

CHAPTER 346

NATURAL RESOURCES

HOUSE BILL 93-1346

BY REPRESENTATIVES Moellenberg, Salaz, Armstrong, Chlouber, Eisenach, and Kaufman;
also SENATORS Rizzuto, Bishop, Mutzebaugh, Norton, Pastore, L. Powers, Thiebaut, Traylor, Weissmann, Wells, and Wham.

AN ACT**CONCERNING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE LOWER ARKANSAS RIVER COMMISSION WITH RESPECT TO WATER IN THE GREAT PLAINS RESERVOIRS, AND MAKING AN APPROPRIATION THEREFOR.**

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

SECTION 1. 33-1-101, Colorado Revised Statutes, 1984 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

33-1-101. Legislative declaration. (3.5) (a) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT IT SUPPORTS THE RECOMMENDATION OF THE LOWER ARKANSAS RIVER COMMISSION IN ITS PLAN DATED MARCH 25, 1993, TO PROTECT AND ENHANCE FISH AND WILDLIFE RESOURCES AT THE GREAT PLAINS RESERVOIRS, AND FURTHER FINDS THAT A JOINT FUNDING EFFORT, WHICH INCLUDES FUNDS APPROPRIATED FROM THE WILDLIFE CASH FUND CREATED IN SECTION 33-1-112 TO CARRY OUT SUCH RECOMMENDATION WOULD FURTHER THE PUBLIC INTEREST BY ESTABLISHING RECREATIONAL OPPORTUNITIES IN SOUTHEASTERN COLORADO.

(b) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE JOINT FUNDING EFFORT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3.5) SHALL NOT BE SOLELY A DIVISION RESPONSIBILITY AND THAT THE APPROPRIATION FROM THE WILDLIFE CASH FUND SHALL BE USED TO MAXIMIZE MATCHING FUNDS FROM OTHER SOURCES TO ENSURE FULL IMPLEMENTATION OF THE RECOMMENDATION.

SECTION 2. Appropriation. (1) In addition to any other appropriation there is hereby appropriated, out of any moneys in the wildlife cash fund not otherwise appropriated, to the department of natural resources, for allocation to the division of wildlife, for fiscal years beginning July 1, 1993, and ending June 30, 1998, the sum

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

of five million dollars (\$5,000,000), or so much thereof as may be necessary, to implement the provisions of the Lower Arkansas River commission's recommendation, as described in its March 25, 1993, implementation plan, to enhance fish and wildlife values at the Great Plains Reservoirs, Kiowa county, Colorado.

(2) This appropriation shall include moneys to fund operating, maintenance, development, and land and water acquisition costs.

(3) No funds appropriated under subsection (1) of this section shall be expended without the prior approval of the wildlife commission and without commitments by other entities of additional funds from sources other than the wildlife cash fund and other than federal funds from the "Federal Aid in Wildlife Restoration Act" or the "Federal Aid in Sportfish Restoration Act", which additional funds are sufficient to fully implement the recommendation.

(4) Moneys appropriated in this bill from wildlife cash funds shall constitute state fiscal year spending as defined in section 24-77-102 (17), Colorado Revised Statutes.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 11, 1993