund - funds created**
20 **- repeal.** (2.5) (d) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the
21 board, in conjunction with the attorney general, shall report annually to
22 the senate agriculture, natural resources, and energy committee and the
23 house of representatives agriculture, livestock, and natural resources
24 committee on any litigation that involves the use of any ~~moneys~~ MONEY
25 from the litigation fund created in ~~paragraph (a) of this subsection (2.5)~~
26 SUBSECTION (2.5)(a) OF THIS SECTION.

27 **SECTION 12.** In Colorado Revised Statutes, 37-60-122, **amend**

1 (1) introductory portion and (1)(b) as follows:

2 **37-60-122. General assembly approval.** (1) ~~Moneys~~ MONEY in
3 the Colorado water conservation board construction fund shall be
4 expended in the following manner and under the following
5 circumstances:

6 (b) The general assembly may authorize projects as it deems to be
7 to the advantage of the people of the state of Colorado and shall direct the
8 board to proceed with the projects in the priorities established by the
9 general assembly under terms approved by the general assembly. The
10 board is authorized to make loans without general assembly approval in
11 amounts not to exceed ten million dollars. The unappropriated balance of
12 ~~moneys~~ MONEY in the Colorado water conservation board construction
13 fund and the state severance tax perpetual base fund shall be available
14 and continuously appropriated for this purpose. NOTWITHSTANDING
15 SECTION 24-1-136 (11)(a)(I), the board shall submit a written
16 determination of the basis for the project loans to the general assembly by
17 January 15 of the year following the year in which the loan was made.

18 **SECTION 13.** In Colorado Revised Statutes, 37-75-105, **amend**
19 (4) as follows:

20 **37-75-105. Interbasin compact committee - report.**
21 (4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), commencing in
22 2006, the committee shall submit an annual report to the house of
23 representatives committee on agriculture, livestock, and natural resources
24 and the senate committee on agriculture, natural resources, and energy,
25 or their successor committees, by October 31 concerning the status of
26 compact negotiations and, in consultation with the Colorado water
27 conservation board created in section 37-60-102, how ~~moneys~~ MONEY

1 from the water supply reserve fund created in section 39-29-109 (2)(c)
2 ~~C.R.S., were~~ WAS allocated during the previous twelve months for water
3 activities approved by basin roundtables.

4 **SECTION 14.** In Colorado Revised Statutes, **amend** 37-87-114.4
5 as follows:

6 **37-87-114.4. Annual report.** NOTWITHSTANDING SECTION
7 24-1-136 (11)(a)(I), the state engineer shall submit an annual report to the
8 general assembly by November 1 of each year concerning the activities
9 of the state engineer and the division of water resources relating to
10 sections 37-87-105 to 37-87-114 for the preceding fiscal year. The report
11 must include information on the following: Approvals of plans and
12 specifications for construction of dams and reservoirs and for alterations,
13 modifications, repairs, and enlargements; number of safety inspections
14 made and the results thereof; use of appropriated funds; receipts
15 generated for inspections of dams and reservoirs; rules and regulations
16 adopted or amended; enforcement orders and proceedings; dam failures
17 and reasons therefor; and other available data regarding the effectiveness
18 of the state's dam and reservoir safety program.

19 **SECTION 15.** In Colorado Revised Statutes, 37-95-116, **amend**
20 (1) as follows:

21 **37-95-116. Annual report - annual audit - annual budget.**
22 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before April
23 30 of each year, the authority shall make an annual report of its activities
24 for the preceding fiscal year to the governor and the joint agriculture and
25 natural resource committee of the house of representatives and the senate.
26 Each such report shall set forth a complete operating and financial
27 statement covering its operations during the year. Included within such

1 report shall be detailed financial data setting forth the manner in which
2 any previously appropriated state funds have been used. The authority, no
3 later than November 30 of each year, shall report to the governor any
4 requests for state funds for the upcoming state fiscal year, detailing the
5 purposes for which said funds are to be utilized.

6 **SECTION 16. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2018 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.