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Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 29, 2021)

Drafting Number: LLS 21-0816 Date: April 26, 2021
Prime Sponsors: Rep. Esgar; Will Sen. Coram; Donovan Bill Status: Senate Agriculture Fiscal Analyst: Max Nardo | 303-866-4776 Max.Nardo@state.co.us

Bill Topic: MORE ROBUST CHECK STATION AQUATIC NUISANCE SPECIES

Summary of Fiscal Impact: [X] State Revenue [X] State Expenditure [] State Transfer [] TABOR Refund [] Local Government [] Statutory Public Entity

The bill modifies the state's aquatic nuisance species program. It increases state workload on a one-time basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill modifies operations of Colorado Parks and Wildlife (CPW) in the Department of Natural Resources with regard to its duties to protect the state's waters from aquatic nuisance species (ANS). The following changes are made:

- a peace officer is authorized to stop and inspect a boat or associated equipment at an ANS check station, in addition to existing permissible checkpoints;
a person transporting a boat or associated equipment is prohibited from refusing to stop at an ANS check station;
failing to stop at an ANS check station when transporting a boat or associated equipment is a civil infraction with an associated \$100 fine; and
CPW is directed to study the methods other states are using to operate ANS check stations and include this information in its annual report to the General Assembly.

Background

Colorado Parks and Wildlife is charged with operating an ANS program to prevent, control, monitor, and eradicate ANS from the waters of the state. Among other things, the program coordinates a network of inspection and decontamination stations operated by CPW, the National Park Service, counties and municipalities, and private businesses. Many of these interactions take place at boat

ramps prior to a vessel being launched onto state waters. In 2019, CPW intercepted 86 watercraft coming from out-of-state infested with zebra or quagga mussels. FY 2019-20 expenditures for the program totaled \$5.3 million. Additional information can be found in the program's annual report here:

<http://www.leg.state.co.us/library/reports.nsf/ReportsDoc.xsp?documentId=BE5519ABE9E0BBA8872574710066E809>

Revenue

Revenue may minimally increase from fines for failure to stop at an ANS check station. Any fine revenue collected will be deposited into the Parks and Outdoor Recreation Cash Fund. Because CPW is an enterprise, fine revenue is not subject to TABOR.

State Expenditures

The bill increases workload in CPW on a one-time basis. It is assumed the agency will operate a roadside pilot program at select locations to gather information and assess the viability of an ongoing roadside check station program. This pilot, along with CPW's other duties to study methods for operating ANS check stations, can be accomplished within existing appropriations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Natural Resources