

CHAPTER 8

GOVERNMENT - STATE

SENATE BILL 00-073

BY SENATORS Lacy, Owen, Tanner, and Anderson;
also REPRESENTATIVES Tool, Berry, and Saliman.

AN ACT

CONCERNING THE REPEAL OF THE "FEDERAL MANDATES ACT".

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

SECTION 1. Repeal. Article 78 of title 24, Colorado Revised Statutes, is repealed.

SECTION 2. Repeal. 2-3-203 (1) (f), Colorado Revised Statutes, is repealed as follows:

2-3-203. Powers and duties of the joint budget committee - repeal. (1) The committee has the following power and duties:

(f) ~~To enforce the requirements of the "Federal Mandates Act", article 78 of title 24, C.R.S., in the budgeting process pursuant to the requirements of section 24-78-105 (2), C.R.S.~~

SECTION 3. Repeal. 2-3-303 (2) (e), Colorado Revised Statutes, is repealed as follows:

2-3-303. Functions. (2) In addition to any other powers and duties set forth in law, the executive committee shall have the following powers and duties:

(e) ~~To oversee the implementation of the "Federal Mandates Act", article 78 of title 24, C.R.S., pursuant to the requirements of section 24-78-105 (1), C.R.S.~~

SECTION 4. 24-33-111 (1), Colorado Revised Statutes, is amended to read:

24-33-111. Conservation of native species - fund created. (1) **Legislative**

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

declaration. The general assembly hereby recognizes the importance of conserving 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. The general assembly hereby declares and determines that the Colorado department of natural resources and the division of wildlife are responsible for the development, implementation, or approval of appropriate programs to address the conservation of such species ~~for complying with the "Federal Mandates Act", article 78 of this title,~~ and for negotiating agreements with federal agencies and other states to avoid regulatory conflicts pursuant to section 24-33-103.

SECTION 5. 33-2-105.5 (1), Colorado Revised Statutes, is amended to read:

33-2-105.5. Reintroduction of endangered species - legislative declaration.

(1) The general assembly determines and declares that pursuant to ~~the "Federal Mandates Act", article 78 of title 24, C.R.S., and~~ the tenth amendment of the United States constitution, the state of Colorado has primacy over affairs that are of statewide concern and that matters concerning the environment, including the introduction or reintroduction of species that are currently not found or no longer found in this state is a statewide concern and should be conducted by the state through specific legislation. Reintroduction drives enormous land use questions and impacts property and water rights throughout Colorado.

SECTION 6. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 9, 2000