

CHAPTER 254

NATURAL RESOURCES

HOUSE BILL 17-1257

BY REPRESENTATIVE(S) Arndt, Hooton, Nordberg, Thurlow, Hansen, Kraft-Tharp;
also SENATOR(S) Tate, Kerr, Martinez Humenik, Moreno, Crowder.

AN ACT

CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF NATURAL RESOURCES TO THE GENERAL ASSEMBLY.

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

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

24-30-1303. Office of the state architect - responsibilities. (3) (b) Projects under the supervision of the division of parks and wildlife that are excluded from paragraph (a) of this subsection (3), shall:

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

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

24-33-111. Conservation of native species - fund created. (3) **Species conservation eligibility list and annual report.** (a) The executive director of the department of natural resources, after consultation with the Colorado water conservation board and its director, the parks and wildlife commission, and the director of the division of parks and wildlife, shall annually prepare a species conservation eligibility list describing programs and associated costs that are eligible to receive funding pursuant to this section. The species conservation eligibility list is subject to modification and adoption through passage of a bill. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), at the same time as the species conservation eligibility list is submitted, the director of the department of natural

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

resources, after consultation with the Colorado water conservation board and its director, the parks and wildlife commission, and the director of the division of parks and wildlife, shall also provide a detailed report to the general assembly on the progress and status of activities to date and their effectiveness in the recovery of the species and identify proposed future activities. The report shall include an assessment of habitat benefits, both public and private, attributable to such activities.

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

33-1-105.5. Acquisition of property - procedure. (9) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission shall include in its annual report, which report shall be submitted to the capital development committee and to the agriculture, livestock, and natural resources committee of the house of representatives and the agriculture, natural resources, and energy committee of the senate, a listing of all acquisitions of real property or interests in water made pursuant to the provisions of this section. Such report shall describe all property and interests in water acquired since July 1, 1992, the acquisition cost of each such property or interest in water, and the appraised value of each such property or interest in water, and shall contain a description of all pending acquisitions of property and interests in water.

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

33-1-112. Funds - cost accounting - definition - repeal. (7) (a) (III) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission shall submit an annual report of the ~~moneys~~ MONEY expended from the fund and matters accomplished by the expenditures from the preceding fiscal year to the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee, or their successor committees, by the convening date of each regular session of the general assembly in accordance with section 24-1-136 (9). ~~C.R.S.~~ The commission shall also submit to these committees a report on ~~moneys~~ MONEY proposed to be expended from the fund and the matters to be accomplished by the expenditures in the upcoming fiscal year.

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

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

33-3-111. Annual report to the general assembly. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), commencing with the second regular session of the sixty-seventh general assembly, the division shall report at least annually, by January 31 of each year, to the senate agriculture and natural resources committee and the house of representatives agriculture, livestock, and natural resources

committee, or their successor committees, on game damage and game damage prevention issues. Such report shall include, at a minimum:

SECTION 6. In Colorado Revised Statutes, 33-10-111, **amend** (6)(c) as follows:

33-10-111. Parks and outdoor recreation cash fund - parks for future generations trust fund - created - fees - accounting expenditures for roads and highways - definition - repeal. (6) (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commission shall submit an annual report of the ~~moneys~~ MONEY expended from the fund and matters accomplished by the expenditures from the preceding fiscal year to the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee, or their successor committees, by the convening date of each regular session of the general assembly in accordance with section 24-1-136 (9). ~~C.R.S.~~ The commission shall also submit to these committees a report on ~~moneys~~ MONEY proposed to be expended from the fund and the matters to be accomplished by the expenditures in the upcoming fiscal year.

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

33-10.5-103. Powers and duties of the division - annual report. (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), beginning on January 15, 2009, and on or before January 15 of each year thereafter, the division and the water conservation board created in section 37-60-102 ~~C.R.S.~~, shall make an annual report of the efforts in addressing aquatic nuisance species in Colorado for the preceding calendar year to the joint house agriculture, livestock, and natural resources committee and the senate agriculture, natural resources, and energy committee, or its successor committee. Each such report shall set forth a complete operating and financial statement covering the aquatic nuisance species operations of the division during the year.

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

33-60-106. Report required - general appropriations act. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before September 1 of each year beginning with 1993, each state agency that has received or is scheduled to receive ~~moneys~~ MONEY from the great outdoors Colorado trust fund shall provide the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee with a detailed accounting of all such ~~moneys~~ MONEY received or to be received along with a detailed accounting of how such ~~moneys have~~ MONEY HAS been or will be expended. For informational purposes, the expenditure of such ~~moneys~~ MONEY may be indicated in the annual general appropriation act.

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

36-1-102. Employees - director - bonds - report. (8) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the state board of land commissioners shall deliver a copy of the summary of land transactions required pursuant to subsection (4) of this section, the investment and development fund report required pursuant to section 36-1-153 (4), and the income and inventory report required pursuant to section

36-1-153.5 (1) on or before November 1, 2011, and on or before November 1 of each year thereafter, to the members of the house and senate education committees, or any successor committees, the members of the house agriculture, livestock, and natural resources committee and the senate agriculture and natural resources committee, or any successor committees, the members of the joint budget committee, the members of the state board of education, and the state treasurer. In addition, the state board of land commissioners shall make the summary of land transactions, the investment and development fund report, and the income and inventory report available to the public on the state board of land commissioners website on or before November 1, 2011, and on or before November 1 of each year thereafter.

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

36-1-153.5. Annual income and inventory report. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before November 1, 2011, and on or before each November 1 thereafter, the state board of land commissioners shall prepare an annual income and inventory report. The report shall include the following:

SECTION 11. In Colorado Revised Statutes, 37-60-121, **amend** (2.5)(d) 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. (2.5) (d) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the board, in conjunction with the attorney general, shall report annually to the senate agriculture, natural resources, and energy committee and the house of representatives agriculture, livestock, and natural resources committee on any litigation that involves the use of any ~~moneys~~ MONEY from the litigation fund created in ~~paragraph (a) of this subsection (2.5)~~ SUBSECTION (2.5)(a) OF THIS SECTION.

SECTION 12. In Colorado Revised Statutes, 37-60-122, **amend** (1) introductory portion and (1)(b) as follows:

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

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

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

37-75-105. Interbasin compact committee - report. (4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), commencing in 2006, the committee shall submit an annual report to the house of representatives committee on agriculture, livestock, and natural resources and the senate committee on agriculture, natural resources, and energy, or their successor committees, by October 31 concerning the status of compact negotiations and, in consultation with the Colorado water conservation board created in section 37-60-102, how ~~moneys~~ MONEY from the water supply reserve fund created in section 39-29-109 (2)(c) ~~C.R.S., were~~ WAS allocated during the previous twelve months for water activities approved by basin roundtables.

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

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

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

37-95-116. Annual report - annual audit - annual budget. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before April 30 of each year, the authority shall make an annual report of its activities for the preceding fiscal year to the governor and the joint agriculture and natural resource committee of the house of representatives and the senate. Each such report shall set forth a complete operating and financial statement covering its operations during the year. Included within such report shall be detailed financial data setting forth the manner in which any previously appropriated state funds have been used. The authority, no later than November 30 of each year, shall report to the governor any requests for state funds for the upcoming state fiscal year, detailing the purposes for which said funds are to be utilized.

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

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 25, 2017