

CHAPTER 116

NATURAL RESOURCES

HOUSE BILL 22-1072

BY REPRESENTATIVE(S) Will and Roberts, Amabile, Bird, Carver, Cutter, Duran, Esgar, Exum, Gray, Herod, Lindsay, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Snyder, Titone, Valdez A.;
also SENATOR(S) Donovan and Simpson, Buckner, Cooke, Ginal, Gonzales, Hisey, Holbert, Jaquez Lewis, Kolker, Lee, Liston, Lundeen, Moreno, Pettersen, Priola, Rankin, Smallwood, Sonnenberg, Story, Winter, Woodward, Fenberg.

AN ACT**CONCERNING THE HABITAT PARTNERSHIP PROGRAM.**

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

SECTION 1. In Colorado Revised Statutes, 33-1-110, **amend** (7)(a), (8)(a), (8)(b), (8)(d)(VII), and (8)(e); and **add** (7)(c)(VII), (7)(c)(VIII), and (8)(c.5) as follows:

33-1-110. Duties of the director of the division. (7) (a) The director ~~with approval of the commission,~~ shall appoint a ~~committee~~ COUNCIL of nine persons to act as the "habitat partnership council", referred to in this section as the "council". The council ~~shall have~~ HAS statewide responsibility and authority.

(c) The duties of the council are:

(VII) TO ALLOCATE AN ANNUAL BUDGET TO EACH LOCAL HABITAT PARTNERSHIP COMMITTEE AND SUBMIT EACH COMMITTEE'S BUDGET FOR THE DIRECTOR'S FINAL APPROVAL; AND

(VIII) TO EXPEND MONEY AS NECESSARY IN AREAS THAT ARE NOT COVERED BY A LOCAL HABITAT PARTNERSHIP COMMITTEE FORMED PURSUANT TO SUBSECTION (8)(b) OF THIS SECTION TO REDUCE WILDLIFE AND LAND MANAGEMENT CONFLICTS AS THE CONFLICTS RELATE TO BIG GAME UNGULATE SPECIES FORAGE AND FENCE ISSUES, ASSIST WITH PRIVATE LAND CONSERVATION EFFORTS, ENHANCE WILDLIFE MIGRATION CORRIDORS, AND IMPLEMENT OTHER MANAGEMENT OBJECTIVES.

(8) (a) The habitat partnership program is hereby created to assist the division of

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~parks and wildlife~~ IN ITS DUTIES AS DEEMED APPROPRIATE BY THE DIRECTOR:

(I) By working with private land managers, public land management agencies, sports persons, and other interested parties to reduce wildlife conflicts, particularly those associated with forage and fence issues ~~and to assist~~ RELATED TO BIG GAME UNGULATE SPECIES;

(II) BY ASSISTING the division of ~~parks and wildlife~~ in meeting game management objectives; ~~through duties as deemed appropriate by the director.~~

(III) BY ASSISTING WITH PRIVATE LAND CONSERVATION EFFORTS; AND

(IV) IN ENHANCING WILDLIFE MIGRATION CORRIDORS.

(b) The director, ~~with the approval of the commission, shall have the authority to~~ MAY appoint a "habitat partnership committee", referred to in this ~~section~~ SUBSECTION (8) as a "committee", in any area of the state where conflicts between wildlife and private land owners and managers engaged in the management of public and private land exist, AS THE CONFLICTS RELATE TO BIG GAME UNGULATE SPECIES FORAGE AND FENCE ISSUES.

(c.5) COMMENCING ON THE EFFECTIVE DATE OF THIS SUBSECTION (8)(c.5), COMMITTEE MEMBERS SERVE FOR SET TERMS AS DETERMINED BY THE DIRECTOR. IN SETTING COMMITTEE MEMBERS' TERMS, THE DIRECTOR MUST PROVIDE FOR THE STAGGERING OF COMMITTEE MEMBERS' TERMS AND MAY ALLOW COMMITTEE MEMBERS TO SERVE AN UNLIMITED NUMBER OF TERMS.

(d) The duties of a committee are the following:

(VII) To reduce wildlife and land management conflicts as the conflicts relate to big game UNGULATE SPECIES forage and fence issues, ASSIST WITH PRIVATE LAND CONSERVATION EFFORTS, ENHANCE WILDLIFE MIGRATION CORRIDORS, and ACHIEVE other management objectives.

(e) (I) ~~The A committee shall be authorized to~~ MAY procure from land owners, land managers, or other providers materials or services AS ARE necessary for carrying out activities identified in the distribution management plans pursuant to ~~subparagraph (IV) of paragraph (d) of this subsection (8)~~ SUBSECTION (8)(d)(IV) OF THIS SECTION; except that ~~all such procurements~~ A COMMITTEE shall be certified as CERTIFY THAT A PROCUREMENT IS within the scope of the activities and funding levels authorized in ~~such~~ A distribution management ~~plans~~ PLAN before ~~any such procurement may be authorized~~ PROCURING THE MATERIALS OR SERVICES.

(II) FOR PURPOSES OF PURCHASING, ACCOUNTING, AND ALL PROCUREMENT-RELATED ISSUES, THE COUNCIL AND EACH COMMITTEE IS A SEPARATE, DISTINCT, AND INDEPENDENT ORGANIZATIONAL UNIT.

SECTION 2. In Colorado Revised Statutes, 33-1-112, **amend** (8)(e)(III); and **repeal** (8)(e)(IV) as follows:

33-1-112. Funds - cost accounting - definition - repeal. (8) (e) (III) ~~Any~~ THE

balance OF UNEXPENDED AND UNENCUMBERED MONEY in the habitat partnership cash fund at the end of ~~the~~ EACH STATE fiscal year ~~shall~~ MUST not exceed the total amount of the wildlife cash fund transfer from the beginning of that STATE fiscal year. Any ~~excess moneys shall revert~~ AMOUNT OF UNEXPENDED AND UNENCUMBERED MONEY IN THE HABITAT PARTNERSHIP CASH FUND AT THE END OF A STATE FISCAL YEAR THAT EXCEEDS THE AMOUNT TRANSFERRED TO THE FUND AT THE BEGINNING OF THAT STATE FISCAL YEAR REVERTS to the wildlife cash fund.

(IV) ~~This paragraph (c) is repealed, effective July 1, 2023.~~

SECTION 3. In Colorado Revised Statutes, 24-101-105, **amend** (1)(a) introductory portion, (1)(a)(XIV), and (1)(a)(XV); and **add** (1)(a)(XVI) as follows:

24-101-105. Application of this code. (1) (a) This code ~~shall apply~~ APPLIES to all publicly funded contracts entered into by all governmental bodies of the executive branch of this state; except that this code ~~shall~~ DOES not apply to:

(XIV) Annuities; ~~and~~

(XV) Real property or interest in real property; OR

(XVI) THE HABITAT PARTNERSHIP PROGRAM CREATED IN SECTION 33-1-110 (8)(a).

SECTION 4. 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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 21, 2022