

CHAPTER 207

NATURAL RESOURCES

SENATE BILL 94-031

BY SENATORS Johnson, Bishop, and Casey;
also REPRESENTATIVES Chlouber, Foster, and Shoemaker.

AN ACT**CONCERNING INFORMATIONAL MATERIALS DISTRIBUTED BY THE DIVISION OF WILDLIFE.**

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

SECTION 1. 33-1-114, Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

33-1-114. Conservation magazine - revenue - Colorado outdoors magazine revolving fund. (1) The division is authorized to distribute a conservation magazine ~~on a paid subscription basis~~ and ASSOCIATED INFORMATIONAL PRODUCTS. The revenue derived therefrom shall be deposited in the state treasury and credited to the Colorado outdoors magazine revolving fund WHICH FUND IS HEREBY CREATED. The magazine, subject to the approval of the executive director, shall be issued in accordance with the provisions of section 24-1-136, C.R.S. Funds necessary for the publication and distribution of such magazine AND ASSOCIATED PRODUCTS shall be expended from the revolving fund, and additional funds, if necessary, will be included in the division's annual budget of wildlife cash funds. Such conservation magazine AND ASSOCIATED INFORMATIONAL PRODUCTS may be sold by the division or by any ~~individual~~ PERSON designated by such division PURSUANT TO CONTRACT. ~~The division may pay to those individuals who sell such conservation magazine up to ten percent of the moneys collected for sale of a subscription and ten cents for each single copy sold.~~ Any surplus in the revolving fund in excess of ~~fifty~~ ONE HUNDRED thousand dollars shall revert to the wildlife cash fund at the close of each fiscal year.

(2) IF A PRIVATE BUSINESS MANUFACTURES AND PRODUCES FOR SALE A PRODUCT THAT IS AVAILABLE ON THE COMMERCIAL MARKET AND THE DIVISION IS NOT CURRENTLY PRODUCING SUCH PRODUCT, SUCH PRODUCT, OR ONE SUBSTANTIALLY SIMILAR, SHALL NOT BE PRODUCED OR OFFERED FOR SALE BY THE DIVISION FOR SO LONG AS SUCH PRODUCT REMAINS AVAILABLE FROM A PRIVATE BUSINESS.

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

SECTION 2. 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: May 22, 1994