

CHAPTER 328

NATURAL RESOURCES

HOUSE BILL 00-1255

BY REPRESENTATIVES Alexander, Coleman, George, Hefley, McKay, Scott, Spradley, Stengel, and Taylor;
also SENATORS Chlouber and Powers.

AN ACT

CONCERNING AN EXPANSION OF THE EXISTING AUTHORITY OF THE DIVISION OF WILDLIFE TO ISSUE A LIMITED NUMBER OF HUNTING LICENSES THROUGH A COMPETITIVE AUCTION OR RAFFLE, AND, IN CONNECTION THEREWITH, AUTHORIZING THE ISSUANCE OF LICENSES BY SUCH METHOD FOR DEER, ELK, AND ANTELOPE, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Article 4 of title 33, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

33-4-116.5. Auction or raffle of deer, elk, and antelope licenses - use of proceeds. (1) (a) THE DIVISION IS AUTHORIZED TO ISSUE UP TO FOUR MALE OR FEMALE DEER LICENSES, FOUR MALE OR FEMALE ELK LICENSES, AND FOUR MALE OR FEMALE ANTELOPE LICENSES EACH YEAR THROUGH A COMPETITIVE AUCTION OR RAFFLE. THE COMMISSION SHALL PROMULGATE RULES PERTAINING TO THE LICENSE AND THE CONDUCT OF THE AUCTION OR RAFFLE.

(b) (I) A NONPROFIT ORGANIZATION INVOLVED IN THE CONSERVATION OF DEER MAY BE AUTHORIZED BY THE COMMISSION TO CONDUCT THE LICENSE AUCTION OR RAFFLE FOR THE DEER.

(II) A NONPROFIT ORGANIZATION INVOLVED IN THE CONSERVATION OF ELK MAY BE AUTHORIZED BY THE COMMISSION TO CONDUCT THE LICENSE AUCTION OR RAFFLE FOR THE ELK.

(III) A NONPROFIT ORGANIZATION INVOLVED IN THE CONSERVATION OF ANTELOPE MAY BE AUTHORIZED BY THE COMMISSION TO CONDUCT THE LICENSE AUCTION OR RAFFLE FOR THE ANTELOPE.

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

(c) IF THE AUCTION OR RAFFLE IS CONDUCTED BY A NONPROFIT ORGANIZATION, THE ORGANIZATION MAY RETAIN PROCEEDS OF THE SALE, NOT TO EXCEED EIGHTY PERCENT OF SUCH PROCEEDS, TO BE USED ONLY FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION. THE ORGANIZATION SHALL ACCOUNT FOR ALL PROCEEDS RETAINED BY THE ORGANIZATION AND SHALL PRESENT SUCH ACCOUNTING TO THE COMMISSION NO LESS FREQUENTLY THAN ANNUALLY, EITHER AT THE COMMISSION'S FIRST MEETING OF EACH CALENDAR YEAR OR AT SUCH OTHER TIMES AS THE COMMISSION SHALL DIRECT. SUCH AUCTION OR RAFFLE SHALL BE CONDUCTED PURSUANT TO THE PROVISIONS OF COLORADO LAW.

(2) (a) (I) ALL PROCEEDS REMAINING FROM THE AUCTION OR RAFFLE OF DEER LICENSES, WHETHER CONDUCTED BY THE COMMISSION OR AS OTHERWISE AUTHORIZED BY THE COMMISSION, SHALL BE USED ONLY FOR THE BENEFIT OF DEER RESEARCH, EDUCATIONAL PROJECTS, MANAGEMENT, OR HABITAT DEVELOPMENT; EXCEPT THAT HABITAT DEVELOPMENT SHALL NOT INCLUDE LAND ACQUISITIONS.

(II) ALL PROCEEDS REMAINING FROM THE AUCTION OR RAFFLE OF ELK LICENSES, WHETHER CONDUCTED BY THE COMMISSION OR AS OTHERWISE AUTHORIZED BY THE COMMISSION, SHALL BE USED ONLY FOR THE BENEFIT OF ELK RESEARCH, EDUCATIONAL PROJECTS, MANAGEMENT, OR HABITAT DEVELOPMENT; EXCEPT THAT HABITAT DEVELOPMENT SHALL NOT INCLUDE LAND ACQUISITIONS.

(III) ALL PROCEEDS REMAINING FROM THE AUCTION OR RAFFLE OF ANTELOPE LICENSES, WHETHER CONDUCTED BY THE COMMISSION OR AS OTHERWISE AUTHORIZED BY THE COMMISSION, SHALL BE USED ONLY FOR THE BENEFIT OF ANTELOPE RESEARCH, EDUCATIONAL PROJECTS, MANAGEMENT, OR HABITAT DEVELOPMENT; EXCEPT THAT HABITAT DEVELOPMENT SHALL NOT INCLUDE LAND ACQUISITIONS.

(b) THE PROCEEDS FROM THE AUCTIONS OR RAFFLES SHALL BE USED FOR SPECIAL PROJECTS AND SHALL BE IN ADDITION TO ANY OTHER MONEYS USED FOR THE MANAGEMENT OF DEER, ELK, OR ANTELOPE.

SECTION 2. Appropriation. 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 the fiscal year beginning July 1, 2000, the sum of seventeen thousand six hundred dollars (\$17,600), or so much thereof as may be necessary, for the implementation of this act.

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 1, 2000