

CHAPTER 331

NATURAL RESOURCES

HOUSE BILL 06-1393

BY REPRESENTATIVE(S) Curry, Buescher, Berens, Cloer, Coleman, Crane, Gardner, Hall, Hefley, Hodge, Hoppe, McFadyen, Merrifield, Paccione, Penry, Rose, Solano, Stafford, Sullivan, and White;
also SENATOR(S) Isgar.

AN ACT

**CONCERNING THE USE OF SEVERANCE TAX REVENUES BY THE DEPARTMENT OF AGRICULTURE FOR THE
NATURAL RESOURCES CONSERVATION MATCHING GRANTS PROGRAM.**

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

SECTION 1. 39-29-109 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

39-29-109. Severance tax trust fund - created - administration - use of moneys - definitions - repeal. (1) (a) There is hereby created in the office of the state treasurer the severance tax trust fund. The fund is to be perpetual and held in trust as a replacement for depleted natural resources and for the development and conservation of the state's water resources pursuant to sections 37-60-106 (1) (j) and (1) (l), 37-60-119, and 37-60-122, C.R.S., and for the use in funding programs that promote and encourage sound natural resource planning, management, and development related to minerals, energy, geology, and water. State severance tax receipts shall be credited to the severance tax trust fund as provided in section 39-29-108. All income derived from the deposit and investment of the moneys in the severance tax trust fund shall be credited to the severance tax trust fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. All moneys in the fund shall be subject to appropriation by the general assembly for the following purposes:

(III) (A) SOIL AND WATER CONSERVATION. SUBJECT TO THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF THIS SUBSECTION (1), PRIOR TO THE END OF EACH FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED FIFTY THOUSAND

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

DOLLARS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE CONSERVATION DISTRICT GRANT FUND CREATED IN SECTION 35-1-106.7, C.R.S.

(B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1, 2011.

SECTION 2. Article 1 of title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

35-1-106.7. Conservation district grant fund - repeal. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE CONSERVATION DISTRICT GRANT FUND. THE FUND SHALL CONSIST OF MONEYS TRANSFERRED PURSUANT TO SECTION 39-29-109 (1) (a) (III), C.R.S. MONEYS IN THE FUND ARE SPECIFICALLY AND CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT. THE DEPARTMENT SHALL GRANT MONEYS IN THE FUND TO CONSERVATION DISTRICTS FOR THE PURPOSE OF IMPLEMENTING AND MAINTAINING SOIL AND WATER CONSERVATION EFFORTS. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND SHALL BE A PART OF THE FUND AND SHALL NOT BE TRANSFERRED OR CREDITED TO THE GENERAL FUND OR TO ANY OTHER FUND.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

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 5, 2006